# Police Chief

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JANUARY 2016

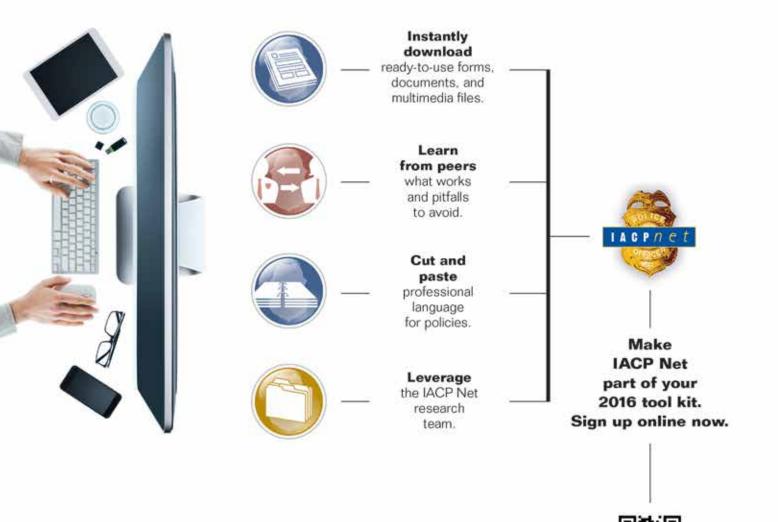
# Domestic Violence, Stalking, and Sexual Assault Inside: 2015 IACP Awards **Pedestrian Safety Measures Using Body-Worn Camera Data**

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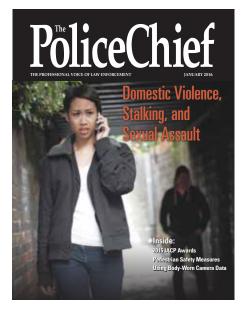
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Domestic violence, sexual assault, stalking, and related crimes are not easy for law enforcement to identify, investigate, or prosecute. Nonetheless, they are pervasive issues in society, as evidenced in recent dialogue about professional athletes, the U.S. military, universities, and test backlogs. Law enforcement can benefit from a better understanding of what these crimes look like; who the victims are; and, perhaps most importantly, how to respond to those victims of trauma in a way that both meets their needs and allows for a successful case against the offender. Understanding the science of trauma and relevant risk factors can start law enforcement on the right path in responding to these crimes.

## **PoliceChief**

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Is there a topic, idea, or project you think should be featured in *Police Chief?* Submit an article for consideration by sending it to **submissions@theiacp.org**.

Our guidelines and themes for 2016 are available at www.police chiefmagazine.org/editorial. We welcome submissions from all law enforcement professionals and subject matter experts.

#### PRESIDENT'S MESSAGE

# Presidential Focus: Going Dark and the Challenges of Gathering Electronic Evidence

Ubiquitous access to interconnected mobile devices and other advanced communications systems has transformed how we live, work, and communicate, enabling global communication with the touch of a finger to a smartphone screen. This expansion of interconnectedness is something we all depend on; however, it has also provided criminals with a new tool and created major worldwide challenges for law enforcement investigators.

Today, the "footprints" left at the "scene" are no longer physical pieces of evidence, but digital traces that can be accessed from anywhere in the world through smartphones or computers. These are the modern-day fingerprints that we, law enforcement, use to uncover offenders and increase public safety. We need access to this digital information to solve crimes, locate perpetrators, protect victims, and ensure successful prosecutions.

The ever-growing global challenge we are facing is that laws have not kept pace with technology. This disconnect has created a significant public safety problem, which, in the law enforcement community, we commonly refer to as "Going Dark."

There are two overlapping challenges of Going Dark: (1) inability to intercept real-time information from "data in motion" such as active phone calls, emails, and live chat sessions and (2) little or no access to "data at rest" such as emails, text messages, photos, and videos stored on computers, cellphones, tablets, flash drives, and other digital devices. These challenges are becoming increasingly prevalent; more and more often, both real-time communication and stored data are encrypted, making them inaccessible to law enforcement.

The tragic events in Paris, France, and other events around the world have reignited the conversation and brought the challenges caused by encryption to the forefront of the minds of lawmakers, the public, and the media.

However, this issue is not new to the IACP or the law enforcement community. The IACP has long been discussing this issue and the global implications it has on public safety. In February 2015, the IACP held a summit on Going Dark: Addressing the Challenges of Data, Privacy, and Public Safety. The summit brought together law enforcement executives, investigators, legal specialists, and subject matter experts to explore legal, technical, policy, and operational issues associated with the gathering

and use of data related to communications and mobile devices.

As a result of that summit, the IACP released a report that details the technological and legal landscape surrounding the issue of Going Dark and defines the barriers to access faced by public safety officials. It also outlines the key ideas that law enforcement leaders should know when discussing the issue of Going Dark. Those themes are the following:

- 1. Continuing law enforcement's longstanding commitment to individual liberty.
- 2. Recognizing that network security measures such as encryption are important, appropriate, and justifiable.
- Adhering to constitutional protections and time-honored, established legal processes that guarantee judicial review and approval of search warrants.
- 4. Understanding that technology is evolving and solutions are being developed that prevent the discovery and collection of information—potential evidence—from digital devices and communications systems, even with a court order.
- 5. Knowing that the harms resulting from the inability of technology companies to comply

abstract; they have very real, tangible consequences in many criminal and national security investigations. The threat is real, and it is already hindering law enforcement's ability to keep the public safe.

6. Conveying that we are not seeking to expand the surveillance authority of government, but rather to expans that widness called.

with court-ordered surveillance warrants are not

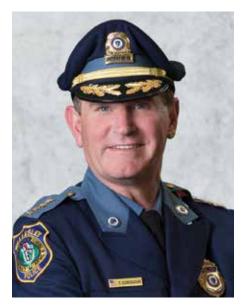
6. Conveying that we are not seeking to expand the surveillance authority of government, but rather to ensure that evidence collection by lawful court order can be accomplished when authorized and needed.

I highly encourage all of you to read this report and distribute it within your own and neighboring agencies. This report is not only a good internal document for law enforcement so that you can fully understand this complex issue, but it is also a great tool to provide to policy makers when you are meeting with them to discuss public safety issues. This report provides an extensive overview of the problem and can help educate policy makers as they consider potential solutions.

In addition to this report, I also want to make you aware of the IACP's advocacy and outreach efforts on the issue of Going Dark. We have been meeting with senior law enforcement officials from governments around the globe to seek out solutions to this issue. The IACP has also joined forces with the National District Attorneys Association (NDAA) to call for specific legislative changes to the Communications Assistance for Law Enforcement Act, FCC rules, and Electronic Communications Privacy Act.

The IACP and the NDAA have been meeting with key U.S. congressional members and senators on this issue. In these numerous meetings and discussions, we are constantly being asked to provide real-life case examples in which law enforcement has encountered problems accessing digital evidence and information on smartphones and computers. I urge you to send us criminal case examples of these day-to-day barriers you are facing so that we can highlight them in our discussions, especially when we are in meetings with lawmakers from your home states and districts. To submit these criminal case examples, please email goingdark@ theiacp.org. I thank you in advance for your participation.

Additionally, the IACP and NDAA will be hosting a series of congressional briefings in early 2016 to ensure that elected officials in the United States are aware of the challenges we face and that they are committed to finding a solution to this critical issue.



Terrence M. Cunningham, Chief of Police, Wellesley, Massachusetts, Police Department

# IACP Legal Officers Section Spring Training Program



This intensive weeklong program is designed for police attorneys of all experience levels. Dual tracks provide classes helpful to newer police attorneys, while also providing cutting-edge material for more experienced attorneys.

#### Anticipated topics include:

- Body-Worn Camera Symposium
- Employment and Labor Law
- Brady and Internal Affairs Issues
- Ethics for Police Attorneys
- Bias-Free Policing



#### Save the Date!

April 18-22, 2016 Seattle, Washington

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#### **Program Information:**

Weeklong program includes lunch each day and hosted and non-hosted social networking events.



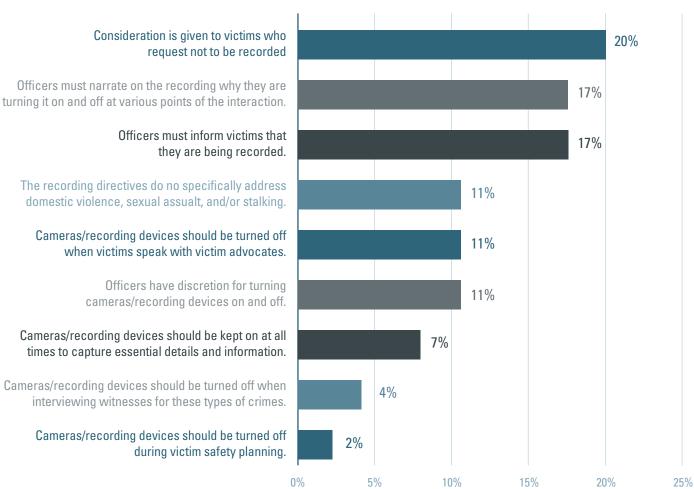
#### THE DISPATCH

Police Chief knows that many of the best ideas and insights come from IACP members who serve their communities every day. The Dispatch is an opportunity for members and other readers to share their wisdom, thoughts, and input on policing and the magazine.

#### **MEMBERS SPEAK OUT**

In November, *Police Chief* asked our readers what their agencies' directives were regarding audio and visual recording during calls involving domestic violence, sexual assault, or stalking. Here's what you told us:

#### Directives for Using Recording Devices When Responding to Domestic Violence, Sexual Assault, or Stalking Calls



#### YOUR TURN



What steps is your agency taking to improve police-community relations?

Visit www.policechiefmagazine.org or scan the QR code to tell us what you think. Look for the results in the March 2016 issue of *Police Chief!* 



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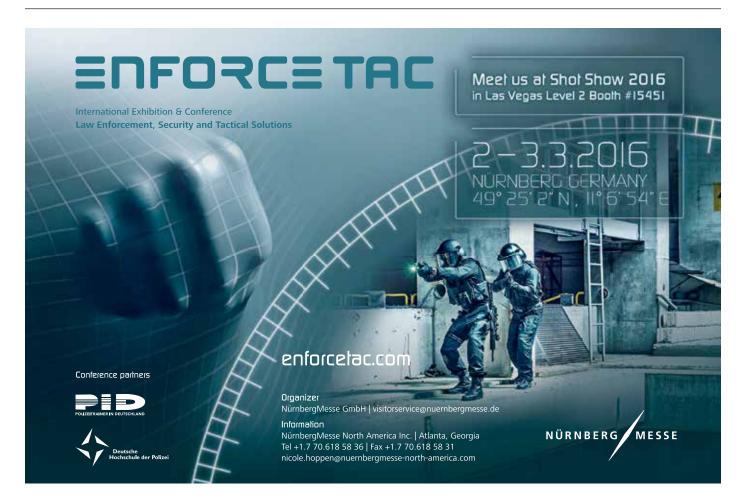


http://theiacpblog.org

#### IACP's 40 Under 40

This award program is designed to recognize 40 law enforcement professionals under the age of 40 from around the world who demonstrate leadership and exemplify commitment to their profession. Award winners will represent law enforcement Leaders of Today as well as the Leaders of Tomorrow.

Deadline for nominations: February 1, 2016.



#### LEGISLATIVE ALERT

# IACP Advocacy's Efforts to Address Going Dark and the Prevention of Terrorism

By Sarah Guy, Manager, Legislative and Media Affairs, IACP

As outlined in this month's President's Message, the IACP is actively addressing the challenge faced by the law enforcement community regarding their ability to access electronic evidence and the threat this issue poses to public safety. The issue of "Going Dark"—law enforcement's reduced ability to lawfully access and examine digital evidence at rest and evidence in motion due to technical and non-technical barriers—is increasingly placing public safety at risk.

In response to this growing problem, earlier this year, the IACP convened a law enforcement summit on Going Dark to help identify legal, technical, and operational concerns associated with the issues surrounding the collection and use of data related to communications and mobile devices. A broad array of law enforcement leaders, investigators, and subject matter experts participated in the summit, and as a result, the IACP recently released a report.

The summit report reviews the current capabilities of law enforcement agencies, the impact of technological advances on law enforcement investigations, and the role of industry in this debate. The summit report also makes clear that laws have failed to keep pace with new technology and that urgent and immediate action needs to be taken.

To that end, the IACP has joined forces with the National District Attorneys Association (NDAA) to press for immediate action to address this critical threat and urge public officials and industry leaders to work with law enforcement to develop solutions that will help protect the public. As part of that effort,

we will be calling for legislative changes to the appropriate legislative vehicles. Those changes could include updates to the Communications Assistance for Law Enforcement Act (CALEA), FCC rules, and the Electronic Communications Privacy Act (ECPA).

The IACP and the NDAA have already had several meetings with key U.S. congressional members and senators. Those meetings include a meeting with Senator Dianne Feinstein (D-CA), who has been very outspoken on this issue. We have also met with key staff from the House Homeland Security Committee, House Judiciary Committee, House Law Enforcement Caucus, Senate Law Enforcement Caucus, Senate Select Committee on Intelligence, and the Senate Committee on the Judiciary. Our meetings will continue as we work to raise awareness and find legislative solutions.

As part of our continued effort, the IACP and NDAA will be hosting a series of congressional briefings to ensure that our elected officials are aware of the challenges we face and that they are committed to finding a solution to this critical issue.

#### Call to Action: Support the Denying Firearms and Explosives to Dangerous Terrorists Act

Earlier this year, U.S. Senator Dianne Feinstein introduced the Denying Firearms and Explosives to Dangerous Terrorists Act of 2015 (S. 551)

Currently, individuals who are known or suspected terrorists are not prohibited from purchasing firearms. If a known or suspected terrorist is prohibited from boarding an airplane, it is common sense that the same person be prevented from purchasing firearms and explosives or from obtaining a firearms dealer's license.

The Denying Firearms and Explosives to Dangerous Terrorists Act of 2015 would institute necessary safeguards to protect and strengthen U.S. national security. Those safeguards include the following:

- Allowing the U.S. attorney general to deny the purchase or transfer of a firearm or explosive to a known or suspected terrorist if there is a reasonable belief that the prospective recipient may use the firearm or explosive in connection with terrorism.
- Maintaining protections in current law that allow a person who believes he or she has been mistakenly prevented from buying a firearm to learn of the reason for the denial, and then to challenge the denial, first administratively with the Department of Justice (DOJ) and, then, through a lawsuit against DOJ.
- Allowing DOJ, in any administrative or court proceeding challenging the accuracy of a denied firearm or explosive transfer under the bill, to protect information that, if disclosed, would compromise national security.

We ask that you contact your U.S. senator and request that he or she support this important legislation. To easily do so, visit the IACP's issues and legislative advocacy center at http://stage.capwiz.com/theiacp/issues.

#### Requiring Reporting of Online Terrorist Activity Act Introduced

On December 8, 2015, Senate Intelligence Committee Chair Richard Burr (R-NC) and Vice Chairman Dianne Feinstein introduced the Requiring Reporting of Online Terrorist Activity Act (S. 2372). The bill requires that if technology companies become aware of terrorist activity such as planning for attacks, recruitment, or distribution of terrorist materials, they must report that information to law enforcement. The legislation is modeled after an existing law that requires technology companies to report online child pornography when they become

It is important to note that the bill would not require companies to monitor customers or undertake any additional action to turn up terrorist activities. The IACP is currently reviewing this legislation.



To access the IACP's summit report, *Data, Privacy* and *Public Safety: A Law Enforcement Perspective* on the Challenges of Gathering Electronic Evidence, visit www.theiacp.org/portals/0/documents/pdfs/IACPSummitReportGoingDark.pdf.

#### IACP WORKING FOR YOU

In the mission to support the law enforcement leaders of today and develop the leaders of tomorrow, the IACP is constantly involved in advocacy, programs, research, and initiatives related to cutting-edge issues. This column keeps you up to date on IACP's work to support our members and the field of law enforcement.

#### High-Visibility Education and Enforcement (HVEE) Pilot Project

As part of the continued focus on enhancing traffic safety and reducing fatal crashes throughout the United States, the IACP; the Governor's Highway Safety Association (GHSA); the National Highway Traffic Safety Administration (NHTSA), U.S. Department of Transportation; and four states—Delaware, Maryland, North Carolina, and Wisconsin—have joined in a High-Visibility Education and Enforcement (HVEE) pilot program to enhance the Drive to Save Lives campaign.

The first step involved IACP staff conducting a review of NHTSA Fatality Analysis Reporting System (FARS) data to determine a topic of focus for each of the states involved. IACP staff and participating agencies then utilized state crash data to identify a specific location in which to conduct their HVEE campaign. Based on the state data, in October, IACP hosted a meeting bringing together six law enforcement representatives from each state, including one representative of the state police, two representatives from the State Association of Chiefs of Police, two local law enforcement leaders from the selected area, and one representative from the Governor's Highway Safety Office, to share experiences and develop strategies to educate the impacted communities and coordinate an effective enforcement initiative. Each group also focused on officer safety requirements and recommendations for the various aspects of their campaigns. The HVEE campaigns are currently under way.

During each of the campaigns, involved agencies and IACP staff are collecting promising practices and lessons learned, focusing on officer safety throughout the course of conducting traffic enforcement, and highlighting the importance of engaging stakeholders and community members. Case studies from each of the campaigns, a Traffic Officer Safety toolkit, and a Promising Practices in HVEE Campaigns summary are forthcoming.

For more information on the HVEE campaigns and on the Drive to Save Lives Campaign, visit www.theIACP.org/trafficsafety.

#### IACP on YouTube

In addition to other social media platforms, the IACP has a YouTube channel dedicated to videos for our members. The videos that can be accessed on the channel include events and speeches from the IACP Annual Conference and Exposition, interviews with law enforcement leaders, roll call videos, and playlists for campaigns such as #WhyIWeartheBadge, among other video content. The channel gathers many IACP materials, projects, and information in one place and is a great resource for IACP members and the law enforcement community.

Visit the IACP YouTube channel at www.youtube.com/user/TheIACP.

#### Investigating Sexual Assault and Sex-Related Crimes in Confinement Settings

The IACP, with the help of the Bureau of Justice Assistance (BJA) and the PREA Resource Center (PRC), has released a training video entitled Investigation Sexual Assault and Sex-Related Crimes in Confinement Settings, along with an accompanying resource guide.

The video is designed to serve as a roll call training video for investigators, and it will enhance law enforcement's understanding of the Prison Rape Elimination Act (PREA) standards and their implications. It details the issue of sexual abuse in confinement settings, the differences of investigating in the community versus the confinement area, barriers investigators may face during the criminal investigation, and keys to a successful investigation.

The video can be found on the IACP YouTube channel (www.youtube.com/watch?v=q2iw7ifhWJ4&feature=youtu.be). Access the resource guide at http://bit.ly/Investigating\_Sex\_Crimes\_Confinement.



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#### OFFICER SAFETY CORNER

### The IACP/DuPont Kevlar Survivors' Club: A Year in Review with an Eye Toward the Future

By Sam Capogrossi, Project Manager, Center for Officer Safety and Wellness, IACP

s the 2015 IACP/DuPont Kevlar Survivors' AClub initiative wraps up and 2016 begins, the IACP reflects back on program changes and the successes achieved with an eye toward the year to come. A significant change in 2015 was the addition of a full-time staff member to the Center for Officer Safety and Wellness (COSW) in May, with specific duties to manage the Survivors' Club. The new manager came from the ranks of the law enforcement community following his retirement from a state police agency. This individual brought a unique understanding of the importance of the program and is working to make improvements while contributing frontline experience to the COSW.

By the end of 2015, the Survivors' Club sent out more than 100 outreach letters to agencies across the United States and Canada and will be following up this year with additional outreach postcards. These postcards have been newly redesigned and feature a striking design, complete with program information concerning recognition, awareness, and practice of officers wearing their personal body armor.

The Survivors' Club was successful in awarding membership to 17 deserving officers across the United States and Canada during 2015. Those officers faced down adversity in lifethreatening incidents and survived as a result of wearing their personal body armor. The IACP and DuPont congratulate each one of these fine officers and thank them for their service to their respective communities.

The new manager also overhauled the look of the IACP/DuPont Kevlar Survivors' Club webpage, making it easier for agencies and officers to access an electronic version of the application. Although the paper version of the application is still currently available, in time, the application will be available only in electronic form. The website also has a new carousel of news stories directly related to officers and vest wear. This updated and improved webpage can be found at www.iacp.org/survivorsclub.



Finally, this year the IACP/DuPont Kevlar Survivors' Club celebrated the honoree of the year, Chicago Police Department Officer Mike Wrobel, at the 2015 IACP Annual Conference

and Exposition in his hometown of Chicago, Illinois. It was difficult to select just one officer among so many deserving individuals. The IACP thanks Chief Kent Barker of the Tualatin, Oregon, Police Department for his assistance in choosing the honoree.

At the recognition ceremony in Chicago, the IACP Center for Officer Safety and Wellness also recognized the efforts of the DuPont Protection Technologies team and their leader, Norris Brooks, for their invaluable service to law enforcement and commitment to the club. Norris and his team have collaborated with IACP on many of the upgrades to the program, and their assistance has been invaluable.

Moving forward, the IACP and DuPont will continue the Survivors' Club partnership through 2016. The program will continue to emphasize the importance of wearing personal body armor for all officers. Both IACP and DuPont understand that conveying the message of wearing a vest every day on every shift is crucial to officer safety. As the program closes



out a successful 2015 campaign, it is worth noting that both DuPont and the IACP seek to expand the reach of the program for 2016. Discussions remain centered on getting the message out about officer vest wear, and the partnership is working toward greater recognition of K-9 armor. There has been an influx of nonprofit organizations donating K-9 vests to agencies at the local level to assist the policing mission. This is a very important and welcome sign of greater security for K-9s in the policing community. The IACP will be highlighting the important work of K-9s on the Survivors' Club webpage in 2016.

The partnership is also looking to increase membership and improve outreach. A greater emphasis will be placed on agencies that have possible candidates to ensure that leaders take the time to complete the applications for their qualifying officers.

For those unfamiliar with the IACP/DuPont Kevlar Survivors' Club, it was established with the mission to reduce the number of deaths and disabilities of officers by encouraging officers to wear their personal body armor every day on every shift and to recognize and honor those deserving officers who, as a result of wearing their personal body armor, survived a life-threatening or life-disabling incident. Furthermore, the program serves the law enforcement community by recognizing the important efforts of those law enforcement officers who risk their lives daily to protect their communities.

Law enforcement agencies play an important role in the program. Each agency should notify the club manager at IACP of any save incidents in which the use of personal body armor or a ballistic vest was directly responsible for protecting an officer from serious injury or death. The IACP monitors as many news stories as possible, but there are occasions where an officer's story may be missed. If that happens to an officer, his or her agency can let the IACP know through an email or a phone call.

To reiterate, the individual law enforcement agency must be the nominating body, not IACP or DuPont; any departmental officers who feel they have met the criteria for program eligibility should notify their agencies and, upon approval, initiate the paperwork. Upon the officer's acceptance into the program, the agency should present the award to the qualifying officer in a recognition ceremony in whatever manner it deems appropriate.

As the club manager processes applications, information gleaned from an application might have training or tactical implications to the law enforcement community. The information obtained could be of real benefit to other agencies and officers in strengthening training strategies. However, the information is not disseminated without prior notification and approval and is distributed to the IACP membership only. The applicant can choose to share his or her name and story or remain anonymous with no effect on award qualification.

Many types of incidents that officers may face on any given day meet such criteria—firearm assaults; attacks with knives, clubs, and chains; physical assaults; and assaults with most other types of blunt force weapons. The qualifying events also include motor vehicle crashes, fires, and explosions. DuPont recognizes that there is body armor in the marketplace that does not contain Kevlar; however, the company asserts that the program should be about the officer and his or her well-being; thus, any eligible officer is encouraged to apply, regardless of the type, manufacturer, or material in the vest he or she may have been wearing during the incident. The IACP also encourages international law enforcement professionals to apply.

In the larger picture of officer safety and wellness, it is important to stress that the overall well-being of officers isn't just about wearing personal body armor; it is far more than that. It is about health, nutrition, exercise, mental well-being, and time away from the job. It is about officers practicing sound, safe habits such as buckling seat belts, exercising situational awareness, remaining focused behind the wheel, and operating cruisers in a safe and prudent manner. It is about setting examples and being a leader, not just a follower. One way to accomplish this is to strap on that body armor *every* day, *every* shift. ❖





#### RESEARCH IN BRIEF

The IACP Research Advisory Committee is proud to offer the monthly Research in Brief column. This column features evidence-based research summaries that highlight actionable recommendations for *Police Chief* magazine readers to consider within their own agencies.

The goal of the column is to feature research that is innovative, credible, and relevant to a diverse law enforcement audience.

# Increasing Efficiency and Service: The Centralization of the Toronto Police Service

By Hugh Ferguson, Superintendent, and David De Lima, Constable, Toronto, Ontario, Police Service, Canada

The Toronto Police Service (TPS), in a time of almost universal fiscal restraint and paradoxically increased complexity of service, restructured itself by moving from a decentralized command and control model to a centralized command and communication model to reduce costs while simultaneously increasing the efficiency and breadth of service.

The Toronto Police Operations Centre (TPOC), staffed by a small cadre of subject matter experts, was designed to harmonize front-line operations with their support functions by leveraging existing technologies, granting the TPOC positional authority, and embedding a tactical communications liaison (TCL) within the TPOC. The TPOC's operating model relies on positional authority to maximize efficiency via the elimination of overlaps in responsibility between ranks and roles, communication delays, redundant authorizations, and delays in operational or investigative responses to critical incidents.

Former chief of the TPS, William Blair, commissioned two parallel studies in response to calls for increased efficiency and cost savings: an internal review by the TPS and an external review conducted by a consulting firm. Both reviews consisted of three phases: (1) scoping and strategy, (2) organizational assessment, and (3) conceptual design. The results of these reviews were then synthesized in a document known as the Chief's Internal Organizational Review (CIOR).

#### Phase One: Scoping and Strategy

The scoping and strategy phase involved meeting with 11 external policing agencies from across North America, as well as representatives of two international airports, the Toronto Ports Authority, and the U.S. Federal Aviation Administration to identify, align, and formalize their best practices and guiding principles.

#### Phase Two: Organizational Assessment

During the organizational assessment phase, the teams conducted comparative analyses of the external agencies examined and employed rapid organization alignment diagnostic (ROAD) interviews to produce detailed cross sections of organizational layers and their effectiveness through the identification of the organization's imperatives and the means by which those imperatives were operationalized (practices). One of the measures of organizational alignment is the efficacy of a particular practice as an expression of its corresponding imperative and its value to the organization.

#### Phase 3: Conceptual Design

The conceptual design phase involved the synthesis of the results from the previous phases and benchmarked those imperative and best practice pairings that exhibited the greatest degrees of alignment, as well as those imperatives and practices that were essential to the operation of TPS. The benchmarks of external agencies were then reduced to their underlying rationales for a final comparative analysis with the TPS benchmarks. The analysis of the external agencies indicated that the most successful organizations depended on open lines of communication; swift and decisive supervisors; fewer bureaucratic layers; and, most importantly, a complete common operating picture replete with situational awareness. These elements enhanced corporate adaptability, accountability, scalability, and efficiency.

#### The Toronto Police Operations Centre

TPOC was designed and implemented to maximize core business alignment, and it signalized TPC's shift toward a new model of policing, merging a distributed management system with an ostensibly antithetical centralized command hub. Individual police officers, platoons, divisional units, speciality units, and combinations thereof work simultaneously and compete for limited resources under relatively severe time constraints and are all generating data that can now be coordinated in one place: TPOC.

The concept of a centralized operations center is eminently scalable, thus making it a practical and sustainable model for an agency of virtually any size given the correct re-alignment of organizational infrastructure.

TPOC, staffed by cross-trained subject matter experts and an embedded TCL, collates information provided by various facets of the TPS and creates a common operating picture (COP) that it disseminates to the field and command in order to enhance situational awareness and increase the agency's ability to respond both strategically and tactically to virtually any incident. This COP is continuously cultivated through constant analysis of social media, intelligence updates, CAD calls, and an array of internally generated reports and documents. Officers operating in all corners of the city are given a holistic view of the city and of wider criminal or social trends that may impact their understanding of and response to an unfolding incident. TPOC, in addition to manufacturing the COP, possesses a great tactical advantage in its ability to exercise positional authority when required. This authority increases the speed at which decisions can be made and executed, thereby greatly diminishing the duration of a critical event by facilitating the flow of both information and assets. Serving as a "one-stop" information portal for internal and external policing partners, a command and control structure during major incidents, and a perennially available resource to front-line officers, TPOC has increased the TSP's operational flexibility and ability to support the front lines and has enhanced public and service member safety without affecting operational continuity.

#### **Impact**

While TPOC's impact is theoretically quantifiable, a proper metric is difficult to determine. Establishing a control experiment to assess TPOC's efficiency is neither practical nor ethical, but, anecdotally, early successes indicate a premature end to burgeoning crime trends such as the relatively quick arrest of a serial home invasion sexual offender who stalked women in different divisions; arrests ending a high-end auto theft ring; several robbers caught mid-spree; an arsonist; and other successful results.

In terms of cost savings, the previous notification process for larger events, prior to TPOC, cost TPS an estimated \$543,463.92 annually.¹ Granting positional authority to the duty senior officers at TPOC also eliminated the need for dedicated uniform inspectors, thereby freeing \$875,293.75 annually in wages and benefits.² TPS is compiling other metrics such as response time, incident duration, number of units reaching the scene within the operational window, and the number of pending (unaddressed) calls during a redeployment for further comparative analysis.

#### **Action Steps**

The concept of a centralized operations center is eminently scalable, thus making it a practical and sustainable model for an agency of virtually any size given the correct re-alignment of organizational infrastructure. The following action steps can guide a police leader who is considering a similar change for his or her department:

- Review the current command center structure.
- Study the benefits of moving from a decentralized command to a centralized command structure.
- Identify social media and tech-savvy police officers and at least one dispatcher who could work together.
- Discuss potential changes and the process for accomplishing them within the department and with district commanders and ask for input.

#### Notes:

<sup>1</sup>Stephen Hammond, "Hours Charted Excel Spreadsheet" (document presented at the Toronto Police Operations Centre Implementation Team Deputy Briefing, Toronto, Ontario, August 7, 2013).

<sup>2</sup>Michael Perrault, "Chief's Internal Organizational Review 2013: Duty Operations—Inspector Cadre" (paper presented at the Toronto Police Service CIOR Steering Committee, Toronto, Ontario, May 23, 2014).

Toronto Police Service was the 2015 Bronze Award recipient for IACP's Excellence in Law Enforcement Research award. See all of IACP's 2015 award recipients on pages 40–45.

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#### CHIEF'S COUNSEL

#### Conduct Unbecoming: Lessons from the Military

By John M. (Jack) Collins, Attorney, Legal Advisor, Edgartown, Massachusetts, Police Department

 $\mathbf{F}$  or decades, police departments have been using the charge of "conduct unbecoming" when disciplining officers. Although a divided U.S. Supreme Court upheld the charge of conduct unbecoming an officer in the 1974 U.S. Army court-martial (criminal) case of Parker v. Levy, it noted that such a charge would not be valid in civilian situations. 1 Although most state courts and lower federal courts have upheld the validity of this disciplinary rule in the face of constitutional challenges, generally characterizing police agencies as "para-military" in nature, police chiefs should be cautious lest they invite a Supreme Court review that might result in a decision barring its use altogether for police officers or other municipal employees. There are several steps chiefs can take to limit the likelihood of such challenges, some of which come from a review of how the military has used the charge since the Levy decision.

Even though courts might be more lenient in reviewing the constitutionality of charges brought in disciplinary cases than in criminal ones, simply naming "conduct unbecoming" in a list of possible disciplinary offenses, without any detail of what it means, invites a challenge. In order to discipline a police officer, a department needs to demonstrate that the individual was aware that his or her conduct was prohibited and could result in discipline. This is best accomplished by having a comprehensive set of rules and regulations. Most such rules are self-explanatory. However, a charge of conduct unbecoming, without an explanation of its elements, and lacking proof that the officer was trained in its scope and implications or given a warning that a certain type of conduct was not allowed, is susceptible to constitutional challenges as being void for vagueness or overbreadth. Vagueness challenges are based on the premise that, to be enforceable, the regulation must give those persons who are bound by it a reasonable indication of exactly what conduct is prohibited. In essence, the standard must be capable of objective interpretation by those officers who must abide by it. A rule can be found

unconstitutionally overbroad if it prohibits some conduct that is improper while also covering some that is not.

#### Proper Use of the Charge

In the U.S. military, in determining whether conduct is unbecoming an officer, it is unnecessary that such conduct amount to a separate offense. This section concerning conduct unbecoming an officer, as one military panel explained, is reserved for serious misconduct of officers and should not be demeaned by using it to charge minor delinquencies, such as failure to obey an order to report or tardiness for a formation.<sup>2</sup> To withstand a challenge, the conduct "must offend so seriously against law, justice, morality, or decorum as to expose to disgrace, socially, or as a man, the offender, and at same time must be of such a nature or committed under such circumstances as to bring dishonor or disrepute upon the military profession which he represents."3

In military cases, it is possible that an officer's misconduct may form the basis for a charge of conduct unbecoming an officer and gentleman, even though it is specifically punishable under another article. In such a case, the government must prove any elements required for the underlying offense and also demonstrate that the act or omission constitutes conduct unbecoming an officer and gentleman.<sup>4</sup> For example, in a 1978 case, merely alleging that the accused, a military police officer, engaged in conduct unbecoming an officer and a gentleman by being in possession of and using marijuana in presence of enlisted men was insufficient to constitute violations of this section in the absence of allegations of "wrongful" or "unlawful" use and possession.<sup>5</sup> (Chiefs in states with "medical marijuana" laws should be sure to have a clear rule banning its use by officers on and off duty.)

The underlying substantive violation and conduct unbecoming an officer and a gentleman are separate offenses, and criminal prosecution and conviction of both offenses do not subject an accused to double jeopardy. For example, in *U.S. v. Harwood*, charges of both fraternization and conduct unbecoming an officer that cited the same misconduct involving fraternization with the same airman, violated the double jeopardy clause. Where the elements of two charges are identical, even though not criminal in nature,

chiefs should take care not to impose discipline for both. This might happen, for example, when an officer is charged with both conduct unbecoming an officer and violation of a rule such as insubordination. In a limited number of instances, however, charging an officer for both conduct unbecoming and committing a criminal offense might be prudent. An officer might be found not guilty in the criminal case where proof beyond a reasonable doubt is the standard or where dismissal might result from a "technicality," but the department could still proceed with charges by showing by a preponderance of the evidence that the officer's conduct constituted conduct unbecoming. In fact, in the military, when the underlying conduct required for conviction for engaging in conduct unbecoming an officer is a crime defined by a specific punitive article, the specific crime is treated as a lesser included offense of conduct unbecoming

**Recommendation:** Where a rule covers a police officer's misconduct, that regulation should be cited as the charge in any disciplinary notice unless the conduct is public in nature or disrupts department morale or operations. Chiefs should avoid automatically charging an officer with conduct unbecoming an officer for offenses otherwise covered by rules prohibiting the behavior, such as insubordination, engaging in actions amounting to a conflict of interest, harassment, or drinking on the job, unless the department can show that the act or omission independently constitutes conduct unbecoming a police officer. While it may be allowable to charge an officer with both offenses, it is not permissible to impose punishment for both. On the other hand, where no specific rule is violated, but an officer's actions bring the department into disrepute with the public or clearly disrupt the operation or esprit de corps that is essential for the orderly functioning of the department, a charge of conduct unbecoming may be the appropriate charge.

The following are but a few examples of misconduct in the military that might provide lessons for police chiefs in bringing disciplinary charges.

#### Adultery

A military tribunal in 1991 noted that it would not find that violation of a rule simply

stating that sexual intercourse by a married soldier with a person that was not his or her spouse constituted the offense of adultery under an article proscribing conduct prejudicial to good order and discipline in the armed forces or of nature to bring discredit on the armed forces. 9 A 1993 court-martial panel noted that the custom against fraternization in the U.S. Air Force had been so eroded as to limit criminal prosecution against an officer for engaging in mutually voluntary, private, non-deviant sexual intercourse with an enlisted member, neither under his command nor supervision, to the state of customs reflected in the record in that case, but would not preclude every prosecution for fraternization based on such conduct.<sup>10</sup> The U.S. Supreme Court declined to review another 1993 case finding that adultery alleged as conduct unbecoming an officer is a valid offense; however, time may have eroded this principle.<sup>11</sup> Both military and police authorities are less likely these days to bring charges of adultery where the offense does not involve co-workers or has not resulted in public notoriety. Regardless, before any charges are brought, proof should be more than circumstantial. For example, allegations of "undue familiarity" and "excessive social contacts" with a married female service member are insufficient to allege unbecoming conduct.12 In a 1978 case, private sexual intercourse between a military officer and his or her superior, unaccompanied by any element of harassment or coercion on the part of the superior and any allegation of violation of an applicable custom or regulation, was found not to be unbecoming conduct, absent evidence of custom of the service or a regulation prohibiting such conduct.<sup>13</sup> However, carrying on in an open, notorious, and public manner with an enlisted woman who was not his wife was conduct unbecoming an officer and a gentleman.<sup>14</sup> In yet another 1993 case where it became a more public issue, the U.S. Supreme Court let stand a finding that a specification alleging that while living with his lawful wife, the accused wrongfully and dishonorably had an affair with another woman during which time he entered into lease agreement and paid monthly rent on the other woman's behalf, resided with the other woman, escorted her to public places of entertainment, and kept clothing at her house constituted an offense of conduct unbecoming an officer.15

While simple "anti-fraternization" cases may be a thing of the past, where the sexual relationship involves members of the same military unit, it may constitute conduct unbecoming, especially if it becomes public or involved the use of the superior officer's position to take advantage of a subordinate. <sup>16</sup> For instance, in a 1986 U.S. Air Force case, the sexual exploitation of a civilian waitress, whom the accused was charged with supervising, was considered conduct unbecoming an officer and a gentleman, particularly since the accused's relationship with the waitress was well known. <sup>17</sup> A captain could be convicted of conduct unbecoming an officer by attempting to utilize military subordinates in

his unit to procure a date for him with another subordinate in the unit.  $^{18}$ 

In another case, making sexual comments to the victim of a crime who was an enlisted woman in attempt to establish a personal and unprofessional relationship with the victim, where that victim lost respect for the accused as a military officer as a result, was legally sufficient to support a conviction for conduct unbecoming an officer and a gentleman.<sup>19</sup>

#### Drunkenness

Even assuming that a more aggravated form of drunkenness was required to support a conviction for conduct unbecoming an officer and a gentleman, such as being drunk in a public place while in uniform, the military panel found that the evidence was sufficient to support a conviction on two specifications, where, in each instance, the accused's *public drunkenness* was accompanied by notorious ancillary misconduct, which reasonably could not, and as a factual matter, did not escape the attention of civilian law enforcement authorities and other motorists and passersby.<sup>20</sup>

#### Lying

While being untruthful during an investigation or even during a court martial could be grounds for discipline, when it involves a third party outside the military, it could also amount to conduct unbecoming. For example, in *U.S. v. Weldon*, an officer's altering of a "Request for Personal Data Sheet" in an attempt to show a landlord that he had been transferred so that he could terminate his lease without forfeiting a security deposit convicted the officer for conduct unbecoming an officer and gentleman.<sup>21</sup>

#### Child Pornography

Regardless of whether the same conduct of possessing child pornography violated a federal statute, punishment for conduct unbecoming is possible.<sup>22</sup> This is the case even though such conduct may be constitutionally protected free speech in the civilian population.<sup>23</sup>

Mailing a letter containing sexually suggestive comments to a middle school student in response to her letter written to show public support for Operation Desert Storm was determined to be conduct unbecoming in *U.S. v. Hartwig* (1992).<sup>24</sup> Similarly, in what may be a latter appeal on other grounds, the panel ruled that the private nature of the accused's letter to a schoolgirl neither clothed it with First Amendment protection nor excluded it from the rule prohibiting conduct unbecoming an officer and gentleman.<sup>25</sup>

#### Conclusion

Police chiefs should be sure, before attempting to discipline an officer for conduct unbecoming,

that their department's rules and regulations not only include the charge, but also spell out in detail that the offense involves bringing the department into public disrepute or disrupts the department's esprit de corps or operations. Proof of training and other actions that made clear to all department members what was meant by the term will go a long way to helping the rule and related disciplinary actions withstand constitutional challenges.

#### Notes:

<sup>1</sup>Parker v. Levy, 417 U.S. 733, 94 S. Ct. 2547, 41 L.Ed.2d 439 (1974).

<sup>2</sup>U.S. v. Clark, 15 M.J. 594 (ACMR 1983).

<sup>3</sup>U.S. v. Jefferson, 14 M.J. 806 (ACMR 1982), affirmed in part, reversed in part 21 M.J. 203 (CMA 1986).

<sup>4</sup>U.S. v. Parrillo, 31 M.J. 886 (AFCMR 1990), review granted in part, 33 M.J. 161 (AFCMR 1990), affirmed 34 M.J. 112 (CMA 1992).

<sup>5</sup>U.S. v. DeStefano, 5 M.J. 824 (ACMR 1978), reversed on other grounds 8 M.J. 219.

<sup>6</sup>U.S. v. Sheehan, 15 M.J. 724 (ACMR 1983).

<sup>7</sup>U.S. v. Harwood, 46 M.J. 26 (CAAF 1997).

<sup>8</sup>U.S. v. Olson, 38 M.J. 597 (AFCMR 1993), review denied 39 M.J. 389.

<sup>9</sup>U.S. v. Perez, 33 M.J. 1050 (ACMR 1991).

<sup>10</sup>U.S. v. Boyett, 37 M.J. 872 (AFCMR 1993), review granted in part 39 M.J. 378, affirmed 42 M.J. 150, certiorari denied 516 U.S. 917, 116 S. Ct. 308, 133 L.Ed.2d 212 (1995).

<sup>11</sup>U.S. v. Schneider, 38 M.J. 387 (CMA 1993), certiorari denied 511 U.S. 1106, 114 S. Ct. 2100, 128 L.Ed.2d 662 (1994), habeas corpus dismissed 998 F. Supp. 1210 (D. Kan. 1998), affirmed 173 F.3d 864 (10th Cir. 1999).

<sup>12</sup>U.S. v. Kroop, 38 M.J. 470 (CMA 1993).

13*Id* 

<sup>14</sup>U.S. v. Cisler, 33 M.J. 503 (AFCMR 1991).

<sup>15</sup>U.S. v. Czekala, 38 M.J. 566 (ACMR 1993), reconsideration denied, review granted in part 40 M.J. 310 (1994), affirmed 42 M.J. 168 (1995), certiorari denied 516 U.S. 954, 116 S. Ct. 403, 133 L.Ed.2d 322 (1995).

<sup>16</sup>U.S. v. Tedder, 24 M.J. 176 (CMA 1987,). See also, U.S. v. Parrillo, 31 M.J. 886 (AFCMR 1990), review granted in part, 33 M.J. 161, affirmed 34 M.J. 112 (CMA 1992)

<sup>17</sup>U.S. v. Shober, 26 M.J. 501 (AFCMR 1986).

<sup>18</sup>U.S. v. Tedder, CMA 1987, 24 M.J. 176.

<sup>19</sup>U.S. v. Lofton, 69 M.J. 386 (CAAF 2011), habeas corpus denied 2013 WL 3971423, writ denied 73 M.J. 240 (CAAF 2014).

<sup>20</sup>U.S. v. Schumacher, 11 M.J. 612 (ACMR 1981).

<sup>21</sup>U.S. v. Weldon, 7 M.J. 938 (NCMR 1979).

<sup>22</sup>U.S. v. Amazaki, 67 M.J. 666, (Army Ct. Crim. App. 2009), review denied 68 M.J. 225 (CAAF 2009).

<sup>23</sup>U.S. v. Forney, 67 M.J. 271 (CAAF 2009).

<sup>24</sup>U.S. v. Hartwig, 35 M.J. 682 (ACMR 1992), review granted in part 38 M.J. 176 (CMA 1993), affirmed 39 M.J. 125 (CMA 1994).

<sup>25</sup>U.S. v. Hartwig, 39 M.J. 125 (CMA 1994).

IACP members can access the Investigation of Employee Misconduct Model Policy, along with an accompanying Concepts and Issues paper by logging into IACP's website and visiting www.theiacp.org/MPMembersOnly.

#### FROM THE FIRSTNET PRESIDENT

## Continued Progress Toward the Nation's First Public Safety Broadband Network



It has been a productive year for the First Responder Network Authority (FirstNet), the independent authority within the U.S. Department of Commerce that is ensuring the build out of a nationwide public safety broadband network (NPSBN).

FirstNet is focused on deploying a network that can deliver innovative technologies to first responders over a more accessible, secure, and reliable platform. Just as smartphones, tablets, and wearables like smart watches have changed the way individuals communicate in their personal lives, FirstNet believes that an NPSBN will improve the way U.S. law enforcement communicates.

To achieve this mission, we are working closely with the future users of the network-U.S. law enforcement, fire, and EMS personnel. This was a top priority in 2015 and will continue to be our primary focus going forward. Over the last year and a half, FirstNet has engaged with the public safety community in 55 U.S. states and territories as part of our consultation process. These meetings gave FirstNet in-person feedback from almost 4,000 public safety representatives, including a large number of law enforcement personnel. We also conducted data collection, receiving input from more than 11,600 public safety entities covering more than 1.6 million personnel. The input we gathered will help shape the design of the network and serves as a building block for our continued consultation with the states and territories.

Consultation is as much of a learning process for FirstNet as it is for the states and local public safety agencies. On our end, we've received detailed accounts of how first responders throughout the United States prepare for and respond to emergencies of all sizes to improve communications, coordination, and situational awareness during emergency response operations. Many consultation meeting participants provided specific case studies

Just as smartphones, tablets, and wearables like smart watches have changed the way individuals communicate in their personal lives, FirstNet believes that an NPSBN will improve the way U.S. law enforcement communicates.

about how mobile broadband technology is assisting law enforcement and how a dedicated NPSBN would help them with timely and efficient responses to emergencies.

In Michigan, for example, we learned how the Law Enforcement Division of Michigan Department of Natural Resources would greatly benefit from real-time satellite imagery to assist in identifying investigation locations and directing patrol efforts in remote areas of the Great Lakes.

In Ohio, we learned that the sheriff's office in rural Guernsey County has deployed more sophisticated broadband capabilities than many of its counterparts serving more populous and



TJ Kennedy, President, First Responder Network Authority

urbanized jurisdictions with access to E-9-1-1 mapping, traffic monitoring cameras, school safety plans, and a range of other resources.

In Massachusetts, much of the discussion focused on communications before, during, and after the 2013 Boston Marathon bombing. With the large number of personnel deploying in the same area, radio frequencies were very crowded. Boston police said that, as the manhunt unfolded, officers used non-traditional means to communicate, including texting.

Each state and territory is different, and we strive to be accessible, flexible, and adaptable to account for their unique characteristics and needs. We have developed a comprehensive outreach strategy, with the help of Senior Law Enforcement Advisor Joshua Ederheimer, to put us in touch with law enforcement in dozens of states and territories, including one-on-one discussions at police agencies across the United States, local and county meetings, and visits to fusion centers and police dispatch centers. In addition to briefing law enforcement agency representatives directly, FirstNet increased its federal outreach and briefed the leadership of the Federal Law Enforcement Training Centers (FLETC), who train most of the federal agencies in the United States. The FLETC director subsequently designated a liaison to FirstNet.

We've also increased our presence at many key law enforcement association conferences over the past year and briefed the 20 key law enforcement associations and their stakeholders and leadership at direct meetings. FirstNet board member, Hennepin County, Minnesota, Sheriff Richard Stanek participated in the 2015 IACP Annual Conference and Exposition in Chicago, Illinois, along with about a dozen FirstNet team members. The conference was a great opportunity

to engage with law enforcement leaders on key issues facing their agencies in their communities.

In addition, FirstNet also has an advisory body called the Public Safety Advisory Committee (PSAC). The committee comprises representatives from public safety organizations at the state, territory, local, and tribal levels. It was created to provide FirstNet with subject matter expertise and advice on key network issues to assist with the planning, design, and deployment of the NPSBN. Most recently, the PSAC has been focused on public safety grade, priority and preemption, and user equipment, and we are looking forward to receiving their feedback on other key issues this year.

The PSAC is led by retired police chief Harlin McEwen, who was chair of the IACP Communications Committee for several years, a position now held by Deputy Chief Eddie Reyes from the Alexandria, Virginia, Police Department. Working together with Chief McEwen and others, we are addressing the needs of the first responder community, and we hope we've infused some new ideas for public safety to consider the opportunities that FirstNet can provide.

We'll continue our nationwide outreach and consultation in 2016, expanding upon the discussions from 2015 to ensure coordination with the public safety community in urban and rural locations, including island states, territories, and tribal lands. I encourage law enforcement leaders to contact their state or territory's governor-appointed single point of contact (SPOC) to learn more about what their state or territory is doing and how they can contribute to the process. We look forward to meeting with governors and their staffs in the coming year to discuss key issues, such as the development of state plans for deploying the network.

In conclusion, I would like to point to the remarks of U.S. President Obama, who, while speaking to attendees at IACP 2015, noted that, with FirstNet, "for the first time in history, America's police departments will share a single network." Today, the law enforcement community is undergoing many challenges in multiple areas, and, as it progresses in the next several years, we will continue to work hand-in-hand to deliver a network that best meets your voice, video, and data needs.

Thank you for your continued support and participation.

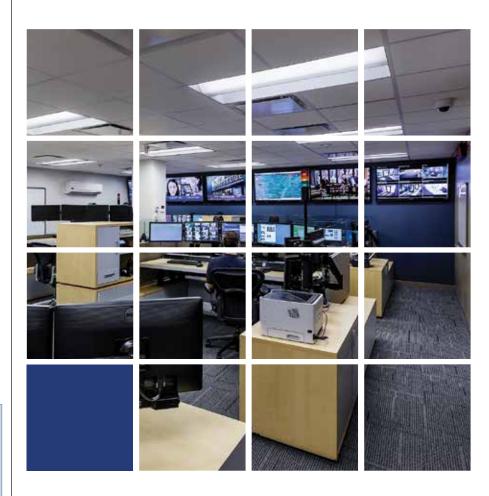
Visit Police Chief Online to access more articles about FirstNet and what it will do for law enforcement: www .policechiefmagazine.org. (Enter keyword "FirstNet" in the search box.)

#### MORE INFORMATION

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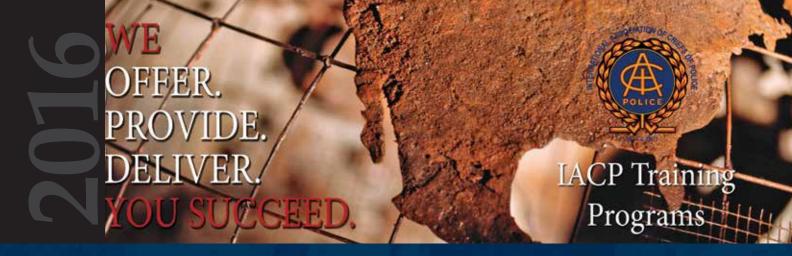
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Athens-Clarke County Police Department, Athens Leadership in Police Organizations<sup>SM</sup> (LPO) April 18 - 22, 2016May 9 - 13, 2016June 6 - 10, 2016

#### Iowa

West Des Moines Police Department Leadership in Police Organizations<sup>SM</sup>(LPO) February 1 – 5, 2016 February 29 – March 4, 2016 March 21 – 25, 2016

#### **New York**

New York State Division of Criminal Justice Services, Saratoga Springs Leadership in Police Organizations<sup>SM</sup> (LPO) April 11 – 15, 2016 May 16 – 20, 2016 June 13 – 17, 2016

#### Oklahoma

Norman Police Department Leadership in Police Organizations<sup>SM</sup> (LPO) May 16 - 20, 2016 June 13 - 17, 2016 July 11 - 15, 2016

#### Saskatchewan

Saskatchewan Police College, Regina
Leadership in Police Organizations<sup>SM</sup> (LPO)
February 8 – 12, 2016
March 7 – 11, 2016
April 11 – 15, 2016

#### Utah

Kaysville Police Department
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March 14 – 18, 2016
April 18 – 22, 2016
May 16 – 20, 2016

#### Virginia

Virginia Beach Police Department

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February 11 – 15, 2016

March 22 – 26, 2016

April 21 – 25, 2016



# Using Science

David W. Markel, Markel **Consulting, LLC** ultiple forces are converging to put increasing pressure on law enforcement to ramp up the effectiveness of sexual assault investigations. There is a growing awareness and concern about the scourge of sexual violence, and that concern is reflected in increased scrutiny from the media, politicians, and ordinary citizens. The U.S. military has experienced this intense scrutiny for more than a decade;

**Forensic Consultant and** 

# to Increase Effectiveness of Sexual Assault Investigations

civilian criminal justice system responds to rape and sexual assault. Fortunately, as law enforcement looks to ramp up its effectiveness, it can draw from a substantial body of scientific research on both sexual victimization and sexual offending. This research yields direct applications for the investigation of sexual assault cases. In particular, it addresses (1) the importance of treating victims of sexual violence with respect and compassion (without relinquishing neutrality); (2) the particular nature of traumatic memory and, therefore, specific methods for interviewing

colleges and universities are now under the same spotlight; and there are growing signs that the civilian criminal justice system is next in line. The current focus on untested rape kits is likely just the first chapter in

what will be a long-term focus on how the

trauma victims; and (3) the dynamics of sexual offending and specific avenues for investigating suspects.

#### **Treating Victims with Respect and** Compassion

In non-stranger rape cases, the victim is very often the most important source of evidence. Therefore, interviewing the victim may be the single most important aspect of a rape investigation. Is there an approach to this crucial interview that helps yield the most information and the most evidence?

Research confirms what many veteran investigators have learned from experience. Namely, victims respond with more openness and more disclosure when they are relatively relaxed, when they trust the investigator, and when they do not feel threatened or accused by the investigator. Similar studies conducted in the United States and Sweden reached identical conclusions: victims who felt they were being treated with compassion and respect by investigators talked more openly about their experience; they disclosed more and withheld less.1

One segment of an interview from the U.S. study provides some insight into why disclosure increases when victims feel safe:

4129: They were consoling, careful, you know. They didn't bombard me, a man had just assaulted me. I felt calmness right away... I felt safe... they were, you know, they come out and they were consoling. They weren't question, question. They made sure that I was OK and safe, felt safe there. I: So not being bombarded with questions made you feel more safe with them? 4129: Yeah... they didn't come at me right away wanting to know this, this, and this. They gave me my time and my space. I: Why is that important to do? 4129: Because one, you've just been sexually assaulted by a man. The last thing she needs is a man on a power trip. Someone coming at her, demanding things from her when (one) they didn't even ask, they just took. And you're not in a normal state of mind when you're going through, after something like that happens. You need somebody, you need people to be careful with you and be careful of the way they talk to you and treat you and approach you, because the way I look at it now, I don't know this man. I don't trust anyone.<sup>2</sup>

The Swedish study was conducted by a veteran police officer. Data collected from 178 crime victims revealed a stark difference in their experiences—some victims felt they were treated with humanity, while others felt they were treated with "dominance." Statistical analysis showed that victim interviews that were marked by dominance were associated with the omission of information, while interviews that were marked by humanity were associated with cooperation and the disclosure of more information.3

Research has also identified a link between police officers' attitudes and their skill level in interviewing rape victims. Officers who endorsed more "rape myths" scored significantly lower on a measure of interviewing skills.4 A study by Dr. Rebecca Campbell, a subject matter expert on the needs of rape survivors, provides some insight into this finding. According to the study, victims described very negative reactions to being questioned about whether or not they resisted or why they were with the perpetrator in the first place.<sup>5</sup> While such questions may be necessary, the timing of the questions, how they are framed, and whether they are asked in the context of a compassionate interview can be crucial.

Compassion and empathy, however, are not high-priority attributes for most police officers. Traditionally, police officers have not been trained to be empathic toward victims. The common curriculum in law enforcement academies includes topics that are essential to a police officers' knowledge and skill base in law enforcementstatutory law, traffic enforcement, shooting and use-of-force skills, high-speed driving tactics, and suspect interview and interrogation skills-but little, if any, training exists on how to treat and interview crime victims with empathy and compassion, particularly sexual assault victims. In fact, most law enforcement personnel-and citizens, in general-are conditioned to be suspicious of anyone who reports that they were sexually assaulted. Fortunately, law enforcement agencies are beginning to recognize that this approach is non-productive and often is re-traumatizing for sexual assault victims.

There are two critical points to consider in taking a report of a sexual assault that are not typically considered by law enforcement. First, victims should never be treated as witnesses to their own sexual assault; they did not witness the crime, they experienced it. In practical terms, this mind-set is the first step in learning to apply the principles of empathy and compassion toward victims. It is an approach that results in an increase in victims' cooperation and greater levels of helpful information, and it does not lessen a police officer's capacity to remain non-biased. It simply makes her or him more effective.

Second, the victim interview is far more important to a successful sexual assault investigation and prosecution than any other aspect of evidence collection and preservation. By applying the research on how victims respond to empathic approaches, investigators can gather more evidence and increase the likelihood of a successful resolution to the case. A sexual assault investigation will generally lead to an unprosecuted case unless the victim is interviewed in such a way as to educe as

much of the experiential evidence of the crime as possible.

Finally, there is a "simply human" dimension to the empathic engagement with a victim of sexual violence, illustrated by one of many cases from the second author's career in law enforcement. After an unsuccessful attempt at prosecuting the sexual assault defendant, the victim stated she was not surprised that the jury did not believe her version of the story, yet she was not disheartened or further traumatized by the verdict. She was, in fact, grateful that she had been believed throughout the investigation and that the prosecutor believed her enough to bring the case to a jury. Even if the case does not result in a conviction, a victim may leave the process with a more positive experience and outlook when treated with empathy, compassion, and humanity by "the system."

#### Trauma, Memory, and the Implications for Interviewing Victims

The human brain is a miraculous organ, an unparalleled learning machine. The survival of the human species is in large part due to the brain's capacity to constantly survey the environment through the five senses to detect the presence of threats. When a threat-or the possibility of a threat—is perceived, the brain triggers a massive biological response that alters the functioning of the body and the brain. Adrenaline is pumped into the bloodstream, and, in a heartbeat, the body is readied to flee to safety. Simultaneously, specific neurochemicals flood the brain and transform how it functions.6

Neuroscience research has exploded in the last several decades. Scientists are uncovering the minutiae of how the brain responds to threats, how the brain encodes experience during life-threatening events, and how those events are recalled afterwards. This ever-deepening understanding of the relationship between trauma and memory has enormous implications for one of the most critical functions of the sexual assault investigator: the victim interview.

A traumatic experience instantly and radically changes the brain's neurochemistry. High concentrations of particular neurotransmitters alter the functioning of two critical brain regions: the frontal lobes and the hippocampus.

The frontal lobes are often called the brain's "executive center." This critical region enables a person to willfully direct their attention, to contain their emotions and impulses, and to integrate information from across different brain regions. When trauma triggers the release of high concentrations of certain neurotransmitters, the frontal lobes begin to lose traction. With sustained trauma, the frontal lobes can functionally go "offline," and the person can no longer direct their attention or integrate information.7

As disturbing as this change in brain function might sound, it is actually a quite normal experience. Almost everyone has had the experience of being suddenly thrust into a very high-stress situation and finding that they are unable to remember simple information like a phone number or a name. When the functioning of the frontal lobes deteriorates, simple tasks like understanding questions and formulating coherent answers can be severely compromised.

Rape victims have been traumatized; therefore, they are subject to these alterations in the function of the frontal lobes. This is not only true in the immediate aftermath of the trauma, but it is also often the case weeks and months later when they are being questioned about the trauma. As the victim relives the events, it is very likely that similar changes take place in his or her brain.

Another brain region that is severely affected by the changes in brain neurochemistry during a threat is the hippocampus. The hippocampus is deeply involved in memory formation; in particular, it controls a person's ability to recall events in context and sequence. Trauma alters the functioning of the hippocampus, dramatically reducing its capacity to encode context and sequence. Instead, traumatic memories tend to be extremely vivid, disconnected fragments, and, often, those fragments are tied to the senses-the victim may recall intense visual images, sounds, or smells.8

These profound changes to the way the brain encodes experience during a trauma mean that ways of questioning that seem normal are often counter-productive in the context of someone who has been traumatized. Asking a rape victim to describe what happened and to "start from the beginning," may inadvertently push the victim to try to recall the sequence of events when they are actually unsure of that sequence. Assuming that a rape victim will recall peripheral details-the context of an event-may well be misplaced. Assuming that a rape victim will recall events exactly the same way each time they are interviewed may also be misplaced. Is it a reasonable expectation given that they are likely to recall vivid, often disconnected fragments instead of complete memories?

To address these changes in how a traumatized person is likely to recall events, Russell Strand, a former special agent for the U.S. Army Criminal Investigation Division (CID), developed the Forensic Experiential Trauma Interview (FETI) technique. This interview technique attempts to address the neuroscience of human trauma and the related issues that can make victim interviews much less productive and more harmful than they need to be. FETI borrows from critical incident stress debriefings, child forensic interviews, the neuroscience of trauma and

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memory, and best practices from clinical psychological methods. It is currently being taught to military and civilian investigators, victim advocates, mental health workers, and prosecutors across the United States.

A key aspect of the FETI interview is to start the interview by acknowledging the victim's trauma, emotional pain, or difficult situation. From this initial empathic and compassionate introduction, the interviewer then asks what the victim is able to tell about their experience. The keys to this question are the words "able" and "experience." The word able sends a message to the victim that relieves some of the stress and pressure of feeling obligated to recall as many details as possible and the inherent sense of responsibility the victim may feel to be entirely accurate in sequence and in trying to figure out what is important to the investigative process. Having the victims relate their experience, as opposed to asking them what happened, provides an opportunity for the victims to relate their physical and emotional experiences in meaningful and natural ways, including their experiences before, during, and after the sexual assault.9

While useful in any trauma scenario, the application of the FETI technique for sexual assault interviews is particularly acute in light of how common it is for law enforcement to question the veracity of a victim's experience when it seems to be inconsistent, lacking in peripheral details, and "full of holes." The FETI process focuses on the sensory aspects of the victim's experience, a focus that is consistent with the neuroscience of traumatic memories. The information provided by victims who are interviewed this way tends to be significantly more detailed than the information obtained in traditional "who, what, why, when, where, and how" interviews.

Investigators who have been trained in the FETI technique have expressed that they are able to get inside the victim's "trauma bubble," drawing out information that provides psychophysiological evidence sensory information that describes both the victims' physical and emotional responses to the trauma they have sustained. This type

of information has been useful in explaining to investigators why a victim did or did not behave in ways that, in the past, were considered counter-intuitive. When victims sense that they are being listened to, victim recantation is reduced, and victim cooperation and participation in the investigation and prosecution are increased.

#### The Dynamics of Sexual Offending

Research on the motives, characteristics, and behaviors of sex offenders spans many decades. While there are forensic implications of much of this research, one finding in particular merits particular attentionthe phenomenon of serial offending.

Most sex offenders come to the attention of law enforcement when a victim makes a report. The report triggers an investigation, and the investigation either yields sufficient evidence to proceed toward prosecution or it does not.

However, if the victim who reports a sexual assault is a child, there is almost invariably an additional dimension to the investigation. In addition to investigating the child's allegation, efforts will be made to canvas other children who have been exposed to the alleged perpetrator. This additional dimension to the investigation is based on both research and forensic experience. Often, sex offenders who target a child will have targeted other children, and such offenders are rarely caught on their first offense.

However, while this additional investigative dimension is a common practice in child cases, it has not been often applied when the victim who reports is an adolescent or adult. In those cases, the investigation typically begins and ends with that victim.

Yet, evidence abounds that a very significant percentage of adult-on-adult sexual violence is perpetrated by serial offenders. This research spans many decades, and it is consistent across many different contexts: civilian communities, the U.S. military, and universities. In at least two studies, more than 90 percent of all rapes and attempted rapes were perpetrated by serial offenders. 10 Researchers in the late 1980s and early 1990s discovered that adjudicated sex offenders, most of whom had been convicted on one or two counts, had actually committed multiple offenses prior to being caught.<sup>11</sup> Research on so-called "life-course persistent offenders" has also documented a propensity toward sexual aggression among these offenders.<sup>12</sup> Additionally, a one-year longitudinal study of a community sample documented that 25 percent of the men who had reported sexual aggression at the beginning of the study reported another act of sexual aggression at the second assessment one year later.<sup>13</sup>

Given this research, why is it not common practice for law enforcement agencies to approach adult-on-adult cases the same way as they traditionally approach adult-on-child cases? Most child sexual assault investigators will apply multiple tactics to find other victims of a suspected child sex offender, from asking known victims if they know of other victims, to investigation and surveillance of the suspect's travel patterns, exposure to other children, and grooming tactics, to obtaining search warrants where applicable. These same tactics can be effective in investigating suspected adult sexual assault perpetrators.

Additional tactics may include questioning known associates and friends of a suspect, which may result in finding that the suspect has flaunted or bragged about multiple sexual conquests; talking to known prior dating partners or spouses; using pre-textual phone conversations or text communications from known victims; or running suspect DNA through the FBI's Combined DNA Index System (CODIS). Even direct questioning of the suspect may result in the disclosure of additional victims. Keeping the perspective that there is always the possibility of multiple victims from any one perpetrator will help maintain the integrity and thoroughness of a sexual assault investigation.

The increased scrutiny on the effectiveness of law enforcement's response to sexual assault cases will inevitably lead to increased expectations. Therefore, it is imperative that law enforcement become more aware of the research that informs its work and more willing to adopt emerging best practices. ��

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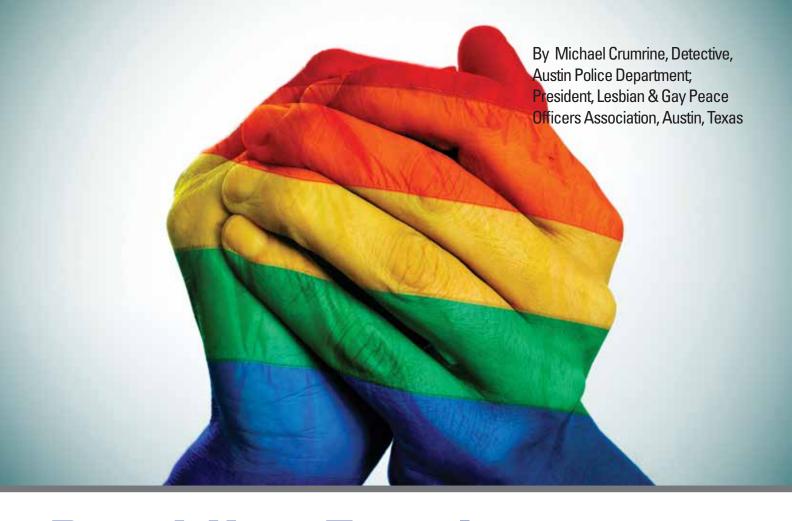
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# Providing Equal Justice to LGBTQ Victims of Intimate Partner Violence

Most law enforcement professionals know that intimate partner violence (IPV) and sexual assault investigations can be the most challenging cases they will work during their careers. These cases often involve complex issues such as a lack of traditional physical evidence; intoxicated or impaired victims; and victims' feelings of

self-blame, shame, minimization, or embarrassment that they are in an abusive relationship or found themselves in this situation, in addition to the thought that they will not be believed by responding officers or the criminal justice system. Studies have shown these challenges exist to some degree in virtually all heterosexual IPV cases; however,

these issues are also present in lesbian, gay, bisexual, transgender, queer, or questioning (LGBTQ) IPV cases. Although law enforcement has become better at recognizing, understanding, and prosecuting IPV in the heterosexual community, this is often not the case in the LGBTQ community.

There are a variety of reasons law enforcement professionals fail to recognize or understand IPV in the LGBTQ community. One reason could be the fact that, although the U.S. Supreme Court ruled that sodomy laws were unconstitutional in the 2003 case of Lawrence v. Texas, 17 states still have laws prohibiting sodomy, crimes against nature, deviant sexual intercourse, or buggery on the books.1 The fact that a segment of U.S. society is still considered to be criminals, in print if not in practice, leads some in law enforcement to turn a blind eye to the realization that LGBTQ individuals can be victimized. Other reasons involved in the failure of law enforcement to understand or recognize IPV in LGBTQ relationships include myths and misconceptions held by officers, some personal and others institutional. At times, the misunderstanding and failure to recognize IPV is due simply to the officers not recognizing that the call they are on is more than two roommates or friends roughhousing. More often than not, officers simply don't have the training, knowledge, or

tools necessary to investigate IPV when it involves LGBTQ individuals. Before law enforcement can better identify IPV in LGBTQ relationships and hold perpetrators accountable, they need to first understand the extent to which IPV exists in the LGBTQ community.

#### **Intimate Partner Violence in LGBTQ** Relationships

According to the National Intimate Partner and Sexual Violence Survey conducted by the Centers for Disease Control and Prevention (CDC) in 2011, more than one in three women (35.6 percent) and more than one in four men (28.5 percent) in the United States have experienced rape, physical violence, stalking, or a combination of these by an intimate partner in their lifetimes.<sup>2</sup> These are staggering numbers, but most officers would agree that IPV is prevalent in their communities based on the sheer number of calls they respond to involving domestic disturbances. But how do these numbers compare in LGBTQ relationships?

Unfortunately, there are few studies that have accurately determined the prevalence of IPV in the LGBTQ community. The 2011 CDC report was the first to provide data from across the United States that examined intimate partner violence, sexual violence, and stalking by sexual orientation. The CDC's Intimate Partner and Sexual Violence Survey reported that 43.8 percent of lesbian women and 61.1 percent of bisexual women have experienced rape, physical violence, or stalking by an intimate partner in their lifetimes, as opposed to only 35 percent of heterosexual women. The study also reported that 26 percent of gay men and 37 percent of bisexual men have experienced rape, physical violence, or stalking by an intimate partner in their lifetime, in comparison to 29 percent of heterosexual men.3 This study confirmed what many in the LGBTQ community suspected: LGBTQ intimate partner violence is just as prevalent (or even more prevalent) as it is in the heterosexual community.

#### **Barriers to Reporting IPV**

With this knowledge, law enforcement professionals have to ask themselves several questions. Are there unique challenges or barriers in the LGBTQ community to reporting violence to law enforcement? Are there personal or institutional myths or prejudices that affect law enforcement's service to this community? Have police leaders educated their personnel to understand these challenges, barriers, myths, and prejudices and what steps are being taken to overcome them? Ultimately, and most importantly, one must ask: how is law enforcement going to effectively address this violence and hold perpetrators accountable?

In any intimate partner relationship, there are barriers present that prevent victims from reporting violence to law enforcement and engaging in the criminal justice process. This is true for victims in both heterosexual and LGBTQ relationships. Officers who respond to IPV calls may face the challenge of victims providing incomplete or conflicting accounts due to the effects of trauma. Law enforcement administrators have to ensure their officers understand the neurobiology of trauma and its effect on memory. At times, it may be difficult for victims to recount every detail of their attacks. This may not be due to their unwillingness to be truthful, but due to trauma's effect on their memories. Victims may feel that they won't be believed if they can't recall every moment, chronologically, of an assault and, therefore, choose not to report. Increasing officers' understanding of the effects of trauma on memory is important to the success of IPV and sexual assault investigations.

At times, law enforcement officers face what some would call "credibility issues with victims." Some label certain victims as being "not credible" due to their intoxication, substance abuse, or mental illness. Officers may feel that if the victims can't recall what happened to them due to their level of impairment, then how are the officers supposed to figure it out? Unfortunately, more times than not, these victims are the ones preyed upon specifically due to their level of impairment.

Some victims of IPV and sexual assault are also involved in criminal activity or are homeless. According to the National Gay and Lesbian Task Force and Coalition for the Homeless, 20-40 percent of all homeless youth identify as lesbian, gay, bisexual, or transgender.4 According to another U.S. study, young LGBTQ survivors (up to the age of 24) were 2.6 times more likely to experience sexual violence within relationships, and young LGBTQ adults were more likely to experience physical and sexual violence that required medical attention than older LGBTQ individuals.5 With such a high number of homeless youth identifying as LGBTQ and the high rate of young IPV victims in the LGBTQ community, discounting a victim based solely upon his or her homeless status would allow many predators free to continue their abuse.

#### LGBTQ-Specific Barriers

As explained, there are barriers to reporting present in both heterosexual and LGBTQ IPV situations. However, LGBTQ victims face additional barriers to reporting their abuse to law enforcement and trusting the criminal justice system. For instance, men raised in the United States have not been socialized to the concept of being a victim. When was the last time anyone

heard parents tell their son to make sure he travels in a group of friends when going out or watches his drink when going to a bar? U.S. society socializes male children to be "the protectors," "the providers," or "the warriors." They are told from a young age to solidify that image through phrases such as "man up," "boys don't cry," "take it like a man," or "don't be a girl." This is a completely different image than the one projected on daughters in the United States.

When men experience IPV, especially sexual assault, it can totally contradict their male identity and overwhelm them with intense and inescapable emotions. Male victims may feel emotions such as fear, betrayal, helplessness, loss, self-blame, and guilt. These feelings may cause men to have extreme negative beliefs and judgments about themselves or question their legitimacy as men. Their friends and family may believe a man can't be the victim of IPV or sexual assault because it happens only to women. These beliefs may cause male victims to think that no one will believe them, including law enforcement; therefore, they choose not to report IPV.

Women, on the other hand, may feel safe from abuse in a lesbian relationship. They may deny the idea that another woman could be an abuser or sexual predator. According to Lori B. Girshick's article, "No More Denying: Facing Woman-to-Woman Sexual Violence," admitting abuse in a lesbian relationship "shatters the dream of lesbian utopia that our relationships are mutual, egalitarian, and non-violent."6 Failing to consider another woman as an abuser or sexual predator may place women victims at a disadvantage of expressing what really happened to them. It is difficult for victims to report women-to-women sexual violence to law enforcement if their family, friends, or society believes a woman can't be an aggressor in an intimate partner relationship. These beliefs compound the thought "no one will believe me."

Given that there are so few LGBTQ role models in U.S. society who are open about their sexuality, very few people have grown up with information about what an empowered, healthy, and nurturing LGBTQ relationship should look like. Without this knowledge, members of the LGBTQ community are sometimes unable to appreciate the violence for what it is. Abusive partners take advantage of this lack of knowledge and try to justify their abuse by arguing such lines as "See, this is what it means to be gay." Furthermore, they may tell their partners that abuse is part of every LGBTQ relationship.

The fear of being "outed" and the stigma and ridicule that may accompany it are also major considerations and barriers that can keep LGBTQ victims from reporting IPV or sexual assault. Many LGBTQ victims Your online source for

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are not ready for their family and friends to know about their sexual preference or gender identity, and reporting to law enforcement generally makes these intimate issues known, especially if there is an arrest and prosecution involved. Law enforcement can minimize the "outing" of victims by offering them a pseudonym or limiting the victim's full name in arrest and search warrant affidavits.7

For transgender victims, reporting to law enforcement can be terrifying. Transgender individuals are the most discriminated segment of the LGBTQ community, and they often refuse to report their abuse for fear of the treatment they will receive from the criminal justice system. According to the National Coalition of Anti-Violence Programs' 2013 report on IPV in the LGBTQ community, transgender victims are 1.9 times more likely to experience physical violence and 3.9 times more likely to experience discrimination within IPV relationships than the rest of the LGBTQ community.8 When officers are interacting with members of the transgender community, they should to be mindful of how transgender individuals self-identify. For example, someone who identifies as a woman may prefer feminine words and pronouns (i.e., she, her, and hers). A person who identifies as a man may prefer masculine terms (i.e.,

he, him, and his). Using a person's preferred name and pronoun in conversation and reports legitimizes how a transgender person identifies and will help establish trust and respect.

When members of the LGBTQ community have the courage to tell someone about their abuse, they still may be reluctant to report to law enforcement for fear of being marginalized. They may feel law enforcement won't take their report of abuse seriously since some believe IPV happens only between men and women. Sometimes, LGBTQ victims of IPV feel it is better to stay in the relationship and not report the abuse so they can prove to family, friends, and even society that their choice to be in an LGBTQ relationship was not wrong. Unfortunately, this can result in abusers continuing to manipulate and terrorize victims.

#### **Bridging the Divide: Recommendations** for Law Enforcement

Since the Stonewall Riots of 1969 in New York, law enforcement has taken steps to bridge the divide with the LGBTQ community. Nondiscrimination and zero tolerance harassment policies instituted by police departments in cities such as Chicago, Illinois; New York, New York; Los Angeles, California; Austin, Texas; and San Francisco, California, have helped to educate

officers about the LGBTQ community and aspire to prevent biased profiling. Some departments like the Metropolitan Police Department in Washington, D.C., created LGBTQ liaison positions for sworn members to facilitate interactions between the LGBTQ community and the department. Other cities like Atlanta, Georgia; Dallas, Texas; Cincinnati, Ohio; New York; Boise, Idaho; Austin, Texas; and Fargo, Minnesota, have added an LGBTQ liaison to work with law enforcement to establish a culture of acceptance between officers and the communities they serve.

These efforts are helpful, but more work needs to be done as evidenced by a recent report by the University of California, Los Angeles (UCLA) School of Law on discrimination and harassment by law enforcement officers in the LGBTQ community.10 In one study cited in the report, 40 percent of gay and bisexual men indicated they believed that contacting the police after being a victim of IPV would be unhelpful or very unhelpful, and 59 percent reported that police would be less helpful to gay or bisexual men experiencing IPV than heterosexual women.<sup>11</sup>

So how can law enforcement leaders address the issue of IPV in the LGBTQ community, better serve their communities, and hold perpetrators accountable?



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- Accept that IPV exists in the LGBTQ community at the same or similar rate as in the heterosexual community. Law enforcement needs to realize and accept that LGBTQ victims are no less deserving of protection and benefits.
- Adopt nondiscrimination and zero tolerance harassment policies in departments, educate officers on the policies, and hold them accountable for violating these policies.
- Consider creating LGBTQ liaisons, either as sworn or civilian employees of the department, who reach out to the LGBTQ community, listen to their concerns, and actively work toward solving issues.
- Reframe law enforcement's thinking about IPV and sexual assault. Start by believing victims when they report, conducting thorough impartial investigations, and following the evidence. Leave preconceived myths or prejudices toward IPV, sexual assault, and the LGBTQ community out of the response and investigation.
- Train officers on how to identify the predominate aggressor in an IPV case and how to recognize the use of coercive control in the relationship.
- Understand the neurobiology of trauma and its effect on memory. Be compassionate in realizing that a victim's lack of memory or disjointed memory in an IPV or sexual assault case is often the result of the biological effects of trauma, not his or her unwillingness to cooperate.
- Be sensitive to the unique reporting barriers and challenges
  present in the LGBTQ community such as fears of being
  marginalized, outed, abused, not believed, or ridiculed as a
  transgender person; lack of recognizing the abuse for what
  it is; and inability to accept that men can be victimized in an
  IPV case or that a woman can be as much of an aggressor as
  a man.
- Realize that the LGBTQ community is a close-knit community; when a victim reports, it is not uncommon for many in the community to know they filed a report and what type of response they received from law enforcement.
- Take steps to provide a safe and nurturing environment for LGBTQ victims to stay, as is done for heterosexual victims.
   Some communities do not have facilities that house male victims; therefore, they are placed in a hotel or motel in an effort to keep them safe. For many in the LGBTQ community, their support system is the community to which they belong. Isolating them in a hotel away from this community distances them from their support system and may lead to them failing to continue in the criminal justice process.
- Consider the accessibility of LGBTQ abusers to their victims. Since many LGBTQ victims and abusers are of the same sex, they both have equal access to facilities like bathrooms, gyms, and social settings. This accessibility may allow abusers to continue terrorizing their victims without law enforcement's knowledge. Officers should be aware of this access and take steps to protect victims from their abusers.
- Be sensitive to the reluctance of some in the LGBTQ community to acknowledge or address IPV in an effort to avoid unfavorable political or societal scrutiny of LGBTQ families.
- Remember the first interaction between law enforcement and LGBTQ victims of IPV and sexual assault is crucial in establishing respect and trust and keeping the victim engaged in the criminal justice system so that perpetrators are held accountable.

For years, the members of LGBTQ community have felt as though they were second-class citizens in the eyes of many in U.S. society; including the police. If law enforcement professionals want to effect a change in that perception and provide equal justice to all victims of IPV, they need to change how officers interact with the LGBTQ community. With the June 2015 marriage equality decision

from the U.S. Supreme Court, there will be an increase in victims being empowered to report their abuse. Law enforcement has an obligation to treat LGBTQ victims with the same dignity and respect given to other citizens when they have the courage to report. All reports of IPV should be taken seriously and investigated in an impartial and unbiased manner by following the evidence and holding perpetrators accountable in order to provide equal justice to the entire community.

#### Notes:

¹Alabama Code 13A-6-65 (a)(3); Florida Ann. Stat. 800.02; Georgia Code Ann. 16-6-2; Idaho Code Ann.18-6605 & 18-6606; Kansas Statute 21-5504; Kentucky Rev. Stat. Ann. 510.100; Louisiana Rev. Stat. Ann. 14.89; Maryland Code Ann. 3-321 & 3-322; Massachusetts GHL 272 Chap 34 & 35; Michigan MCL 750.158; Minnesota Stat. 609-293; Mississippi Code Ann. 97-29-59; North Carolina Gen. Stat. 14-177; Oklahoma Stat. Title 21-886; South Carolina Code 16-15-120; Texas Penal Code 21.06; Utah Code Ann. 76-5-403.

<sup>2</sup>Michele C. Black et al., *National Intimate Partner and Sexual Violence Survey: 2010 Summary Report* (Atlanta, GA: National Centers for Injury Prevention and Control, Centers for Disease Control and Prevention, 2011), http://www.cdc.gov/violenceprevention/pdf/nisvs\_report2010-a.pdf (accessed November 20, 2015).

3Ibid

<sup>4</sup>Nicholas Ray, Lesbian, Gay, Bisexual and Transgendered Youth: An Epidemic of Homelessness (New York, NY: National Gay and Lesbian Task Force Policy Institute and National Coalition for the Homeless, 2006), http://www.thetaskforce.org/static\_html/downloads/HomelessYouth.pdf (accessed November 20, 2015).

<sup>5</sup>National Coalition of Anti-Violence Programs, *Lesbian, Gay, Bisexual, Transgender, Queer, and HIV-Affected Intimate Partner Violence in 2013* (New York, NY: 2014), http://www.avp.org/storage/documents/ncavp2013ipvreport\_webfinal.pdf (accessed November 20, 2015).

<sup>6</sup>Lori B. Girshick, "No More Denying: Facing Woman-to-Woman Sexual Violence," *Connections* 13 (Winter 2010): 18–21.

<sup>7</sup>A pseudonym is a right afforded most victims of sexual assault and child victims. It allows for a fake name to be used in official documents such as police reports, court transcripts, indictments, and arrest affidavits so that the victim's real identity is not made public.

<sup>8</sup>Ray, Lesbian, Gay, Bisexual and Transgendered Youth.

<sup>9</sup>The Leadership Conference, "Stonewall Riots: The Beginning of the LGBT Movement," June 22, 2009, http://www.civilrights.org/archives/2009/06/449-stonewall.html (accessed November 20, 2015).

<sup>10</sup>Christy Mallory, Amira Hasenbush, and Brad Sears, *Discrimination and Harassment by Law Enforcement Officers in the LGBT Community* (The Williams Institute, UCLA School of Law, 2015), http://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Discrimination-and-Harassment-in-Law-Enforcement-March-2015.pdf (accessed November 20, 2015).

<sup>11</sup>Catherine Finneran and Rob Stevenson, "Gay and Bisexual Men's perceptions of Police Helpfulness in Response to Male-Male Intimate Partner Violence," Western Journal of Emergency Medicine 14, no. 4 (August 2013): 354, 357, http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3735383 (accessed November 20, 2015).

<sup>12</sup>Obergefell v. Hodges, 576 U.S. \_\_\_ (2015).

In 2014, IACP and the Office of Victims of Crime developed a strategy and resources to enhance law enforcement's response to victims, with a strong focus on reaching unserved populations such as LGTBQ victims, those who may not self-identify as victims, and sexual assault victims, among others.

The strategy and related resources are available online at www.responsetovictims.org.

# The Stalking and Harassment Assessment



police chief in a small town attended a workshop on stalking. After hearing about the research on all of the things victims endure while being stalked—fear of physical and sexual harm, fear of harm to friends and family, threats with weapons, anxiety, lost jobs, lost relationships, significant life changes, and spending every single minute of every single day wondering what's going to happen next-he told the presenter: "What you are talking about is awful. But I have to tell you, I have been the police chief in this town for over 30 years, and there is no stalking in my town. I have never seen it." The presenter replied, "You are never going to see stalking if you don't look for it."

In fact, stalking may look like innocent courtship or breakup pursuit or, in more rare circumstances, like a Hollywood horror movie to the untrained eye. But stalking is common and goes way beyond normal courtships or breakup pursuits. The impact of stalking for victims, children, families, and society is significant-stalking costs society hundreds of millions of dollars every year with a large portion of those costs due to the involvement of the criminal justice system in these cases.2 Even if law enforcement isn't calling it stalking, officers are responding to many stalking-related incidents. Stalking is often minimized, dismissed, or ignored by the criminal justice system despite the fact that 1 in 6 women and 1 in 19 men in the United States are stalked in their lifetimes. This means that more than 6.6 million people in the United States are stalked every year, yet relatively few stalkers are charged and prosecuted with the crime of stalking.3 Why?

Stalking can be defined as a course of conduct that creates a fear of physical and sexual harm and death. Stalking may be a particularly challenging crime for law enforcement to address for several reasons. Unlike most crimes, stalking usually occurs over an extended period of time, and the criminal justice system must rely on victims to document and preserve evidence of the crime. Also, the orientation of the justice system toward physical harm rather than psychological harm can lead to the minimization of stalking as a crime and of the impact that stalking has on victims. In addition, police officers may have limited

# and Risk Profile (SHARP)

training and experience with understanding, identifying, and handling stalking cases.4

Those factors often result in stalking behaviors being charged as lesser crimes, such as harassing communication, and generous plea deals are often offered in lieu of taking stalking charges to trial. The initial enthusiasm that many U.S. police departments had when stalking laws were first passed in the 1990s was dampened by the realities of building stalking cases as the laws were implemented. Today, a relatively low number of stalking charges are filed in most communities across the United States. However, that may be changing.

A new web-based tool, the Stalking and Harassment Assessment and Risk Profile (SHARP), has been created to facilitate the assessment of stalking and to help address some of the challenges stalking crimes present.<sup>5</sup> SHARP is available online for free and can be used by law enforcement, advocates, attorneys, and prosecutors, as well as by victims, their friends, and family (www .CoerciveControl.org). The assessment was developed from empirical research, clinical literature, interviews with stalking victims, and case studies.

In general, SHARP provides an assessment of the "big picture" of the stalking situation, rather than a perpetrator profile, by assessing a spectrum of behaviors that may be labeled stalking, harassment, or threatening. SHARP uses a series of questions to prompt users to provide information about the nature and extent of the stalking and harassing behaviors. That information is then woven into a cohesive narrative that can help criminal justice professionals and victims to understand the pattern and context of the stalking and harassing behaviors, help identify potential witnesses and sources of evidence, and describe the impact of those behaviors on the victim.6 Although stalking statutes differ across states, SHARP systematically assesses three major components that are central to most stalking statutes:

1. Course of conduct with two main components: the stalking and harassment behaviors including surveillance, life invasion, intimidation, and interference with life through sabotage and attack, along with the duration, intensity, and frequency of those behaviors. Patterns of behavior can show intent.

- 2. Implicit or explicit threat with three dimensions: the presence of implicit and explicit threats, credibility of those threats, and fear and concern for safety.
- 3. Unwanted attention (by the target) as operationalized by victim resistance and perpetrator persistence strategies.

SHARP is a web-based assessment consisting of 43 main questions about the situation. Then, based on how the questions are answered, two individually tailored narrative reports are developed. The first report provides a narrative describing the situation with a risk profile, and the second report provides information about stalking risks and safety suggestions based on how the questions were answered.

One of the key features of SHARP is the situational risk profile based on 12 main risk factors. The characterization from these 12 risks factors must always be interpreted within the unique context of individual cases.7

#### **Risk Factors**

Each risk factor falls under one of the three components listed previously, as described in the following text.

#### Course of Conduct

Three of the 12 risk factors derive from the course of conduct component:

1. Patterns of stalking/harassing behaviors. This factor includes the four main types of stalking and harassing behaviors: surveillance (such as following, watching, tracking, and monitoring of the victim's whereabouts); life invasion (such as repeated and unwanted phone calls, gifts, notes, emails, messages, and harassment of friends and family); intimidation (including threats, property damage, and forced confrontations); and interference with life through sabotage and attack (including financial and work sabotage, reputation damage, custody interference, road rage, and attack on the victim or victim's friends and family), along with the duration, intensity (number of different locations and tactics), and frequency of contact, approach, and interference in the victim's life. The longer the duration and the greater the intensity and frequency of the stalking and harassment strategies, the greater the risk of harm, persistence, escalation, and life sabotage.

- 2. Escalation. Escalation is often a signal that something about the situation has changed, and escalation is associated with increased risk of harm to the victim and others close to the victim. Further, upcoming events that might incite escalation, such as a pending separation or divorce action, must also be considered as potential risk
- 3. Proxy stalking. Proxy stalking or involving others in the threatening, harassing, stalking, or assault may increase the risk of danger for victims. Engaging other people to target victims shows that offenders are determined to make sure the stalking continues in whatever way possible.

#### Implicit or Explicit Threat Causing Reasonable Fear

Eight of the 12 risk factors provide the context of the threat. Context is key to understanding the cumulative fear and harm that a victim experiences, the reasonable nature of that fear, and the credibility of the threat.

- 4. Threat and fear. Explicit and graphic or detailed threats to harm victims, threats to harm others close to victims, and victims' fear and beliefs in the ability of the stalker to follow through on those threats form the basis for this risk factor. When an explicit threat has been made, a victim's fear increases, along with the likelihood of violence. Detailed threats may suggest even greater risk of harm because they may indicate that specific plans have been made. A victim's fear of future harm is predictive of future violence.
- 5. History of violence and abuse of others. A history of abuse and violence by the stalker toward others can help to assess the credibility of current threats and violence. Prior behavior can demonstrate capacity and propensity to repeat behavior.
- 6. Criminality, substance use, and mental health problems. A history of criminal behavior and substance misuse can be an indicator of impulse control problems and disregard for the law, both of which are risk factors for violence and persistence of stalking, harassment, and threats. Mental health problems and negative emotions can contribute to a stalker's mind-set of blame and revenge. Not every mental disorder needs to be thought of as a risk factor, but again, as with many of



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#### The personal, social, and financial costs [of stalking] to the victim and to society are too high to ignore.

these risk factors, in combination with other factors, the presence of mental health problems generally increases risk.

7. History of partner control, jealousy, and violence. As with other criminal patterns, a history of abuse and violence toward victims is a risk factor for stalking, violence within the context of stalking, stalking persistence, escalation, and life sabotage. When this boundary has been crossed in the past, it is easier to cross it again in the future. Offenders who have been very controlling and jealous in the past may believe their victims are their possessions, and, when they realize they cannot control their victims, the risk to their victims of violence and harassment, persistence and escalation, and life sabotage increases.

8. Technical expertise. Technology can be used to track and monitor a victim or to gain access to personal accounts, but this type of surveillance can be difficult to detect for the person being monitored. This risk factor may increase the likelihood of violence, persistence and escalation, and life sabotage.

9. Mind-set. An offender's feelings and mind-set of revenge, blame, and lack of concern about severe consequences, such as going to jail or dying, are indicators of higher risk for violence. In other words, this risk factor suggests offenders with this mind-set are particularly dangerous. The level of risk may vary depending on motives, type of victim-offender relationship, and the type of risk under consideration (i.e., persistance, escalation, psycho-social harm, and violence). Mind-set may be indicated by the content of threats to victims, including threats in online postings, statements made to third parties, doodlings, videotapes, poems, essays, letters, songs, and tattoos.8

10. Weapons. The possession of weapons, while not indicative of risk by itself, can be a serious factor when coupled with other risk factors. Research shows that access to guns increases the likelihood of suicide and homicide, particularly in partner violence situations.

11. Victim vulnerability factors. Environmental vulnerabilities can be wide-ranging and increase the likelihood of interaction, confrontation, and violence due to increased access. Vulnerabilities include geographic access (working or living near the stalker); being subject to the authority of the stalker (e.g., in the workplace or school); sharing children or having child custody, support, or visitation issues; isolation; unsafe housing; and limited access to resources. In addition, stalkers who experience limited or no

consequences for their behaviors are able to continue accessing victims, even when "no contact" orders exist. Many of these factors also make it more difficult for victims to take actions to enhance their safety. The risk of persistence, escalation, and life sabotage may be greater due to these risk factors.

#### Unwanted Attention

A primary component of the framework is that the stalking is unwanted by the victim. This component includes the final risk factor.

12. Victim resistance and stalker persistence. It is important to note how victims have resisted stalkers and how stalkers have responded to that resistance, particularly if they have escalated their stalking behaviors. Risk may be increased significantly if stalkers have violated court orders specifically banning them from stalking, harassing, or contacting a target. Such violations suggest that the stalkers are willing to continue their behaviors regardless of consequences. Often, court orders are not enforced, so stalkers may believe they are likely to "get away" with violations.

#### Conclusion

The SHARP model can be used to conduct a structured interview to help the investigator uncover the subtleties of the behavior and the context in which the actions are taking place. In particular, showing a course of conduct along with victim resistance and offender persistence lays out a pattern of behavior, and patterns of behavior show intent. Also, by better understanding the context and relationship history, an investigator may be able to articulate why a seemingly harmless action is, in fact, fear inducing. This contextual examination of behavior can help take a case past a simple harassment situation into a solid stalking charge. SHARP also facilitates understanding of the cumulative fear and harm victims experience, which can often be documented with corroborating evidence. But, even if there isn't enough evidence to support a more serious charge (stalking instead of harassment), the SHARP survey is an excellent tool for determining what risks are present and what additional steps law enforcement and victim advocates can take to better provide services and support to the victim.

The crime of stalking does not occur in a vacuum. It plays out on city streets and country roads, in neighborhoods and gated communities, in schools and on college campuses, and in faith communities and

workplaces. The personal, social, and financial costs to the victim and to society are too high to ignore. The time to step up efforts to address stalking is now. SHARP can be an important part of that effort by facilitating a quick assessment of stalking and providing an organized and concise written summary of the situation. It can complement the laws, resources, and interventions that have been developed by communities and states across the United States over the past two decades. SHARP alone cannot resolve the injustice of stalking, but in the hands of capable criminal justice professionals and in the context of a coordinated community response, it can be a very valuable tool. �

#### Notes:

<sup>1</sup>TK Logan et al., Partner Stalking: How Women Respond, Cope, and Survive (New York, NY: Springer, 2006); TK Logan and Robert Walker, "Partner Stalking: Psychological Dominance or 'Business as Usual'?" Trauma. Violence, and Abuse 10, no. 3 (2009): 247-270.

<sup>2</sup>TK Logan et al., The Kentucky Civil Protective Order Study: A Rural and Urban Multiple Perspective Study of Protective Order Violation Consequences, Responses, and Costs (Washington, D.C.: National Institute of Justice, U.S. Department of Justice, 2009), http://www.ncjrs.gov/pdffiles1/nij/ grants/228350.pdf (accessed November 20, 2015).

<sup>3</sup>Michele C. Black et al., The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report (Atlanta, GA: Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, 2011), http://www.cdc.gov/violence prevention/pdf/nisvs\_report2010-a.pdf (accessed November 20, 2015).

<sup>4</sup>TK Logan and Robert Walker, "Toward a Deeper Understanding of the Harms Caused by Partner Stalking," Violence and Victims 25, no. 4 (2010): 440-455.

<sup>5</sup>TK Logan, Robert Walker, and Jeb Messer, Stalking and Harassment Assessment and Risk Profile V-1 (SHARP) (Lexington, KY: University of Kentucky, Department of Behavioral Science and Center on Drug and Alcohol Research, 2014), http://www.cdar.uky.edu/ CoerciveControl/sharpdir.html (accessed November 20, 2015).

<sup>6</sup>TK Logan and Robert Walker, "Stalking: A Multidimensional Framework for Assessment and Safety Planning," Trauma, Violence, and Abuse (forthcoming).

<sup>8</sup>J. Reid Meloy and Mary Ellen O'Toole "The Concept of Leakage in Threat Assessment," Behavioral Sciences and the Law 29, no. 4 (2011):



By Katie Gresham, Senior Communications
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Any one of the law enforcement executives in the United States who is engaged in efforts to test large numbers of sexual assault kits is well aware of the challenges: figuring out how to get an accurate inventory, setting up systems to track kits, developing a plan for sending kits to the lab for testing, allocating resources for follow-up investigations, and deciding how to notify victims. Previous experience, science, and analysis can help with all these challenges—even victim notification.

The National Institute of Justice (NIJ) has conducted extensive work on sexual violence and has found that telling a victim that law enforcement has new information in the case can raise complex psychological issues for the victim. It can also raise legal

issues.<sup>1</sup> Victims may no longer want to be a part of the investigation, for example, or they may experience flashbacks that can harm their recovery and trigger other emotional health issues.

Every law enforcement professional knows that the cooperation of a victim can be critical to a successful sexual assault investigation and prosecution. Using victim-centered and trauma-informed practices for working with victims can improve cooperation.<sup>2</sup>

"Victim-centered" approaches put the victims at the center of all decisions regarding their recovery and involvement. In victim-centered practices, all criminal justice professionals, not just victim advocates, focus on the victim's choices, rights, needs, safety, and well-being.

A "trauma-informed" approach involves attending to the victim's emotional and physical safety, using resources and support services to increase the victim's ability to recover, and educating first responders and criminal justice practitioners about the impact of trauma on the health and wellbeing of the victim.

#### **The Effects of Trauma**

A trauma-informed process for notifying sexual assault victims that their kits are being or have been tested, especially in older cases, is often based on the neurobiology of trauma and how to minimize re-traumatization.<sup>4</sup>

Dr. Rebecca Campbell is one of the United States' leading experts on the topic of notification of victims. Her work on the neurobiology of trauma is helping improve

methods for collecting evidence, interviewing victims, and getting convictions for sexual assault cases.

According to Campbell, a victim's first interaction with law enforcement officers can set the tone for future experiences with the criminal justice system. Research shows that when victims experience attitudes or behaviors that are insensitive or place blame on them, the trauma can be exacerbated and particularly devastating.

In jurisdictions with large numbers of untested sexual assault kits, it is likely that some portion of the kits are for victims who experienced "secondary victimization" at the time of their initial reports. Secondary victimization occurs when victims lack proper support to recover or when criminal justice professionals lack the proper training to provide appropriate comfort and assistance to the victim. This may include instances, for example, where a victim's memory of the crime is not believed or where the victim is blamed for the crime.<sup>5</sup> Campbell's research on this secondary victimization found that 80 percent of victims feel reluctant to seek further help after a negative interaction with the legal system and feel blamed, depressed, and anxious.6 These victims will be hesitant to re-engage when their kits are finally tested. That's one reason why understanding the neurobiology of trauma can improve interviewing and notifying protocols for older cases.

In addition, even if the victim is willing to re-engage, the human body's natural response to a traumatic event affects the person's memory, cognition, and emotion. Hormones flood in to protect the body: adrenaline to help fight or flee, cortisol to boost energy levels, and oxytocin to manage physical and emotional pain.<sup>7</sup>

As the body concentrates on protecting itself, the brain's ability to record visual, auditory, and other sensory information is reduced. The result can be an impairment of rational thought and memory. Victims may react in ways that appear illogical, and they may be unable to recall what happened in a linear fashion. Generally, according to Campbell, the victim's memories are accurate, but they are also usually fragmented and disorganized. In addition, victims may experience "flat affect," show little emotion, experience mood swings, or have emotional responses that seem unusual given the circumstances, such as laughing or smiling when recalling the assault.8

The flood of chemicals that occurs during trauma can also cause the body to freeze or experience temporary muscular paralysis as a response to extreme fear, known as tonic immobility.9 The inability to fight or flee is automatic and uncontrollable. Because many victims do not understand the body's tonic immobility, they may feel increased self-blame for their assault, which investigators may misinterpret as consent.

When multidisciplinary teams of police investigators, crime lab analysts, prosecutors, victim service providers, and social science researchers in Detroit, Michigan, and Houston, Texas, looked in-depth at the issues surrounding previously untested sexual assault kits as part of an NIJ-supported research study, they were informed by Campbell's work on what happens to the brain during a traumatic episode.

In both Detroit and Houston, the teams created and tested victim-centered and trauma-informed protocols that all professionals in the criminal justice system can use to help minimize the trauma a victim experiences when receiving new information about a case. These protocols—and the process for developing them—may help professionals in other cities consider how best to notify victims of sexual assault.<sup>10</sup>

#### **Victim Notification in Detroit**

During its development of a victimcentered and trauma-informed victim notification protocol, the multidisciplinary team in Detroit organized a planning retreat to explore many complex questions, including

- When should victims be notified?
- Who should make the initial contact. with the victim and how?
- · What information should be given to the victim during the initial contact?
- What should happen after that initial
- · How will the victim notification staff be trained?11

Another central question was whether the notification process could be standardized, should be approached on a case-bycase basis, or involve some combination. In the end, the team decided to take a hybrid approach.

For this approach, the team members reviewed each case in which forensic testing led to a DNA match in the Combined DNA Index System (CODIS). (Due to resource constraints, the Detroit team notified victims in older sexual assault cases only when there was a CODIS match.) Then, they followed a two-step process to notify the victims:

- 1. Investigators affiliated with the prosecutor's office contacted the victim to
  - explain that his or her sexual assault kit had not been tested at the time the assault was originally reported, but it had now been tested;
  - · offer an apology that the kit had not been previously tested; and
  - request a follow-up meeting.
- 2. Investigators and a victim advocate then met with the victim to
  - provide further details:
  - discuss options; and
  - · connect the victim with community

Another key piece of Detroit's protocol was that the first contact with victims was by a legal investigator, not a member of the police department. This was done to minimize re-traumatization, including any negative experiences victims may previously have had with the Detroit Police Department.

#### Victim Notification in Houston

Like the Detroit team, Houston's multidisciplinary team began by gathering and assessing information about when and how victims should be notified. The team conducted focus groups and individual interviews with victims of sexual assault and with professionals, including victim advocates, community-based advocates and counselors, and sexual assault nurse examiners. The goal was to determine (1) if victims should be notified of DNAtesting results if their case would not move forward in the criminal justice system and (2) what special factors should be considered when notifying victims in older cases.

Everyone on the team, as well as the victims who were interviewed, had mixed feelings about whether authorities should try to contact victims in all cases. In the end, they concluded that every victim had the right to know about the status of his or her case.

The Houston team was also concerned about victim re-traumatization, noting that victims' reactions and responses depended on their stages in the healing process, their coping skills, and their life circumstances. Not all victims want to be notified years after a forensic exam or be reminded of the humiliation and harm they suffered.

After weighing and assessing a wide range of data, the Houston team recommended the following:

- · Law enforcement should not assume that a victim does—or does not want to be notified.
- Victims should be given the opportunity to elect to be informed regarding the status of testing their sexual assault kit.
- Victims should be informed if there is substantial evidence to move their case forward.
- Mechanisms for notification should be flexible, thoughtful, and incorporate choices for victims.
- Victims should have a choice in whether their case moves forward based on DNA testing.

Houston offered victims the option to be notified of the outcome of the testing of their kits. Those who called the special hotline or emailed the account set up specifically for that purpose were told the results of the DNA testing of their sexual assault kits, given referrals for social services, and put in touch with an investigator and a justice advocate.

#### **RESOURCES**

**Sexual Assault Kits:** Using Science to Solve Problems (www.NIJ.gov/unsubmitted-kits) has videos, charts, and podcasts.

The Houston Police Department (HPD) contacted victims only in cases in which there was a CODIS hit to an identified suspect after DNA testing and only when the statute of limitations had not expired or, if it had expired, when the CODIS hit linked to a suspect who was on trial for another sexual assault. In all other situations, such as a CODIS hit without an identified suspect, HPD did not contact the victim unless the victim contacted the information hotline or if the DNA profile later resulted in a CODIS hit.

To provide further support for victims of sexual assault, HPD created a "justice advocate" position in its Adult Sex Crimes Unit to work with victims of both unsolved and current cases. The justice advocate is a trained social worker who can connect with victims, address their needs, and keep them engaged in the criminal justice process. The justice advocate recognizes victims' experiences and perspectives and collaborates with investigators to ensure that victims receive the specific support services they need to engage with the legal system and recover from trauma.

Six months after the justice advocate position was created, its effect was evaluated and found to have helped minimize victim re-traumatization, making victims feel safer and more comfortable engaging with law enforcement during the investigation while also helping investigators establish rapport with victims with better understanding of victims' responses.<sup>12</sup>

#### Conclusion

Notifying victims after testing their sexual assault kits is a sensitive task that can be better informed by the science and experience that shows that victim-centered, trauma-informed approaches respect the victims' wishes, keep the victims safe, minimize re-traumatization, and ultimately support the victims' well-being.

NIJ is collaborating with the Office of Victims of Crime and the Office on Violence Against Women to provide evidence-based guidance on key points to consider when developing a victim notification protocol for previously untested sexual assault kits. A series of webinars is being developed and a brochure is now available on NIJ.gov.

It is the responsibility of everyone involved in a sexual assault case to protect and support victims in their recovery. By learning from research on the neurobiology of trauma and from the experiences of Detroit and Houston, law enforcement can not only improve the support they provide for victims in cases where sexual assault kits were previously untested, but also improve interviewing practices that could result in increased victim cooperation, more thorough investigations, and greater chances of success as the cases move forward.

Findings and conclusions reported in this article are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice. Katie Gresham is a writer with Palladian Partners, a federal contractor, on assignment to the National Institute of Justice, U.S. Department of Justice.

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#### Notes

<sup>1</sup>Rebecca Campbell, "The Psychological Impact of Rape Victims' Experiences with the Legal, Medical, and Mental Health Systems," *American Psychologist* 63, no. 8 (November 2008): 702–17.

<sup>2</sup>Noël Busch-Armendariz, Caitlin Sulley, and Lindsay Morris, Key Components of Building a Successful Victim Notification Protocol: A Report to the Houston Sexual Assault Kit Action Research Working Group (Institute on Domestic Violence & Sexual Assault School of Social Work, The University of Texas at Austin, March 2015), http://houstonsakresearch.org/resources/documents/IDVSA\_success.pdf (accessed November 17, 2015).

<sup>3</sup>National Institute of Justice "Sexual Assault Kits: Using Science to Solve Problems, http://www.NIJ.gov/unsubmitted-kits (accessed November 17, 2015).

<sup>4</sup>Busch-Armendariz, Sulley, and Morris, Key Components of Building a Successful Victim Notification Protocol.

<sup>5</sup>National Center for Victims of Crime," The Trauma of Victimization," http://www.victimsofcrime.org/help-for-crime-victims/get-help-bulletins-for-crime-victims/trauma-of-victimization (accessed November 17, 2015).

<sup>6</sup>Rebecca Campbell, "The Neurobiology of Sexual Assault" (transcript), An NIJ Research for the Real World Seminar, December 3, 2012, http://nij.gov/multimedia/presenter/presenter-campbell/Pages/presenter-campbell-transcript.aspx (accessed November 17, 2015).

7Ibid.

8Ibid

<sup>9</sup>Murray P. Abrams et al., "Human Tonic Immobility: Measurement and Correlates," *Depress Anxiety* 26, no 6. (2009): 550–556.

<sup>10</sup>Rebecca Campbell et al., The *Detroit Sexual Assault Kit (SAK) Action Research Project (ARP), Final Report*, March 2015, https://www.ncjrs.gov/pdffiles1/nij/grants/248680.pdf (accessed November 18, 2015); Noël Busch-Armendariz et al., *How to Notify Victims about Sexual Assault Kit Evidence Insight and Recommendations from Victims and Professionals*.

 $^{11}$ Campbell et al., The Detroit Sexual Assault Kit Action Research Project Final Report.

<sup>12</sup>Noël Busch-Armendariz and Caitlin Sulley, *Does the Justice Advocate Position Enhance Sex Crimes Investigations? A Report to the Houston Sexual Assault Kit Action Research Working Group* (Institute on Domestic Violence & Sexual Assault School of Social Work, The University of Texas at Austin, March 2015), http://houstonsakresearch.org/resources/documents/IDVSA\_justice.pdf (accessed November 18, 2015).

For more resources on Trauma Informed Sexual Assault Investigations, including articles, videos, training materials, and guidelines, please visit www.theiacp.org/Trauma-Informed-Sexual-Assault-Investigation-Training.

IACP also offers on-site training regarding violence against women, domestic violence, stalking, and sexual assault. Contact Michael Rizzo (rizzo@theiacp.org) to learn more.

# 2016 Police Chief Calendar

Are you looking forward to reading about a certain issue in law enforcement or thinking about submitting an article to *Police Chief*? Look below to see some of the topics we are covering this year!

January	Violence Against Women		
February	Homeland Security		
March	Police-Community Relations		
April	Leadership		
May	Officer Safety and Wellness		
June	Targeted Violence and Mass Casualty Attacks		
July	Highway Safety		
August	Research and Evidence-Based Policing		
September	40 Under 40		
October	Emerging Technology		
November	Education and Training		
December	Media Relations and Public Information		

Do you have innovative solutions or experiences that you want to share with the policing community? Take a look at our manuscript guidelines on **www.policechiefmagazine.org/editorial**. Articles can be sent to **submissions@theiacp.org**.

#### Presented at the 122nd Annual IACP Conference & Expo

# 2015 IACP Awards

Photography courtesy of Convention Photo by Joe Orlando, unless otherwise noted.

#### IACP/Motorola Webber Seavey Award for Quality in Law Enforcement

#### Leesburg, Virginia, Police Department



Left to right: John Zidar, vice president, Government and Public Safety Sales, Motorola Solutions; Carl Maupin, captain, Leesburg Police Department; Joseph Price, chief, Leesburg Police Department; Steven McVay, lieutenant, Leesburg Police Department; George Krausz, president, Motorola Solutions Canada

#### Waterloo, Ontario, Canada, Regional Police Service



Left to right: Barry Zehr, superintendent, Waterloo Regional Police Service; John Zidar, vice president, Government and Public Safety Sales, Motorola Solutions; Bill Davidson, executive director, Langs; George Krausz, president, Motorola Solutions Canada; Bryan Larkin, chief, Waterloo Regional Police Service

# Vancouver, British Columbia, Canada, Police Department



Left to right: Steve Rai, deputy chief constable, Vancouver Police Department; John Zidar, vice president, Government and Public Safety Sales, Motorola Solutions; Howard Tran, inspector, Vancouver Police Department; Lynn Noftle, sergeant, Vancouver Police Department; George Krausz, president, Motorola Solutions Canada; Adam Palmer, chief, Vancouver Police Department

#### IACP/Utility, Inc. Outstanding Achievement in Law Enforcement Volunteer Programs Award

# California Highway Patrol; Surprise, Arizona, Police Department



Left to right: Warren Stanley, deputy commissioner, California Highway Patrol; Louis Dekmar, chief, LaGrange Police Department, IACP 3rd vice president; Joe Farrow, commissioner, California Highway Patrol; Omar Watson, assistant chief, California Highway Patrol; Terry Young, chief, Surprise Police Department; Barbara Jones, victim advocate, Surprise Police Department; Loni Janis, citizen patrol commander, Surprise Police Department; Robert McKeeman, chief executive officer, Utility, Inc.; Jeff Magers, chair, Police Administration Committee

#### IACP/AMU Civilian Law Enforcement-Military Cooperation Award

#### U.S. Army Officer for the Provost Marshal General and U.S. Marshals Service



Left to right: Jeffrey Kuhn, Esq. I, associate vice president, Strategic Relations – Public Safety Sector, American Military University; Mark S. Inch, major general, Provost Marshal General; Derrick Driscoll, assistant director for investigations, U.S. Marshals Service; Brian O'Keefe, administrator, Wisconsin Department of Justice, co-chair, CLEMCC; Dan "Mac" McElroy, colonel, Deputy Provost Marshal General, co-chair, CLEMCC

# IACP/3M Looking Beyond the License Plate Award

#### Trooper Blair Paulsen, Trooper, Iowa State Police



Left to right: Anoop Gupta, marketing manager, 3M Traffic Safety Systems; Amber Steinert, marketing analyst, 3M Traffic Systems; Blair Paulsen, trooper, Iowa State Police; Joseph Farrow, commissioner, California Highway Patrol, chair, Highway Safety Committee

#### **IACP/Thomson Reuters Award for Excellence in Criminal Investigations**

#### San Bernardino, California, Sheriff's Department



Left to right: Daniel DeSimone, Thomson Reuters; Terrence Cunningham, chief, Wellesley Police Department, IACP president; John McMahon, sheriff, San Bernardino Sheriff's Department; Chris Fisher, lieutenant, San Bernardino Sheriff's Department; Eddie Bachman, sergeant, San Bernardino Sheriff's Department; Brion Knudson, Thomson Reuters

#### First Runner-Up

#### Phoenix, Arizona, Police Department



Left to right: Terrence Cunningham, chief, Wellesley Police Department, IACP president; Troy Hillman, sergeant, Phoenix Police Department; Marianne Ramirez, detective, Phoenix Police Department; William Schira, detective, Phoenix Police Department; Brion Knudson, Thomson Reuters

#### **Second Runner-Up**

#### New Jersey State Police



Left to right: Brion Knudson, Thomson Reuters; Ray Guidetti, lieutenant colonel, New Jersey State Police; Jack Donegan, lieutenant, New Jersey State Police; Geoffrey Noble, captain, New Jersey State Police; Terrence Cunningham, chief, Wellesley Police Department, IACP president

#### **Excellence in Law Enforcement Research**

#### **Gold Award**

#### San Diego County, California, Sheriff's Department



Left to right: David Myers, commander, San Diego Sheriff's Department; Laurie Robinson, professor, George Mason University, co-chair, Research Advisory Committee; Cynthia Burke, director, SANDAG; Frank Straub, co-chair, Research Advisory Committee

#### **Silver Award**

#### Rialto, California, Police Department



Left to right: William Farrar, chief, Rialto Police Department; Dean Hardin, lieutenant, Rialto Police Department

#### **Bronze Award**

#### Toronto, Ontario, Canada, Police Service



Left to right: Laurie Robinson, professor, George Mason University, co-chair, Research Advisory Committee; David DeLima, constable, Toronto Police Service; Hugh Ferguson, superintendent, Toronto Police Service; Mark Saunders, chief of police, Toronto Police Service; Frank Straub, co-chair, Research Advisory Committee

#### IACP/OnStar/LoJack Vehicle Crimes Awards of Merit

#### Agencies: 1,001+ personnel

Ottawa, Canada, Police Services -Organized Auto Theft Section



Left to right: Christopher McDonold, executive director, Maryland Vehicle Theft Prevention Council, chair, Vehicle Crimes Committee; Trevor Archibald, detective, Ottawa Police Service; Sherry LeVeque, emergency services outreach leader, OnStar; Patrick Clancy, vice president of law enforcement, LoJack Corporation

#### Individual

Zachary Murray, Investigator, Colorado State Patrol



Left to right: Christopher McDonold, executive director, Maryland Vehicle Theft Prevention Council, chair, Vehicle Crimes Committee; Zachary Murray, investigator, Colorado State Patrol; Sherry LeVeque, emergency services outreach leader, OnStar; Patrick Clancy, vice president of law enforcement, LoJack Corporation

#### **Multi-Agency Task Force**

Orange County, California, Auto Theft Task Force



Left to right: Christopher McDonold, executive director, Maryland Vehicle Theft Prevention Council, chair, Vehicle Crimes Committee; Sherry LeVeque, emergency services outreach leader, OnStar; Patrick Clancy, vice president of law enforcement, LoJack Corporation; Michael Stefanoff, lieutenant, California Highway Patrol – Orange County Auto Theft Task Force; David Navarro, investigator, California Highway Patrol – Orange County Auto Theft Task Force; Javier Arriola, officer, Ontario, California, Police Department; Fel Navarro, sergeant, California Highway Patrol – Orange County Auto Theft Task Force

#### **Civil Rights Award**

#### **Individual Achievement Award**

William G. Brooks III, Chief, Norwood, Massachusetts, Police Department



Left to right: Will Johnson, chief, Arlington Police Department, chair, Civil Rights Committee; William Brooks III, chief, Norwood Police Department; Terrence Cunningham, chief, Wellesley Police Department, IACP president

#### **Single Agency Award**

Douglasville, Georgia, Police Department



Left to right: Will Johnson, chief, Arlington Police Department, chair, Civil Rights Committee; Brad Stafford, lieutenant, Douglasville Police Department; Sue Anne Shaw, deputy chief, Douglasville Police Department; Gary Sparks, chief, Douglasville Police Department; Brandon Nutter, corporal, Douglasville Police Department; Ken Winklepleck, lieutenant, Douglasville, Police Department; Terrence Cunningham, chief, Wellesley Police Department, IACP president

#### **Multi-Agency Award**

Federal Bureau of Investigation -Phoenix Field Office; Phoenix, Arizona, Police Department; Scottsdale, Arizona, Police Department; Chandler, Arizona, Police Department; U.S. Border Patrol Agency



Left to right: Douglas Price, special agent in charge, Federal Bureau of Investigation; Ryan Blay, supervisory special agent, Federal Bureau of Investigation; Terrence Cunningham, chief, Wellesley Police Department, IACP president

#### **August Vollmer Excellence in Forensic Science Award**

#### Significant Investigative Value in a **Major Crime**

Bensalem Township, Pennsylvania, Police Department



Left to right: David Richardson, lieutenant, Bensalem Township Police Department; Robert Bugsch, sergeant, Bensalem Township Police Department; Keith Christie, sergeant, Bensalem Township Police Department; Frederick Harran, director, Bensalem Township Police Department; William McVey, lieutenant, Bensalem Township Police Department; Glenn Vandegrift, detective, Bensalem Township Police Department

#### **Current or Past Contribution in Forensic Science**

Drug Enforcement Administration, Special Testing and Research Laboratory



Left to right: Preston Grubbs, assistant administrator of operational support, Drug Enforcement Administration; John Casale, Senior Research Chemist, Drug Enforcement Administration; Jennifer Mallette, senior forensic chemist, Drug Enforcement Administration; and James Jordan, R&D scientist, National Geospatial-Intelligence Administration; Nelson Santos, deputy assistant administrator, Office of Forensic Sciences, Drug Enforcement Administration

#### **Innovation in Forensic Technology** by a Forensic Service Provide in the **Public Sector**

Michigan State Police, Forensic Science **Division-Biology Unit** 



Left to right: John Grassel, detective lieutenant, Rhode Island State Police, co-chair, Forensic Committee; Stephanie Stoiloff, commander, Miami-Dade Police Department, co-chair, Forensic Committee; Greg Michaud, captain, director, Forensic Science Division, Michigan State Police; Jeff Nye, biology technical leader, Michigan State Police; Kriste Etue, colonel, director, Michigan State Police; John Bowen, inspector, quality assurance manager, Forensic Science Division, Michigan State Police; Richard Arnold, lieutenant colonel, deputy director, State Services Bureau, Michigan State Police; Donald De Lucca, chief, Golden Beach Police Department, 1st vice president, IACP

#### **Current or Past Collaboration in Forensic Science**

Crime Gun Intelligence Center, Denver, Colorado, Police Department



Left to right: John Grassel, detective lieutenant, Rhode Island State Police, co-chair, Forensic Committee; Stephanie Stoiloff, commander, Miami-Dade Police Department, co-chair, Forensic Committee; Greggory LaBerge, director, Forensics and Evidence Division, Denver Police Department; Luke Francy, deputy assistant director, Field Operations West, Bureau of Alcohol, Tobacco, Firearms and Explosives; David Quinones, deputy chief, operations, Denver Police Department; Donald De Lucca, chief, Golden Beach Police Department, 1st vice president, IACP

#### J Stannard Baker Award for Highway Safety

David Ennis, Chief, Naval District of Washington Police, Naval Support Activity



Left to right: John W. Marshall, director, Office of Safety Programs, National Highway Traffic Safety Administration, U.S. Department of Transportation; Joseph Farrow, commissioner, California Highway Patrol, chair, Highway Safety Committee; David Ennis, chief, Naval District of Washington Police, Naval Support Activity; Steve Flaherty, colonel, Virginia State Police, general chair, Division of State and Provincial Police; David Bradford, executive director, Northwestern University Center for Public Safety

Timothy L. Wyatt, Sergeant, Roanoke County, Virginia, Police Department



Left to right: John W. Marshall, director, Office of Safety Programs, National Highway Traffic Safety Administration, U.S. Department of Transportation; Joseph Farrow, commissioner, California Highway Patrol, chair, Highway Safety Committee; Timothy L. Wyatt, sergeant, Roanoke County Police Department; Steve Flaherty, colonel, Virginia State Police, general chair, Division of State and Provincial Police; David Bradford, executive director, Northwestern University Center for Public Safety

#### IACP/Login, Inc. Excellence in Victim Services Award

#### **Small Agency Award**

## Office of the Fayette County, Kentucky, Sheriff



Left to right: Shelley Rose, president/CEO, Login, Inc.; Brian Murphy, lieutenant (ret.), Oak Creek Police Department; Matthew Amato, lieutenant colonel, Office of the Fayette County Sheriff; Kathy Witt, sheriff, Office of the Fayette County Sheriff; Kent Barker, chief, Tualatin Police Department, IACP VP at Large; Dave Porter, chief, DeWitt Police Department, chair, Victim Services Committee

#### **Medium Agency Award**

#### Irving, Texas, Police Department



Left to right: Bruce Jolley, assistant chief, Irving Police Department; Shelley Rose, president/CEO, Login, Inc.; Brian Murphy, lieutenant (ret.), Oak Creek Police Department; Brian Redburn, assistant chief, Irving Police Department; Heather Kovall, victim services supervisor, Irving Police Department; Kent Barker, chief, Tualatin Police Department, IACP VP at Large; Dave Porter, chief, DeWitt Police Department, chair, Victim Services Committee

#### **Large Agency Award**

#### Abu Dhabi Police, Emirate of Abu Dhabi, United Arab Emirates



Left to right: Shelley Rose, president/CEO, Login, Inc.; Brian Murphy, lieutenant (ret.), Oak Creek Police Department; Akram Idress Ahmed, captain, Social Support Centers Department, Abu Dhabi Police; Kent Barker, chief, Tualatin Police Department, IACP VP at Large; Dave Porter, chief, DeWitt Police Department, chair, Victim Services Committee

#### Chief Michael Shanahan Award for Excellence in Private/ Public Cooperation

#### Houston Police Department; The Harris Center for Mental Health and IDD



Left to right: Roger Espinosa, sergeant; Houston Police Department; Leon Moulton, officer, Houston Police Department; Natalie Cole, The Harris Center for Mental Health and IDD; Amber King Honsinger, The Harris Center for Mental Health and IDD; Jon Shields, The Harris Center for Mental Health and IDD; Cherie Steinberg, The Harris Center for Mental Health and IDD; LaSheena Jabbar, The Harris Center for Mental Health and IDD; Larry Singleton, The Harris Center for Mental Health and IDD; Herman Hughes, The Harris Center for Mental Health and IDD; and Cheryl Southwell, lieutenant, Houston Police Department

#### **Honorable Mention**

SyComTechnologies; Virginia Commonwealth University Police Department

#### **Excellence in Police Aviation Awards** (sponsored by Bell Helicopter)

#### **Individual Achievement Award**

#### John C. Giuffrida, Special Agent, Drug Enforcement Administration



Left to right: Carl Crenshaw, Bell Helicopter; John C. Giuffrida, special agent, Drug Enforcement Administration; Don Roby, captain, Baltimore Police Department, chair, Aviation Committee

#### Aviation Unit Award

# Tucson, Arizona, Police Air Support Unit



Left to right: Carl Crenshaw, Bell Helicopter; Garry Arnold, sergeant, Tucson Police Air Support/Rapid Response Team; Don Roby, captain, Baltimore Police Department, chair, Aviation Committee

#### **National Law Enforcement Challenge**

Please visit Police Chief Online at www.policechiefmagazine.org or visit www.theiacp.org/nlec to see a list of the 2015 challenge winners.

#### **IACP/Cisco Community Policing Award**

# Agency Serving a Population Fewer Than 20.000

Royal Canadian Mounted Policing, Thompson Detachment



Left to right: Kim Majerus, vice president, State/ Local Government & Education for the Western U.S., Cisco; Bob Paulson, commissioner, Royal Canadian Mounted Police; Robert Cleveland, constable, Thompson Detachment, Royal Canadian Mounted Policing; Kent Barker, chief, Tualatin Police Department, IACP VP at Large

# Agency Serving a Population of 20.001–50.000

Shakopee, Minnesota, Police Department



Left to right: Kim Majerus, vice president, State/ Local Government & Education for the Western U.S., Cisco; Chris Dellwo, captain, Shakopee Police Department; Angela Trutnau, sergeant, Shakopee Police Department; Jeff Tate, chief, Shakopee Police Department; Kent Barker, chief, Tualatin Police Department, IACP VP at Large

# Agency Serving a Population of 100,001–250,000

Dayton, Ohio, Police Department



Left to right: Kim Majerus, vice president, State/ Local Government & Education for the Western U.S., Cisco; Richard Biehl, chief, Dayton Police Department; and Kent Barker, chief, Tualatin Police Department, IACP VP at Large

# Agency Serving a Population of More Than 250,000

New York, New York, Police Department



Left to right: Kim Majerus, vice president, State/
Local Government & Education for the Western U.S.,
Cisco; Theresa J. Shortell, assistant chief, commanding
officer, Police Academy, New York Police Department;
Lenora Fulani, director, Operation Conversation:
Cops & Kids; Gabrielle L. Kurlander, president/CEO,
All Stars Project, Inc.; Samuel E. Wright, deputy chief,
Police Academy. Recruit Training Section, New York
Police Department; Kent Barker, chief, Tualatin Police
Department, IACP VP at Large

# IACP/Booz Allen Hamilton Outstanding Achievement in the Prevention of Terrorism Award

Federal Bureau of Investigation, San Antonio Division; Central Texas Joint Terrorism Task Force



Back, left to right: Bob Sogegian, vice president, Booz Allen Hamilton; Dennis Baldwin, chief, Killeen Police Department; Jason Cromartie, supervisory special agent, Federal Bureau of Investigation; Christopher Combs, special agent in charge, Federal Bureau of Investigation; David Carter, chief, University of Texas Police Department; Art Acevedo, chief, Austin Police Department; Joe Chacon, commander, Austin Police Department; and Andrew McCabe, associate deputy director, Federal Bureau of Investigation

Front, left to right: Jerry Castleberry, task force officer, Round Rock Police Department; Michael Truelove, task force officer, Killeen Police Department; Michael Sharpe, task force officer, U.S. Department of Defense; Laura Anne Maryott, intelligence analyst, Federal Bureau of Investigation; Sheldon Scott Askew, task force officer, Austin Police Department; Charles Mike Owens, special agent, Federal Bureau of Investigation

#### Chief Dave Cameron Award for Excellence in Environmental Crimes Enforcement and Education

North Carolina State Bureau of Investigation, Diversion and Environmental Crimes Unit

#### Congratulations to IACP Life Members – Class of 2015. The following individuals are to be commended for 20 years of active IACP membership.

Lin J. Adams

Gilbert, Arizona

Jose S. Ambriz

SeaTac, Washington

**Larry Dean Amerson** 

Anniston, Alabama

**Theodore C. Anderson** 

Martinsburg, West Virginia

**Thomas W. Anderson** 

McRae, Georgia

**Thomas C. Armstrong** 

Wayne, Pennsylvania

Terry L. Askey

Lodi, Wisconsin

Francis X. Aumand

Waterbury, Vermont

Anselmo S. Avenido

Taguig City, Philippines

David A. Baer

Peoria, Illinois

Joseph M. Bail

Chester, Pennsylvania

**Steven Bailey** 

Fairfield, Ohio

David H. Baker

Fairport, New York

John R. Batiste

Olympia, Washington

Robert R. Beach

Farmville, Virginia

**Samuel Bejar** 

Coral Gables, Florida

John J. Bennett

Scottsdale, Arizona

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Kailua, Hawaii

**Tom Bergamine** 

Glynco, Georgia

**Michael Berkow** 

Washington, D.C.

**Thomas A. Blatter** 

Fitchburg, Wisconsin

**Elizabeth L. Bondurant** 

Plainsboro, New Jersey

Vincent J. Borrelli

Sicklerville, New Jersey

William C. Bounds

Little Rock, Arkansas

William T. Bowen

Albany, New York

Allen M. Bowles

Littleton, Massachusetts

**Gregory J. Brand** 

Milton, Florida

Joseph E. Brann

Palos Verdes Peninsula, California

Edgar M. Brennen

Oradell, New Jersey

Steven W. Brewer

Conover, North Carolina

Philip A. Broadfoot

Danville, Virginia

**Nancy S. Brown** 

Lee's Summit, Missouri

Karl M. Buschman

Strongsville, Ohio

**Gerard F. Busnuk** 

Baltimore, Maryland

**David J. Bynum** 

Dumfries, Virginia

**Emil J. Califano** 

Ardsley, New York

**Daniel J. Callahan** 

Wavne, Illinois

Robert D. Campbell

Agawam, Massachusetts

Mark R. Campbell

Sheridan, Colorado

**Leon Carroll** 

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William A. Clark

Johnstown, Pennsylvania

**Earl L. Cook** 

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**Dean W. Crombie** 

Somersworth, New Hampshire

**Scott A. Cunningham** 

Kernersville, North Carolina

John L. Currie

Charles Town, West Virginia

Thomas J. Czaja

Mequon, Wisconsin

Harry R. Daugherty

Marion, Iowa

**Terry L. Davis** 

Boaz, Alabama **Dana E. Davis** 

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Shipman, Virginia

Kathryn E. Doutt

Chichester, New Hampshire

M. Rebecca Downing

Sanford, Florida

**Irving Joe Drought** 

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Dennis T. DuVal

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Ted M. Ehrenburg Hackettstown, New Jersey

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Peter J. Fee Hazel Crest, Illinois

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**Patrick J. Harnett** 

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**Wesley L. Harris** 

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Shrewsbury, Missouri

**Paul F. Kelly** 

Washington, D.C.

Claude B. King

Camden, Arkansas

Elmer J. Kiss

Alliance, Nebraska

Paul W. Kolessar

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Thomas M. Kuker

King George, Virginia

John R. LaGreca

Toms River, New Jersey

**James E. Lamkin** 

Schaumburg, Illinois

Kenneth E. Lavallee

Lowell, Massachusetts

Mark R. Laverdure

Clinton, Massachusetts

Richard A. LeGarra

West Covina, California

**Gerald S. Lewis** 

Windham, New Hampshire

Joseph R. Lewis

Mint Hill, North Carolina

Joseph P. Linskey

Hackettstown, New Jersey

**Leonard F. Luke** 

Highland Village, Texas

George P. March

West Chester, Pennsylvania

Zenny E. Martyniuk

Norristown, Pennsylvania

Charles R. Mazzone

Sandwich, Massachusetts

William P. McCarthy

Elkton, Maryland

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Kenneth J. Meuler

West Bend, Wisconsin

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Louisville, Kentucky Sidney R. Mitchell

Edwardsville, Kansas

William A. Montano

West Milford, New Jersey

Kevin M. Moore

Nashua, New Hampshire

Steven C. Moore

Fort Myers, Florida

Terri S. Moses

Wichita, Kansas

Stanford T. Mullen

Louisville, Kentucky

T. S. Mullen

Fremont, Nebraska

**Hugh J. Murray** 

Cape May, New Jersey

Mac A. Nale

Stockbridge, Georgia

**Roland H. Nicolaas** 

San Nicolas, Aruba

**Edward W. Nolan** 

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**Rafael Pineiro** 

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Allen W. Pisarek

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Timothy E. Reagan

St. Louis, Missouri

Steven L. Reesor

Toronto, Ontario, Canada

**Chris Reilly** 

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Connie B. Sampson

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Cairo, Georgia

Joseph D. Sanders

Houston, Texas

John W. Scanlon Nanuet, New York

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Meridian, Mississippi

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Indiana, Pennsylvania

**Daniel E. Taber** 

Manassas, Virginia

Francis X. Taylor

Washington, D.C.

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Orlando, Florida **Raymond H. Thrower** 

Charlotte, North Carolina

**Emmett H. Turner** Hermitage, Tennessee

**George Vallis** 

Calumet City, Illinois

**James J. Varev** Estero, Florida

Frank W. Waikart Washington, D.C.

Malcolm E. Waldrop

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Thomas R. Wardlow

Waverly, Iowa

**Jeffrey L. Wendling** Kerrville, Texas

**Bart W. West** 

Cincinnati, Ohio **Kevin P. Whelan** 

North Olmsted, Ohio

Michael A. Wiegand Eureka, Missouri

Colleen E. Wilson

Seattle, Washington

**Terry L. Wilson** Glenwood Springs, Colorado

Stephen G. Woodall

Evansville, Indiana S. Wuori

Upplands Vasby, Sweden

John M. Young

Bulverde, Texas

James F. Zagrzebski Prescott, Wisconsin

## PRODUCT FEATURE:

# STORAGE SOLUTIONS: MORE THAN MEETS THE EYE

#### **By Scott Harris, Freelance Writer**

or Hank and Kathy Scott, police work is personal. Their son is a law enforcement professional, and Kathy Scott's greatgrandfather was the first police officer in the history of Henrico County, Virginia, to lose his life in the line of duty.

"That thin blue line is very special to us," Kathy Scott said.¹ The husband-and-wife team brings that commitment with them every day to the work they do as co-owners of Performance Custom Cabinets, LLC, a custom designer and builder of security cabinets, gun vaults, and mobile command modules for law enforcement agencies.

One might be forgiven for assuming that all storage equipment is the same. But companies like Performance Custom Cabinets put a lot of thought and expertise into the best ways to store firearms and other law enforcement tools and weapons. Maximizing security and efficiency is a priority for these producers who strive to help law enforcement professionals do their work more effectively.

#### **Store It Securely**

Performance Custom Cabinets, headquartered in Powhatan, Virginia, makes several products, all of which can be custombuilt to meet individual specifications. The product of which they are most proud currently is the Thorguarde Weapons Vault. The vault recently received a score of 4.32 and an endorsement from the National Tactical Officers Association (NTOA) Member Tested and Recommended Program.

"The feedback has been very, very good," Hank Scott said. "We haven't sold this to anyone who hasn't been thrilled."<sup>2</sup>

First unveiled in 2013, the Thorguarde Weapons Vault doubled its sales in 2014 and did so again in 2015. The vault is a high-security aluminum cabinet, which is mainly designed for firearms, ammunition, and tactical gear. Security enhancements include two rotary latches and shoulder pins, as well as an available electronic keypad that allows users

Whether storing weapons, gear, or any of the other tools employed by law enforcement, secure and user-friendly storage is essential—these options and others like them allow officers and agencies to find the storage solutions that best fit their needs.

to create personal identification numbers, while always having the option of a key override if necessary. The lightweight aluminum frame weighs only 65 pounds for a standard sedan-compatible model. Comparable models can weigh twice as much, according to Kathy Scott.<sup>3</sup>

However, sometimes officers need a storage option that can be more easily moved from place to place. Tactical security lockboxes available from Cortez, Coloradobased Tuffy Security Products can be prepared in seconds to transfer between locations. They range in size and cost from \$457 to \$598.4

#### **Concealed and Covert**

Sometimes in law enforcement, storage equipment needs to be covert as well as convenient, and Tuffy also offers various solutions for this situation.

For example, several of Tuffy's steel security lockboxes can be mounted under the rear seat of a vehicle to hide them from sight. Users open the lockbox by flipping up the rear seat. This design allows officers to take advantage of the full width of the box for stowing longer firearms and similar items.

Tuffy's Conceal Carry Valuables Tote is a smaller, lockable storage box that can be used to protect valuables or sensitive items like a handgun while transporting them by hand. A mounting sleeve, which is included with the purchase, allows the tote to be securely bolted to a vehicle or any other surface if needed, with the box sliding into the sleeve and locking in place.

5.11 Tactical, a manufacturer based in Modesto, California, has several storage options for officers wishing to keep a lower profile. The Internal Waist Band concealedcarry holster is popular with covert specialists and is designed to be worn on an officer's person. Built in partnership with the Blade-Tech and Viking Tactics companies, the Appendix carry holster is designed for quick access to weapons as well as a secure fit that does not ride up. The 5.11 Appendix Holster is manufactured using a special polymer that is both heat- and oil-resistant. The holster can easily be fitted in the front or back of the body and offers an integrated light clip for secure flashlight storage.

5.11 Tactical also offers its COVRT Tech Sleeve, which was specially created to store and protect mobile devices. The tech sleeve, built to integrate with the company's other sleeves and holsters, also features a quick-ID badge holder at the front. On the other end of the concealed-carry spectrum, the Select Carry Sling Pack is built to securely and covertly store a submachine gun or other variety of collapsible stock short arm while remaining inconspicuous. The sling pack comes with a detachable front pouch that resembles and functions like a fanny pack, providing sufficient additional

space for a backup sidearm, knife, or additional magazines. Other features of the sling pack, which is available at a cost of \$139.99, include an integrated pull tab that ensures rapid and precise weapon access, a breakaway strap that can be used for even more storage security and flexibility, and an internal hydration bladder and water bottle pocket.5

#### **Safety and Convenience**

Weapons are obviously a key consideration when it comes to the security of a given storage option. A weapon falling into the wrong hands is one of the most persistent recurring nightmares of any police officer. Fortunately, firearm holsters and gear bags provide more safety and security than ever, without sacrificing an officer's ability to access his or her weapon when it is needed most.

The 5.11 Tactical Glock 17/22 Thumb-Drive Holster was engineered to be the quickest and safest Level II holster in the world, according to the company's website.6 The company has pioneered a single-thumb retention and release system that preserves a safe and natural-feeling release, while the removable Chop-Block switch guard provides added retention capabilities. Moreover, the holster, which is available at a cost of \$64.99, allows each user to establish the placement and draw angles he or she prefers, with the optional Drop/Offset and Thigh Rig kits allowing additional customization for optimal speed and safety.

Santa Cruz Gun Locks, a company based in Webster, New Hampshire, manufactures gun locks and weapons mounting systems. Its patented SC-5 Universal Gunlock is its most recent advancement. According to company information, the SC-5 can secure virtually any long gun with a thick, stainless steel construction. The SC-5's highly adjustable arm ratchets down to a point selected by the user, and an attached strongbox of stainless steel plates and rivets helps finish the job and hold the firearm fast. Lock activation is either electronic or manual. An electric pushbutton and two keys are shipped with the lock, with the electronic and manual options functioning independently of each other.

All in all, the locking diameter and the SC-5's sliding ability means that users can lock into any position along the 18-36" mounting bar. Officers who purchase the SC-5 can rapidly configure gun racks to their specifications, providing a truly universal gun lock and optimum safety in weapon storage. (The SC-5 is available through the Santa Cruz website for \$159.99.)7



#### **Everyday Reliability**

police officers know, weapons are far from the only items that require a solid storage option. Clothing and gear need to be stored as well, and officers need reliable options that don't require a lot of fuss.

Lockers are one such solution. Established in

1936, Salsbury Industries, with corporate offices located in Los Angeles, California, is an industry leader in manufacturing and distributing high-quality lockers for public safety agencies and well beyond. Salsbury makes and sells just about every kind of locker imaginable, from metal to wood to plastic construction, vented and nonvented options, extra wide, and modular models. The company also offers other storage solutions like customizable shelving, cabinets, and benches.8

5.11 Tactical manufactures bags and pouches for all manner of law enforcement gear. The 5.11 Wingman Patrol Bag functions as an organizer and a tool kit for the patrol officer. Designed to be kept on a passenger seat, the Wingman keeps everything within easy reach and is ideal for any frequent traveler. It utilizes a special strap that fastens around the car seat and keeps gear and accessories stable and secure. On foot, the Wingman is a traditional messenger bag.9

For those looking to shop around, Streicher's, Inc., is a retailer offering products from many companies in its brick-and-mortar and online storefronts. Founded in 1953, Streicher's sells the top lines of duty gear and tactical products through its stores in Minneapolis, Minnesota, and Milwaukee, Wisconsin, as well as online.10

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#### Notes:

<sup>1</sup>Kathy Scott (co-owner, Performance Custom Cabinets, LLC), telephone interview, October 28, 2015.

<sup>2</sup>Hank Scott (co-owner, Performance Custom Cabinets, LLC), telephone interview, October 28, 2015.

<sup>3</sup>Kathy Scott, telephone interview, October 28, 2015.

<sup>4</sup>Tuffy Security Products, http://www .tuffyproducts.com (accessed October 29, 2015).

55.11 Tactical, http://www.511tactical.com (accessed October 31, 2015).

<sup>7</sup>Santa Cruz Gun Locks, http://santacruz gunlocks.com (accessed November 1, 2015).

<sup>8</sup>Salsbury Industries, http://www.lockers .com (accessed October 29, 2015).

95.11 Tactical.

<sup>10</sup>Streicher's, Inc., http://www.streichers .com (accessed November 1, 2015).

#### PRODUCT FEATURE:

# STORAGE SOLUTIONS

#### For contact information, please visit www.policechiefmagazine.org.

5.11 Tactical

Avon Manufacturing

BlackHawk

Dehner Co.

Esmet

Galls

LEID Products

Markl Supply Company

Paul Conway LE

**Pelican Products** 

Performance Custom Cabinets, LLC

Quantico Tactical

Salsbury Industries – Lockers.com

Santa Cruz Gunlocks, LLC

Smith & Wesson

Streicher's, Inc.

Strong Leather Co.

**Tuffy Security Products** 



# One County's Efforts to Reduce Pedestrian Injuries and Fatalities

By Edwin C. Roessler Jr., Chief of Police, Fairfax County, Virginia, Police Department; Michael F. Grinnan, Captain, Commander, Traffic Division, Fairfax County, Virginia, Police Department; and Margaret White, IACP, Alexandria, Virginia

Traffic safety approaches often center around risks to drivers—excessive speed, failure to wear seat belts, distractions, driving under the influence of drugs or alcohol—but there is another group that needs to be considered in efforts to improve safety: pedestrians. The number of U.S. pedestrian fatalities reached a high of 5,584 in 1998 and steadily declined until 2010, when it started to rise again.1 In 2012, the number of pedestrian fatalities was 4,743—the highest it had been in 15 years—an increase of 286 pedestrian lives lost over the number of fatalities in 2011.2 In 2013, the number of pedestrian fatalities decreased slightly, though it still remained unacceptably high with 4,635 pedestrian deaths.3

Between 1994 and 2012, according to Fatality Analysis Reporting System (FARS) data, 92,385 pedestrians died in traffic crashes on U.S. roadways.4 Clearly, something needed to be done to reduce the number of pedestrian fatalities in the United States.

#### **Vulnerable Populations**

Certain populations are more likely to suffer pedestrian fatalities. Three significant risk factors include age, socioeconomic status, and alcohol use.

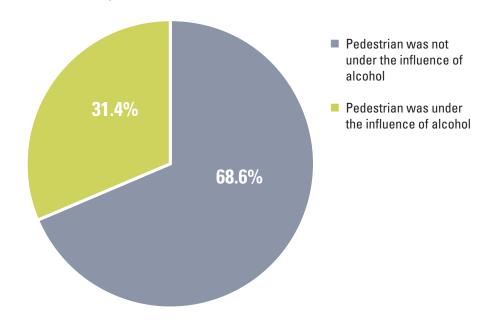
Age: Children and older adults together compose a significant proportion of pedestrian fatalities. Almost one in four of child traffic deaths in the United States are those of child pedestrians. In 2013, 383 pedestrians who were 14 years old or younger lost their lives.5 During the same year, 893 pedestrians who were 70 years old or older lost their lives.<sup>6</sup> According to the Centers for Disease Control and Prevention's Pedestrian Safety web page, "Strategies to prevent pedestrian

deaths should include consideration of the needs of older adults and cultural differences among racial/ethnic populations."7

Neighborhood Socioeconomics: Residents of low-income neighborhoods often walk to public transportation. Unfortunately, many of these neighborhoods have sidewalks that are either non-existent or in severe disrepair. As a result, "residents of low-income and minority neighborhoods are disproportionately represented in bike and pedestrian injuries and fatalities."8

Alcohol consumption: In 2013, more than a third (36 percent) of the fatally injured U.S. pedestrians who had been tested for alcohol consumption tested positive for a BAC of 0.08 percent grams per deciliter (g/dL) or higher. An estimated 34 percent of crashes in which pedestrians were fatally injured involved alcohol consumption by the pedestrian with a BAC of 0.08 g/dL or higher.9 From 2010 through May 11, 2015, Fairfax County, Virginia, had "35 pedestrian fatalities resulting from 35 crashes (none involved more than one pedestrian fatality). Of those 35 fatal crashes, 11 (31.4 percent) involved pedestrians who were under the influence of alcohol."10 Figure 1 shows a visual representation of the percentage of pedestrians who had BACs of 0.08 or higher and died in collisions in Fairfax County, Virginia.

Figure 1: The Impact of Alcohol on Fairfax County Pedestrian Fatalities



#### The Solution

U.S. Secretary of Transportation Anthony Foxx announced the Safer People, Safer Streets initiative: "Safety is our highest priority and that commitment is the same regardless of which form of transportation people choose, including walking and biking," Secretary Foxx said. "This initiative is aimed at reversing the recent rise in deaths and injuries among the growing number of Americans who bicycle or walk to work, to reach public transportation and to other important destinations."11

This comprehensive initiative includes the following activities:

- Use a Complete Streets approach (prioritize and integrate all road users into every transportation project).
- Identify and address barriers to make streets safe and convenient for all road users, including people of all ages and abilities and those using assistive mobility devices.
- · Gather and track biking and walking
- Use designs appropriate to the context of the street and its uses.
- Take advantage of opportunities to create and complete ped-bike networks through maintenance.
- Improve walking and biking safety laws and regulations.
- Educate and enforce proper road use behaviors by all.12

#### **Fairfax County, Virginia**

FCPD, Virginia Department of Transportation (VDOT), Fairfax Country Department of Transportation (FCDO), and Fairfax County Public Works continually work together to identify and address pedestrianrelated issues around the county.

#### Educational Efforts

In October 2014, the Fairfax County Police Department (FCPD) initiated a program to reduce traffic-related pedestrian fatalities and injuries in Fairfax County through educational efforts. These efforts included distributing brochures (available in Korean, Spanish, and Vietnamese, as well as English); requesting variable message boards with pedestrian safety-related messages, such as "Be Alert for Pedestrians" and "Use Crosswalks" from the Virginia Department of Transportation; and participating in a county-wide pedestrian safety meeting that included representatives from VDOT, FCDOT, and Fairfax County's Fire and Rescue Department.<sup>13</sup>

The FCPD also trained and certified school crossing guards assigned to congested areas to perform traffic control and direction, in addition to helping children safely cross. In response to community concerns about the safety of students who walk to school, the FCPD released General Order #530.3

#### Leadership Communication Strategies for Sustaining a Culture of Safety

Edwin C. Roessler Jr., Chief of Police, Fairfax County, Virginia, Police Department

aw enforcement agency leaders can develop communication strategies with community stakeholders and elected officials to sustain a culture of safety within their departments and in their communities. The culture of safety is a two-way street. Chiefs should work with school leaders, parent teacher organizations, and other associated stakeholders to get input on the root sources of both pedestrian and vehicle safety matters in and around school crossings.

Communication can be accomplished through one-on-one meetings with all stakeholder leaders, letters posted on social media seeking input from the community, and other traditional communication methods. The Fairfax County Police Department (FCPD) listened to concerns from many sources early in the school year and conducted audits of all school crossings to identify the root causes of the concerns. Oftentimes, the root causes are human behavior issues, roadway engineering that does not consider pedestrian or traffic safety, and the policies of individual schools. Through a robust dialogue, the FCPD was able to develop solutions with all stakeholders.

After assessing the audits, community stakeholder input, and school administrative practices, leadership within the FCPD was tasked with assessing its policies and training for school crossing guards in an effort to increase safety for children and motorists. Under the leadership of Lieutenant Archie Pollard, Assistant Commander of the Traffic Division (retired), coordination across bureau commanders resulted in the development of a new general order, which included new levels of training. Specifically, the FCPD legal staff assisted the department in using laws to certify crossing guards assigned to congested areas to perform traffic control and direction, in addition to safely crossing children.

Besides police department policy changes, collaboration with school transportation staff also allowed FCPD to ensure consistent training at all schools to assist administrators in maintaining an orderly and synchronized flow of vehicle traffic with Fairfax County school crossing guards. Allowing an orchestrated and synchronized flow of crossing children, controlling and directing vehicles in tangent roadways, and managing pickup and drop-off traffic flow has alleviated many of the problem areas identified by community stakeholders.

As depicted in the general order, FCPD must constantly coordinate with all stakeholders through audits of all school crossings annually as human behavior changes. As more parents decide to drive their children to school, communities continue to urbanize, and roadways become more congested, FCPD must continue to evaluate its policies and the training of school crossing guards to improve the overall culture of safety in the communities. The FCPD's efforts on improving its culture of safety for school crossings were made transparent through social media strategies in partnership with all change agents. More information can be found at the following links:

- "FCPD Addresses School Crossing Guard Community Concerns," media release, September 5, 2014: https://fcpdnews.wordpress.com/2014/09/05/ fcpd-addresses-school-crossing-guard-community-concerns
- » "Chief's Message to the Community on Crossing Guards," media release, September 18, 2014: https://fcpdnews.wordpress.com/2014/09/18/ chiefs-message-to-the-community-on-crossing-guards
- » "Parent Expresses End of the Year Gratitude to a Crossing Guard," media release, June 17, 2015: https://fcpdnews.wordpress.com/2015/06/17/ parent-expresses-end-of-the-year-gratitude-to-a-crossing-guard
- » General Order #530.3, School Crossing Guards, July 20, 2015: www .fairfaxcounty.gov/police/inside-fcpd/pdf/072815530.3.pdf

School Crossing Guards. It establishes the responsibilities and the authority of school crossing guards. The general order relies on the authority of the Virginia Code and the Manual on Uniform Traffic Control Devices. The order provides for the following:

- Supervision
- Purpose
- Training
- Uniform and equipment
- Criteria for establishing a school crossing<sup>14</sup>

#### Enforcement Efforts

Although pedestrian fatalities can and do occur at low speeds, speeding can also be a factor in pedestrian fatalities and injuries. Any effort to enforce speed limits will increase the safety of pedestrians, as well as cyclists and other motorists. Both driver and pedestrian behaviors contribute to pedestrian-related collisions.

Using grants from Virginia's Department of Motor Vehicle's Highway Safety Office, FCPD officers worked overtime during station initiatives or selective enforcement patrols. In 2013, FCPD officers issued 523 pedestrian-related citations; in 2014, FCPD officers issued 405 pedestrian-related citations (a 22.5 percent reduction) in the following categories:

- Pedestrian Interferes with Traffic
- Driver Violates Pedestrian Right of
- Failure to Obey Pedestrian Control
- Pedestrian Steps in Highway and Cannot Be Seen
- Pedestrian on Highway
- Hitchhiking on Highway<sup>15</sup>

See Figure 2 for a comparison of the citations issued in 2013 and 2014.

#### Roadway Engineering

Fairfax County built a 143-foot-long pedestrian bridge crossing a major artery (Route 50) in the Seven Corners neighborhood to address pedestrian safety concerns. Mason District Supervisor Penny Gross said this about the project in October 2007:

The bridge across Route 50 complements the pedestrian safety and traffic flow improvements the Willston Task Force, VDOT's

traffic engineers, and my office collaborated on more than five years ago. It's a great example of what can be accomplished when we all work together. 16

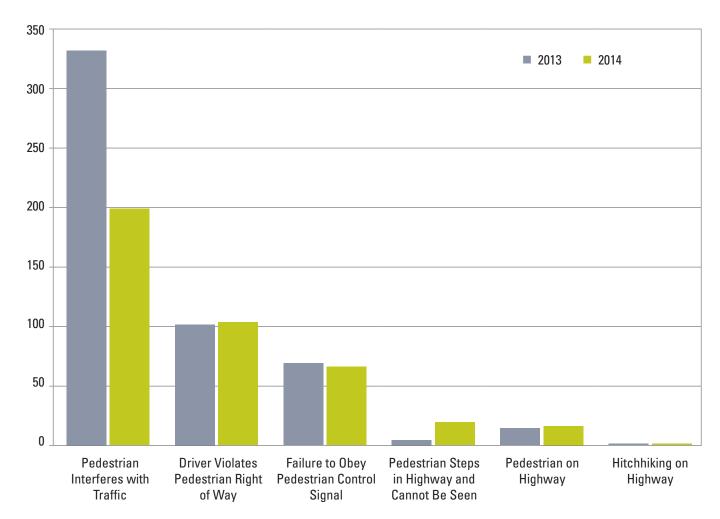
#### **Visibility**

In November 2014, FCPD patrol officers were asked to identify areas in which the following visibility and awareness measures were needed:

- street lamps that required lightbulb replacement or repair,
- crosswalks that needed re-painting,
- pedestrian crossing signs that should be replaced or repaired.<sup>17</sup>

In addition to these efforts, at the beginning and end of each school year, FCPD now utilizes social media to solicit input, suggestions, complaints, or recommendations from the general public regarding signage, lane markings, lighting, school crossings, and other traffic safety elements. These emails go directly to the commander of the department's Traffic Division and, after review, are forwarded to the appropriate entity for follow-up and action.

Figure 2: FCPD Pedestrian-Related Citations Issued: 2013 vs. 2014



According to the Traffic Division, approximately 60 emails were received from members of the public in 2015. Of these, approximately 15 percent praised the department for its efforts in promoting pedestrian safety, while the remainder offered suggestions or requested engineering improvements or an audit of an existing school crossing. For a county of nearly 400 square miles and a population of nearly 1.3 million residents, FCPD is pleased with the results of the efforts thus far and the community's response.

#### Recommendations

It takes an entire community to address pedestrian safety, and both pedestrian and driver behaviors are factors in collisions. Good visibility, well-maintained sidewalks, and roadway engineering can improve the safety of all community members: drivers, pedestrians, and cyclists.

- Develop communication strategies with community. stakeholders and elected officials to sustain a culture of pedestrian safety within the community.
  - a. Advocate safe walking habits.
  - b. Promote sidewalk snow removal.
  - Apprise Department of Transportation officials of insufficient visibility (e.g., lighting, disrepair, and signage) issues in intersections, pedestrian paths, and crosswalks.
- 2. Use data-driven analysis to target locations and times for high-visibility educational and enforcement efforts.
- 3. Ensure that proper training, re-training, and certification (where applicable) opportunities exist for law enforcement officers, school crossing guards, and school bus drivers.
- Consider pedestrian safety and access in roadway engineering projects and roadway improvements.

The authors thank Jessica LeBlanc, Crime Analyst, Fairfax County Police Department, without whose help this article would not have been possible.

To learn more about pedestrian safety efforts in the United States and access resources, visit the National Highway Traffic Safety Administration's website: www.nhtsa.gov/Pedestrians.

#### Notes:

<sup>1</sup>National Center for Injury Prevention and Control, Centers for Disease Control and Prevention (CDC), "Fatal Injury Data," Web-based Injury Statistics Query and Reporting System (WISQARS), http://www.cdc.gov/injury/wisqars/fatal.html (accessed February 25, 2015).

<sup>2</sup>Allan Williams, *Pedestrian Traffic Fatalities by State*, 2014 *Preliminary Data* (Washington, D.C.: Governors Highway Safety Association, 2015), http://www.ghsa.org/html/files/pubs/spotlights/spotlight\_ped2014 .pdf (accessed May 14, 2015).

3Ibid

<sup>4</sup>Fatality Analysis Reporting System (FARS), query, http://www-fars.nhtsa.dot.gov//QueryTool/QuerySection/SelectYear.aspx (accessed May 5, 2015).

<sup>5</sup>National Center for Injury Prevention and Control, CDC, WISQARS, query, http://www.cdc.gov/injury/wisqars (accessed February 20, 2015).

6Ibid.

<sup>7</sup>CDC, "Pedestrian Safety," http://www.cdc.gov/Motorvehiclesafety/Pedestrian\_safety (accessed May 23, 2015).

<sup>8</sup>U.S. Department of Transportation, Safer People, Safer Streets: Summary of U.S. Department of Transportation Action Plan to Increase Walking and Biking and Reduce Pedestrian and Bicyclist Fatalities (Washington, D.C.: September 2014), http://www.transportation.gov/sites/dot.gov/files/docs/safer\_people\_safer\_streets\_summary\_doc\_acc\_v1-11-9.pdf (accessed May 5, 2015).

<sup>9</sup>National Center for Statistics and Analysis, *Pedestrians*, 2013 *Data*, Traffic Safety Facts, DOT HS 812 124 (Washington, D.C.: National Highway Traffic Safety Administration, February 2015), http://www -nrd.nhtsa.dot.gov/Pubs/812124.pdf (accessed June 24, 2015).

<sup>10</sup>Jessica LeBlanc (crime analyst, Fairfax County, VA), email to Michael Grinnan, July 2015.

<sup>11</sup>United States Department of Transportation, "U.S. Transportation Secretary Foxx Announces New Initiative to Enhance Pedestrian and Bicycle Safety," press release, September 10, 2014, http://www.dot.gov/briefing-room/us-transportation-secretary-foxx-announces-new -initiative-enhance-pedestrian-and#sthash.qrlPzCi3.dpuf (accessed November 24, 2015).

<sup>12</sup>U.S. Department of Transportation, "Mayors' Challenge for Safer People, Safer Streets," https://www.transportation.gov/mayors-challenge (accessed December 8, 2015).

<sup>13</sup>Thomas Bailey, "Pedestrian Safety Initiative – After Action Report," memorandum, FCPD, May 19, 2015.

<sup>14</sup>Fairfax County Police Department (FCPD), General Order #530.3, School Crossing Guards, July 20, 2015, http://www.fairfaxcounty.gov/police/inside-fcpd/pdf/072815530.3.pdf (accessed August 18, 2015).

<sup>15</sup>Fairfax County Department of Transportation, "Construction Begins on Route 50 Pedestrian Bridge at Seven Corners," news release, October 16, 2007, http://www.fairfaxcounty.gov/fcdot/news/2007/08\_003.htm (accessed July 29, 2015).

<sup>16</sup>FCPD, LEADS data query, July 2015.

<sup>17</sup>FCPD, *Traffic Division Pedestrian Crash Survey* (Fairfax County, VA: June 23, 2015).

<sup>18</sup>FCPD, internal records, 2015.





# Body-Worn Cameras: Using the Wealth of Data Effectively

By Paul Figueroa, EdD, Assistant Chief of Police, Oakland, California, Police Department

It seems like every time one looks at the news these days, there are disturbing videos of community-police interactions. On every channel, pundits weigh in on the legality of these interactions and the impact they have on society. Although police departments have been recording video for decades via in-car video cameras, the explosion of community member—recorded interactions has changed the discussion about law enforcement in recent years. The proliferation of body-worn cameras is adding even more video to the field, and video undoubtedly plays a key role in U.S. policing initiatives. Generally, the video has been viewed as an important accountability measure, but the footage can also be used to proactively identify good policing practices or de-escalation strategies. It is vital to provide timely feedback for performance improvement and reinforcement of positive practices.

At a recent White House Police Data Initiative (PDI) meeting, the use of body-worn camera technology was a central topic. The PDI was created to further the goals of the President's Task Force on 21st Century Policing. The PDI was formed as a partnership of cities and private organizations across the United States to focus on two commitment areas: (1) using open data to build transparency and increase community trust and (2) increasing internal accountability and effective data analysis. Body-worn cameras are germane to both areas of focus. The discussion provided here began in a break-out

session during the PDI meeting, and it is hoped that it will spur further thoughts about ways to make the best use of body-worn camera technology.

#### **Current Level—Accountability**

Today, body-worn camera video is generally used for accountability purposes, such as

- documenting circumstances of how and when force is used;
- documenting everyday interactions between the police and community:
- proving or disproving allegations of misconduct against officers;
- documenting evidence; and
- recording witness or suspect statements in the field.

It is commonly accepted that the use of body-worn cameras can increase accountability by documenting officers' actions, thus contributing to greater transparency in policing. It can also be argued that the use of cameras during police interactions makes police staff and members of the public who are being recorded more accountable for their behavior. In essence, most people who know they are being recorded will behave more appropriately. The full effect of all participants' knowledge of body-worn cameras on the scene deserves further analysis.

Like many other agencies, the Oakland, California, Police Department (OPD) attributes a significant portion of a reduction in use-of-force incidents and complaints against police personnel to the use of bodyworn cameras. The OPD began deploying body-worn cameras in 2010. Initially, the department deployed slightly fewer than 200 body-worn cameras; currently, 611 body-worn cameras are in use for a total sworn staff of 722 officers. Figure 1 presents six years of data showing the correlation between an increase in the number of bodyworn cameras and a 72 percent decline in police use-of-force incidents and a 54 percent decline in complaints against the police. Although more research across more agencies is required, this effect is consistent with other research conducted to date.2

Over the past 10 years, body-worn cameras have become smaller, cheaper, and better. According to a 2013 U.S. Department of Justice, Bureau of Justice Statistics, survey of camera use in local police agencies of all sizes, about 68 percent of agencies surveyed used in-car video; 32 percent used bodyworn cameras; and approximately 6 percent used weapon-attached cameras.3 The survey indicated that 76 percent of departments used "in-car, body-worn, or weapon-attached cameras."4 Because federal, state, and local governments have made funding body-worn cameras a priority, the number of body-worn cameras deployed across the United States is growing and will continue to grow rapidly.

#### Three Levels of Analysis and Review

With the introduction of body-worn cameras, a wealth of information has become available. Those with access to the videos now have the ability to examine elements like facial expressions, body language, and word patterns. The richness of these data has created opportunities for deeper analysis of police-community interactions and has the potential to improve policing by identifying best practices and then using the knowledge gained to train current and future officers.

Although approaches to analysis are still being developed by many agencies, three levels of review are likely to be used by law enforcement agencies in the near future.

- First level: Straightforward analysis performed by agency supervisors, commanders, and internal affairs or auditing personnel.
- Second level: A more in-depth review conducted through formal engagement with an external academic institution or evaluation group.

· Third level: Computer-assisted analysis of large amounts of video data.

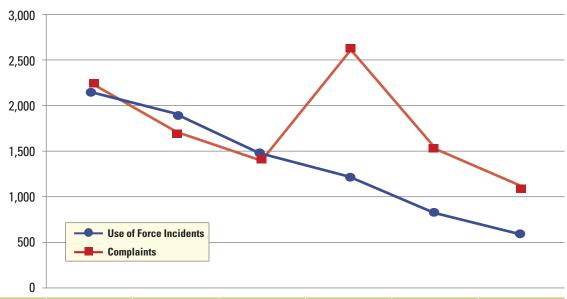
#### First Level: Basic Analysis or Supervisory Review

The first level of analysis occurs when supervisors or other assigned personnel review footage for a specific purpose, such as to establish the facts and circumstances of an event under review because a complaint was made or force was used or to observe on-camera interviews taken at the scene of a crime. In addition, as a proactive risk management strategy, videos may be randomly chosen for review to identify exemplary performance, areas for improvement, and compliance with policy or practice. While basic analysis uses videos in a proactive way, it can be time-consuming. The person most likely to review the videos, a supervisor with eight or more assigned officers and multiple responsibilities, is already stressed for time.

#### Second Level: Deep Analysis

The second level of analysis requires formal engagement with an external assessment or evaluation group with the capability to conduct a more rigorous review of the video. An example of this kind of engagement is found in the partnership between

Figure 1: As the number of Oakland police officers using body-worn cameras has increased, the number of use-of-force incidents and complaints against the police has decreased.



Number of cameras	2009–Not in use	2010–Just under 200	2011–Just over 300	2012–Just under 400	2013–Just under 500	2014-Just over 650
Use-of-force incidents	2,179	1,946	1,491	1,246	836	610
Complaints	2,267	1,748	1,447	2,593*	1,531	1,053

<sup>\*2012</sup> Complaint increase effected by "High-Profile Events."

the Oakland Police Department and Stanford University Professor Jennifer Eberhardt, a 2014 MacArthur fellow. Dr. Eberhardt investigates the consequences of the psychological association between race and crime.

Initially, the partnership focused on analysis of existing data related to vehicle and pedestrian stops. In the past, formal analysis of these kinds of stops was limited to written documentation of the interaction in a police report or on the specific forms officers were required to complete for each stop they made. However, as the work on analysis of enforcement and stop data continued, it quickly became apparent that the large reservoir of rich body-worn camera footage now being taken at discretionary enforcement stops could also provide invaluable data about police-community interactions. In addition to a formal analysis of stop data, Dr. Eberhardt and her team are now focusing on using these data to increase everyday positive interactions between the police and community by identifying potential disparities in treatment among various racial groups and providing recommendations to mitigate identified disparities.

Because it is completed by a third party, second-level analysis provides the agency with an independent review by experts, which can mean that findings will be perceived as significantly more credible by the public. Second-level analysis can also include larger amounts of video data than first-level analysis. However, as with the first-level reviews, in-depth reviews are time-consuming. Therefore, the scope of review will most likely be a sampling limited to a specific time period. The downside to this is that video not sampled may contain valuable information that will not be included in the analysis.

#### Third Level: Full Analysis

The partnership between OPD and Stanford raised the possibility of a third type of analysis. What if it were possible to have a





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It is commonly accepted that the use of body-worn cameras can increase accountability by documenting officers' actions, thus contributing to greater transparency in policing.

basic review of all footage captured? The Stanford team is working to create automated technology that can rapidly analyze large amounts of body-worn camera data. The goal of the project is to provide officers and supervisors with timely, high-quality feedback regarding their interactions with community members. This information could potentially also be used in early warning systems to track officer behavior, both positive and negative, alerting supervisors to positive behavior as well as potentially problematic conduct.

While an artificial intelligence system may someday be used to flag behavior on a video based on select indicators, the flagged video still requires human review. An automated system of analysis could help focus a supervisor's or manager's attention on the most relevant video involving their subordinates, which may be more effective than hoping to catch key indicators through an audit of a small portion of the video. Rather than replace the need for supervisory (first-level) review, this third type of analysis would enhance a supervisor's ability to analyze relevant videos.

#### **Using the Three Types of Review to Improve Training**

The ability to evaluate and improve training through judicious use of all three types of reviews is of major importance.

For example, video can provide invaluable information about the impact of training on communication techniques. Significant knowledge is available about verbal and non-verbal communication, and effective communication training on a regular basis is required for California law enforcement officers. In the basic academy, trainees learn communication techniques such as paraphrasing, expressing empathy, and other techniques to diffuse tense situations. Officers are trained in escalating and de-escalating force depending on changing circumstances. More recent training has also emphasized the importance of incorporating the tenets of procedural justice (voice, neutrality, respect, and trustworthiness) in all police interactions.

Why not evaluate significant amounts of police enforcement actions to determine if the training is having a positive impact? Reviewing pre- and post-footage would go a long way toward providing a much richer analysis of training efforts and ultimately positively affect everyday enforcement interactions between police and the community. Video of real-life positive policing could be used to help trainees see the value of such interactions.

#### **White House Police Data Initiative**

As stated earlier, the PDI has two goals: (1) using open data to build transparency and increase community trust and (2) increasing internal accountability and effective data analysis. The partnership, which includes the International Association of Chiefs of Police, is also working towards greater transparency by opening up significant segments of police data to the public so that "communities [can] gain visibility into key information on policing/citizen encounters." Although there are some limitations, body-worn cameras can often provide the best documentation of police encounters.

The implications of releasing body-worn camera videos are still being debated across the United States. Automated systems that can analyze footage have the potential to produce performance and accountability reports, which would provide the community with a summary of key performance indicators. A summary of the information could provide the community with the information they desire while respecting privacy rights by not releasing all raw footage.

Conclusion

As body-worn camera programs continue to grow across the United States, many issues remain to be addressed, including storage, use requirements, technological limitations, appropriate level of viewing by officers prior to report completion, privacy rights of those recorded, and policy implications. Each of those identified topics is worthy of study and discussion, which will continue to take place within law enforcement organizations, legislative bodies, and communities across the United States. Of particular note, the continued inclusion of labor representation in policy formulation is critical to ensure all perspectives are heard during the policy formulation and implementation. To assist agencies with the rapidly evolving field, the U.S. Department of Justice, Bureau of Justice Assistance, has created a website to provide a central location as a resource for agencies to use as a toolkit for effective implementation (www.bja.gov/bwc).

Recent conversations about body-worn cameras have focused on their use for accountability, and rightfully so. However, the opportunity to identify and reward good policing practices should not be overlooked. Reviews must begin to shift from focusing on correction and accountability to a greater emphasis on identifying good policing practices. This simple change will go a long way toward maximizing the use of this technology by all in law enforcement.

Many chapters of the body-worn camera story remain to be written. The massive amount of video that is being collected represents a rich source of data never before available in the field. In the new reality of heavy scrutiny of police, it is vital that law enforcement leaders use this wealth of information to proactively improve safety and provide quality service to the community. After all, that is the core mission.

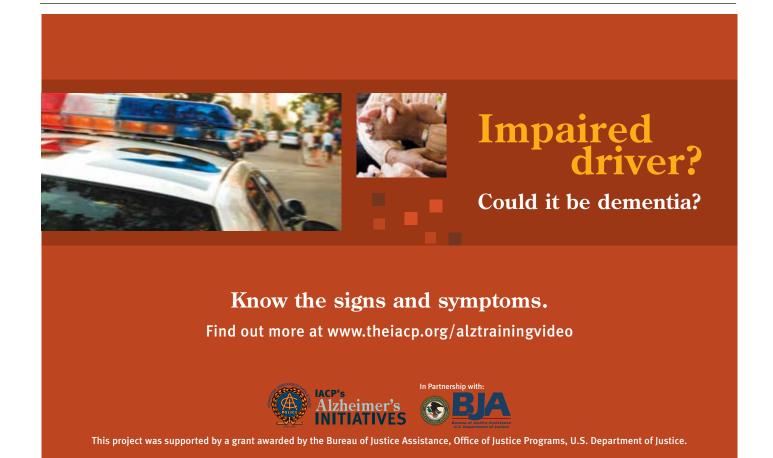
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<sup>1</sup>Roy Austin Jr. and Megan Smith, "Launching the Police Data Initiative," The White House Office of Science and Technology Policy (blog), May 18, 2015, https://www.whitehouse.gov/blog/2015/05/18/ launching-police-data-initiative (accessed November 24, 2015).

<sup>2</sup>Michael D. White, Police Officer Body-Worn Cameras: Assessing the Evidence (Washington, D.C.: Office of Community Oriented Policing Services, 2014), https://www.ojpdiagnosticcenter.org/sites/default/ files/spotlight/download/Police%20Officer%20Body-Worn%20 Cameras.pdf (accessed November 24, 2015).

<sup>3</sup>Brian A. Reaves, Local Police Departments, 2013: Equipment and Technology, United States Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, http://www.bjs.gov/content/pub/ pdf/lpd13et.pdf (accessed November 24, 2015).

<sup>5</sup>Austin and Smith, "Launching the Police Data Initiative."



#### NEW MEMBERS

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-\*Silwamba, Augustine, Police Officer, Zambia Police Service, PO Box 50103, 10101 The IACP notes the passing of the following association members with deepest regret and extends its sympathy to the families and coworkers left to carry on without them.

Frederick Cannon, Chief of Police (ret.), Royal Saint Lucia Police Force; Boynton Beach, Florida (life member)

James R. Klinkhamer, Chief of Police (ret.), Carpentersville, Illinois; Hampshire, Illinois (life member)

James D. Mooney, Commissioner (ret.), Centre Island Police, Oyster Bay, New York (life member)



# REMEMBER: Law enforcement professionals at every level qualify for membership in the IACP.



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International Association of Chiefs of Police
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Phone: 1-800-THE IACP; 703-836-6767; Fax: 703-836-4543

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Name:	Membership	
First Middle Initial Last  Title/Rank:	Categories	
Agency/Business Name:	Information on membership categories, benefits, and eligil	hility
Business Address:	can be found on the IACP we	eb site
	www.theiacp.org/membersh  Active Member	11 <b>p</b> \$150
City, State, Zip, Country:	(sworn command level)	ψ150
Residence Address:	Associate Member:  General	\$150
City, State, Zip, Country:	Academic	\$150
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E-mail:	Student—Leader of Tomor	
Website:	(full-time students/not emplo in a full-time position)	J
Have you previously been a member of IACP? ☐ Yes ☐ No	University name:	\$30
Date of Birth: (MM/DD/Year)// I am a sworn officer. □ Yes □ No	Optional Section Membershi	
Number of sworn officers in your agency (if applicable)  a. 1 - 5  b. 6 - 15  c. 16 - 25	(IACP Membership is a prerequis for Section Membership)	site
□ d. 26 - 49 □ e. 50 - 99 □ f. 100 - 249 □ g. 250 - 499 □ h. 500 - 999 □ i. 1000+	☐ Capitol Police Section	\$30
Approximate pop. served ( <i>if applicable</i> ) □ a. under 2,500 □ b. 2,500 - 9,999 □ c. 10,000 - 49,999	Defense Chiefs of Police Section	\$15
□ d. 50,000 - 99,999 □ e. 100,000 - 249,999 □ f. 250,000 - 499,999 □ g. 500,000 +	☐ Drug Recognition Expert (DRE)	\$25
Education (Highest Degree):	☐ Indian Country Law Enforcement	\$25
Date elected or appointed to present position:	☐ Intl Managers Police Acade	emy
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☐ I have an Active Member Sponsor – Their name is:	☐ Mid-Sized Agencies Section☐ Police Foundations Section	
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Cardholder's Name:	☐ Smaller Department	\$20
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All memberships expire December 31 of each calendar year. Applications received after August 1	☐ University/College Police- Initial Member	_
will expire the following year. Return completed application via mail, fax (703-836-4543) or email (membership@theiacp.org). Questions? Contact Membership at 800-THE-IACP.  PC 01/16	☐ University/College Police-	



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*IACP Membership is a prerequisite for Section Membership.* 

Name:	(Please Print)
Title/Rank:	
Agency:	
Business Address:	
City, State, Zip, Country:	
Business Phone:	
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IACP Membership #:	
Signature:	
☐ Capitol Police Section	
☐ Defense Chiefs of Police Section	
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<b>Payment</b> (Choose only one of the following methods of p	payment.) Amount to be charged
1. Pay by Credit Card: ☐ Visa ☐ MasterCard	☐ American Express ☐ Discover
Card #:	•
Cardholder's Name:	
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Signature:	
Fax completed form with credit card authorization to form as charges will be duplicated.	
2. Pay by Check: Make checks payable to IACP payment (no cash) with completed form to: I Baltimore, MD 21264-2564	
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Capitol Police Section

Cupitor Portice Section

Promotes exchange of information and develops standards for increasing the efficiency and capabilities of each law enforcement agency that provides service to our critical assets. Open to individuals who are now, or have been, engaged in or responsible for providing police services at a national or state/providence State House.

Defense Chiefs of Police Section

Deptitise Chiles of Poince Section

Promotes exchange of ideas and specific information and procedures for law enforcement organizations providing police and security services within military services and defense agencies. Open to individuals who are now or have been engaged in or responsible for providing law enforcement services within an IACP member nation's military services or defense establishment.

Drug Recognition Expert Section

Provides a unique opportunity for those professionals already associated with drug recognition to share common management, training, administrative and practicing concerns.

Indian Country Law Enforcement Section
Promotes the professional status of those engaged inproviding police services to Indian Country.

#### International Managers of Police Academy

and College Training Section
Facilitates the exchange of ideas, procedures, and specific information for the professional leadership and management of education attaining within police agencies, as well as enhancing the quality of law enforcement and policing at the international level through education and training.

Law Enforcement Information Management Section Facilitates the exchange of information among those individuals responsible for computers, records, communications or other supportservice-related functions.

Legal Officers Section

Assists in the establishment of professional standards, assistance and cooperation among attorneys who provide legal advice or representation to law enforcement administrators.

Mid-Size Agencies Section

Mtd-Stze Agencies Section
Dedicated to providing a voice within the IACP for chiefs of
jurisdictions with a population between 50,000 and 500,000, as well
as a forum for these leaders to share the unique challenges and
opportunities in policing that emerge from departments of this size.
The section is further committed to embracing and leveraging the
special capacity and flexibility of these agencies to innovate and drive
progressive change within our profession with the goal of better
policing our communities.

**Police Foundations Section**Promotes networking and the exchange of ideas and best practices among police executives and police foundation professionals.

Police Physicians Section

Practitates the exchange of information among police medical practitioners, promotes effective police medical practices, and acts as a resource of professional expertise to the association.

Police Psychological Services Section
Develops professional standards, facilitates the exchange of
information among police psychological service providers, and acts as
a resource of professional expertise to the association.

#### Public Information Officers Section

Promotes the exchange of information and training among officers who are responsible for planning and implementing effective public information programs.

Public Transit Police Section

Promotes meaningful relationships between police executives and cooperative efforts in the implementation of effective police matters and the achievement of an accepted professional status of the police service. Includedin this section are gaming enforcement, public transportation, housing authority, airport police, seaport police and natural resources.

Railroad Police Section

Explores ways to improve the services of those responsible for ensuring the safety and security of people and goods traveling by rail.

Retired Chiefs of Police Section

Open to IACP members who at the time of their retirement were active members as prescribed in Article IJ, Section 2 of the IACP Constitution. For the purpose of this section, retirement shall be defined as the voluntary and honorable separation from a position in active and regular police duties because of age, physical disability, or retirement on pension from the agency of employment.

Smaller Department Section

Serves as the collective voice of law enforcement agencies with fewer than 50 officers or serves populations under 50,000. The Section addresses the unique needs of these agencies, provides a forum for the exchange of information, and advocates on behalf of these agencies with policy makers. Section Members are also granted affiliate membership in the IACP's Division of State Associations of Chiefs of Police.

#### State and Provincial Police Academy

Directors Section

Directors Section
Membership is open to individuals currently serving as directors of state and provincial law enforcement training facilities. The section meets annually to exchange information and disseminate proven ideas, plans, and methodologies among members and other organizations interested in enhancing law enforcment training.

#### State and Provincial Police Planning Officers Section

Open to sworm and civilian members of planning and research units of state and provincial law enforcement agencies, this section meets in the summer of each year to share information concerning trends and practices in law enforcement. The section maintains a database of current projects in progress, as well as a compendium of information on the status of state and provincial law enforcement agencies.

State and Provincial Police Alumni Section
Open to any member or previous member of the IACP who is, or was, affiliated with an agency belonging to the State and Provincial Police Division and who was of command (lieutenant or above) rank at the

University/College Police Section

Provides coordinated assistance in implementing effective university policing practices and achieving an accepted professional status.

# Productupdate

The **Police Chief** keeps you on the cutting edge of law enforcement technology with monthly product announcements. For **free**, in-depth information, visit us online at www.policechiefmagazine.org. Items about new or improved products are based on news releases supplied by manufacturers and distributors; IACP endorsement is in no way implied.



#### X-ray scanning technology

In areas from conflict zones to airports to sporting events, bombs pose dangers for innocent civilians as well as the bomb technicians who regularly risk their lives to investigate suspicious objects and render the devices safe. Technology solutions can help first responders see hidden dangers. To this end, the Department of Homeland Security Science and Technology Directorate's First Responders Group (FRG) is developing the X-Ray Scanning Rover (XSR) to be a responder's eyes. It quickly and accurately scans packages and bags for leave-behind improvised explosive devices (LBIED) while keeping responders out of harm's way. It provides a complete 3-D, multi-view picture of the entire object being scanned in real time.

For more information, visit www .firstresponder.gov/SitePages/
Technology/Profile.aspx?s=Technology &itemID=58.

#### SWAT mounts

SWAT officers know better than anyone that body-worn cameras are at risk of getting knocked off in highly physical situations. That's why a Picatinny rail mount that secures the Axon Flex to a SWAT officer's helmet and holds true through the most critical incidents was developed. With this new mounting option, the Axon Flex controller and camera DVR both attach to the SWAT helmet, keeping the system consolidated on the helmet and avoiding any interference from other gear.

For more information, visit www .axon.io/products/flex.

#### Checkpoint scanner

Smiths Detection presents the HI-SCAN 6040C, a compact checkpoint scanner designed specifically to screen hand-carried items in the entrance areas of public buildings. It is designed to meet all requirements for the screening of bags, packages, and other objects for prohibited or dangerous items in buildings such as correctional facilities, courthouses, embassies, banks, and hotels. With its contemporary design and small footprint, the HI-SCAN 6040C fits easily into any entrance area. Its electronics and software can be easily upgraded to meet future security requirements and efficiently scan for new or specific

For more information, visit www .smithsdetection.com/index.php/en/170-parcels-baggage/541.html.

#### Live video streaming solution

StreamQuik announces VidAware, a simple, self-contained live streaming solution that enables law enforcement and other first responders to see live security camera video from inside shopping malls, schools, and other places from within their vehicles and at dispatch centers with the simple tap of a button. With VidAware, first responders can make more informed decisions regarding deployment and resources in advance of their arrival on scene to help prevent the loss of life and property. Because it is simple and versatile, VidAware can integrate with just about any existing security camera system without requiring special back-end hardware or software.

For more information, visit http://streamquik.com/su100515/active-shooter.html.



#### Tactical boots

Warson Brands introduces the Reebok ZigKick Tactical line of 8-inch and 6-inch boots. Built to meet the extreme demands of law enforcement professionals, the new Reebok ZigKick Tactical line is engineered for performance, comfort, and durability. Reebok's ZigTech, an elite fitness technology developed by Reebok fitness experts, is a zigzag foam midsole designed to flex like an athletic shoe, absorb heel shock, and provide energy return under the most punishing conditions. The boots feature the new removable Reebok FootFuel-injected EVA cushion footbed, providing arch support, stability, and motion control, along with vented airflow zones to cool feet with every step.

For more information, visit http://reebokwork.com.

#### Electronic earplugs

Etymotic Research, Inc., a development and manufacturing company that designs high-fidelity audio products and hearing wellness solutions, offers EB15 LE BlastPLG Electronic Earplugs. These tiny marvels resist movement from a firearm's recoil, and provide comfort on the run. Properly sealed in the ear, electronic earplugs won't move around. They're light, small, and discreet. They have the ability to pass through normal sound automatically or amplify for better situational awareness, as well as protect against continuous loud noise and blasts.

For more information, visit www .etymotic.com.

#### DNA analysis system

GE Healthcare's Life Sciences business and NetBio offer the DNAscan 6C Rapid DNA Analysis System. The six-color system increases STR chemistry options with its High DNA Content Flexplex Bio-ChipSet Cassette. The six-dye Flexplex chemistry generates STR profiles containing 27 loci, and as a result is compatible with major DNA databases globally. Fully automated, the DNAscan 6C Rapid DNA Analysis System performs sample-in to results-out processing with integrated Expert System software, providing highquality STR profiles for up to five samples in less than 90 minutes.

For more information, visit www .gelifesciences.com/DNAscan.

#### End-to-end LTE-based safety communications solution

Nokia Networks' end-to-end LTEbased solution underlines Nokia's commitment to public safety communications, enabling a rich variety of multimedia tools and applications for first responders and other public safety personnel. LTE technology offers high bandwidth and high reliability for disaster-level operational capabilities and information management with low latency for the fastest connectivity. In addition, Nokia Networks provides rapid end-to-end integration of the full solution. The LTE mobile broadband offers real-time communications; high-quality video streaming to provide remote team members a direct view to emergency situations; robotics; remote data access and diagnostics; and services based on location data.

For more information, visit www .nokia.com.



#### Multi-view cargo and vehicle screening system

American Science and Engineering, Inc., offers the next generation Z Portal system, a drive-through cargo and vehicle inspection system that uses multiple detection technologies to provide up to six views of scanned passenger vehicles, trucks, buses, and cargo. The new system incorporates recent source and detector innovations in a more compact design, enabling improved image quality along with higher throughput, even in space-constrained locations. The compact design allows it to fit into existing traffic lanes. 🌣

For more information, visit www .as-e.comand.

#### TECHNOLOGY TALK

# Restoring Refuge: Using Technology to Enhance the Security of Places of Worship

By Todd Coleman, Program Director, Law Enforcement Technology Support Center, Savannah River National Laboratory, South Carolina

In November 2015, Augusta University in Georgia and the U.S. Department of Justice joined hands to sponsor the first-ever Safety and Security Summit to Assist Houses of Worship. The U.S. Attorney for the Southern District of Georgia moderated a panel of representatives from the Federal Emergency Management Agency's (FEMA's) Center for Faith-Based and Neighborhood Partnerships; the Federal Bureau of Investigation (FBI); the Georgia Emergency Management Agency; and the Richmond County and Columbia County, Georgia, Sheriff's Offices. The summit participants discussed a wide variety of concepts and tools, including WorshipSafe, an app in development by the National Institute of Justice (NIJ) that will be released to law enforcement agencies for distribution to houses of worship administrators, leaders, or lay members.

It has become apparent over the past few years that some of the places traditionally thought of as safe havens are no longer places of refuge. For years, people have generally thought of their homes, schools, workplaces, and houses of worship as places where they could feel safe and free from worry of harm. This is no longer the case.

A recent study conducted by the FBI looked at 160 active threat and active shooter incidents in the United States. The statistics indicate an alarming rate of increase in active shooters each year of the 13-year period examined in the study. During that time, 486 people were killed, with another 557 wounded, in active shooter incidents, and those numbers don't include the recent shootings at the Chattanooga, Tennessee, military recruiting center; the Charleston, South Carolina, Emanuel AME Church; and the Colorado Springs, Colorado, Planned Parenthood facility.<sup>1</sup>

The FBI reports that only 21 of the 486 (4.3 percent) were killed at houses of worship; however, in the June 2015 incident at Emanuel AME, 9 people died (equivalent to 43 percent of the number of worshipers killed in the previous 13 years).<sup>2</sup>

Although many debate the reasons for the alarming increase in active shooter incidents, no one can debate that more people are dying as a result of active threats in locations traditionally thought to be safe locations, including houses of worship.

Houses of worship present an interesting challenge when it comes to providing safety and security. Unlike schools, where visitors are expected—even required—to register their



presence on campus, houses of worship are inviting facilities that encourage both members and visitors to bring their troubles and burdens. At times, it can be difficult to discern whether a member or visitor is seeking fellowship and a place to worship or wants to harm others. Making this discernment can be very challenging. Dylan Roof, who confessed to the shootings in Charleston, joined the Wednesday evening Bible study for an hour before he began to kill those in attendance.

Maintaining safety and security at our houses of worship goes well beyond preparing for the eventuality of an active threat incident. The security team must also consider natural hazards, technological hazards, and other human-caused threats. How to conduct a thorough review that will help them prepare for various types of hazards, including an active threat, is well documented by FEMA (Guide for Developing High-Quality Emergency Operations Plans for Houses of Worship, June 2013). The guide identifies the process for evaluating hazards or threats and a campus's vulnerability to them and also assesses the magnitude of the risks associated with each threat. FEMA suggests

that a team can calculate risk mathematically by assigning a magnitude to the threats to which they feel their facility is most vulnerable. For example, a campus in the southeastern United States may have an occasional snowstorm, but the magnitude of risk from this type of weather is very small. On the other hand, large-scale damage due to a tornado may be very likely. If a house of worship is located near a train track, it may face a high risk of derailment of a railcar containing hazardous materials.

A security team should also consider medical risks. Whether the house of worship has an aging population of members, a large group of newborns, or many youth members, every age group can present its own medical risks. Heart attack, stroke, diabetes, anaphylaxis, choking, seizures, and fainting are some of the most serious and potentially life-threatening situations that may require immediate medical intervention. Evacuation of children and adults with special needs in an emergency situation can be difficult if not thoroughly planned and practiced. Trained personnel who are equipped with appropriate medical equipment can help provide prompt medical care until local emergency medical services arrive.

In April 2015, NIJ launched an effort to design a new software application to help houses of worship develop a customized safety and security plan. Although many useful guides and templates and a great deal of information are already available, there is no tool that will actually help create a draft plan for a campus based on a team's answers to questions. This new tool, WorshipSafe, is scheduled for beta testing in mid-2016. The app will address all of the previously mentioned categorical risks (human-caused, technological, natural, active threat), plus medical risks not addressed in the FEMA guide. Plans call for the app to operate in a similar manner to well-known tax preparation software applications. It will ask questions about a campus; some will not pertain, while others indicate risks that will require more attention. The team will be asked to assign a weighting factor based on assessment of the potential consequence of risk. The app uses these answers to help determine a priority list of risks. For example, a facility may frequently lose power, but this may not represent a serious risk. Likewise, other events would truly be catastrophic, but the probability of their

Maintaining safety and security at our houses of worship goes well beyond preparing for the eventuality of an active threat incident.

occurrence is so small they may rank very low on a prioritized list.

Safety and security team formation, task descriptions, operational plans, and incident reports are just some of the additional features planned. A team can include campus maps with locations for electrical panels, water valve shut-off, surveillance cameras, emergency egress routes, rally points, fire alarm stations, AED, and first-aid supplies.

Although no plan can ever cover every detail, this tool is envisioned to provide a great start to help a newly developing team or supplement the work of an established team. It will give the team the basis to develop a strategy for addressing the most critical risks in a logical fashion. The draft safety and security plan will serve as a resource to help local law enforcement and emergency response groups work together with houses of worship to plan for future drills, exercises, and potential responses. ��

For more information, contact Todd Coleman: toddcoleman3@gmail.com.

Todd Coleman serves as a consultant to the Justice Technology Information Center, an NIJ contract program located in Gaithersburg, Maryland. He has served as a sworn peace officer in Georgia for 14 years and is also the program director of the Law Enforcement Technology Support Center at the Savannah River National Laboratory.

#### Notes:

<sup>1</sup>J. Pete Blair and Katherine W. Schweit, A Study of Active Shooter Incidents in the United States Between 2000 and 2013 (Texas State University and Federal Bureau of Investigation, U.S. Department of Justice, Washington D.C., 2014), https://www.fbi.gov/news/stories/2014/ september/fbi-releases-study-on-active-shooter -incidents/pdfs/a-study-of-active-shooter -incidents-in-the-u.s.-between-2000-and-2013 (accessed December 2015).

<sup>2</sup>Ibid.; Matt Ford and Adam Chandler "'Hate Crime': A Mass Killing at a Historic Church," *The Atlantic*, June 19, 2015, http://www.theatlantic.com/national/archive/2015/06/shooting -emanuel-ame-charleston/396209 (accessed December 3, 2015).

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### Line of Duty Deaths

"They will be remembered—not for the way they died, but for how they lived."

The IACP wishes to acknowledge the following officers, who made the ultimate sacrifice for their communities and the people they served. We extend our prayers and deepest sympathies to their families, friends, and colleagues.

Police Officer Stacy Lynn Case Columbia, South Carolina, Police Department

Date of Death: November 7, 2015 Length of Service: 19 years

Chief of Police Darrell Lemond Allen Marlin, Texas, Police Department Date of Death: November 10, 2015 Length of Service: 21 years

Trooper Jaimie Lynn Jursevics Colorado State Patrol Date of Death: November 15, 2015 Length of Service: 4 years, 10 months

Police Officer Ricardo Galvez Downey, California, Police Department Date of Death: November 18, 2015 Length of Service: 5 years (with agency)

Corporal William Matthew Solomon Georgia Ports Authority Police Department Date of Death: November 19, 2015 Length of Service: 8 months (with agency) Special Investigator Diane DiGiacomo American Society for the Prevention of Cruelty to Animals Humane Law Enforcement, New York Date of Death: November 20, 2015

Police Officer Ryan P. Copeland McFarland, Wisconsin, Police Department Date of Death: November 23, 2015 Length of Service: 3 years (with agency)

Police Officer Garrett Preston Russell Swasey University of Colorado at Colorado Springs Police Department Date of Death: November 27, 2015 Length of Service: 6 years

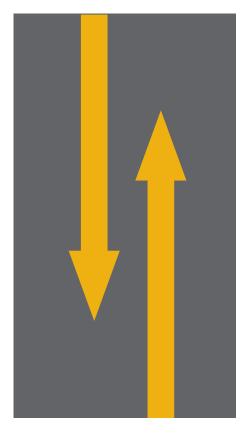
Police Officer Lloyd E. Reed, Jr. St. Clair Township, Pennsylvania, Police Department Date of Death: November 28, 2015 Length of Service: 25 years

# Pan/Parapan Am Games Traffic Planning and Execution

#### By Brad Blair, Deputy Commissioner, Ontario Provincial Police, Canada

uring the summer of 2015, Ontario, Canada, hosted the Pan/Parapan American Games (Games) in the Greater Golden Horseshoe Area, which is the third-largest international multisport event and the largest multisport games ever hosted by Canada. More than 10,000 athletes, coaches, and officials from more than 41 countries were involved in the event, and the Games' footprint was enormous with more than 60 venues across 16 municipalities and 10 different police jurisdictions at the municipal, provincial, and federal levels. The venues were connected through the Games Route Network, a system of roadways spanning 780 kilometres. The Ontario Provincial Police led the Integrated Security Unit and had policing responsibility for 80 percent of the Games Route Network. The Toronto Police Service had jurisdiction over approximately 10 percent of the network, with the other seven municipal police services in the Integrated Security Unit (ISU) having responsibility for the remaining 10 percent. The Games' operational period was lengthy—a total of 59 days from June to August.

The Greater Golden Horseshoe Area highways, particularly in the Greater Toronto Area, are known to experience some of the most significant traffic congestion in North America. The Greater Golden Horseshoe Area is home to approximately 9 million residents, almost 70 percent of Ontario's population. Traffic management during the Games was a critical priority and was recognized early on as one of the highest risk areas. As a result, the Pan Am Transportation Team (PATT) was created. It included both senior executives and midmanagement stakeholders with working groups made up of all transportation partners, including the police, the Ministry of Transportation, local road authorities, transit partners, and the Games Organizing Committee. This multidisciplinary, transportation-focused group allowed close collaboration and interoperability among the partners as effective practices and lessons learned from prior events were discussed and challenges were shared.



#### Traffic Management Measures

Given the historical congestion in the Greater Toronto Area and its potential ability to derail a successful Games, a number of key traffic management measures were implemented prior to and during the event in order to reduce congestion. The first overarching strategy was Traffic Demand Management (TDM). This was an Ontario Ministry of Transportation-led initiative, aimed at shifting daily commuter traffic to alternative modes and non-peak periods to make better use of existing capacity within the transportation network with a goal of reducing background traffic at peak times by 20 percent. The Ontario Ministry of Transportation's approach involved working in conjunction with area employers to allow flextime commuting and telecommuting and offering incentives for carpooling. The strategy aimed to motivate commuters to opt for alternate transportation or public transit and encourage off-hour deliveries

for businesses within the Games' footprint, especially in Toronto's busy downtown core. The success of this proactive strategy during the Games, which was very effective during the 2010 Winter Olympics in Vancouver, is still undergoing analysis to determine if the 20 percent target was actually realized.

An additional initiative led by the Ontario Ministry of Transportation was the implementation of temporary high-occupancy vehicles (HOV) lanes. This vital traffic management strategy involved the temporary designation of one existing lane in each direction on limited sections of multi-lane roads and highways, as well as the modification of existing HOV lanes. These lanes were restricted to Games family vehicles with eligible permits; emergency vehicles; high-occupancy vehicles (3+ during Pan Am Games and 2+ during the Parapan Am Games); and public transit. These new modified lanes were designed as a temporary measure to improve the reliability of travel during the Games. Designated lanes (priority lanes) are a standard feature of most transportation systems for large-scale events such as the Pan Am, Commonwealth, and Olympic Games to support safe and reliable transportation for athletes and officials. By implementing these hybrid HOV lanes for the 2015 Pan Am and Parapan Am Games, transportation planners offered carpooling commuters an opportunity to benefit from the lanes as well. There were 50 kilometers of existing HOV network pre-Games. The temporary HOV network added 185 kilometers per direction of travel on the most heavily travelled portions of roadway.

The Ontario Ministry of Transportation worked with the City of Toronto and Region of York, including their police services, as well as with the Ontario Provincial Police to introduce the temporary HOV network and implement strategies for ensuring compliance with the new accompanying regulations and bylaws.

One of the more contentious issues to be dealt with around the HOV network was the timing with respect to the implementation of these new and modified lanes. This required careful consideration and discussion as there were concerns that the implementation of a temporary HOV system prior to the actual Games, although necessary, might impose significant hardship on motorists and might lead to negative publicity

that could undercut public support and excitement for the Games. Indeed, when the temporary HOV lanes were first announced, there was a great deal of negative publicity around the anticipated disruptions to motorists. With the Games "officially" starting on July 10, significant dialogue with respect to the appropriate timing for the implementation of these lanes occurred. While July 10 was an attractive choice, public safety considerations spawned further debate.

Research has shown that the motoring public is very sensitive to changes in traffic design and conditions. This state of flux can last up to several weeks as a result of drivers adapting to change, but it eventually subsides as equilibrium takes hold within the system. If this state of flux, often characterized by increased collisions were to have occurred during the Games, it could have had significant and disastrous effects on the operation of the Games Route Network. Therefore, the Ontario Provincial Police and its policing partners adopted a vigorous position that significant lead-in time was required for the new and modified lane activation.

The Games Route Network needed to be fully functional by the athletes' arrival date on June 29, including enhanced police visibility, rapid clearance response teams, and fully implemented new and modified HOV lanes in order to ensure a smooth flow of traffic. After much discussion and debate, the activation date of June 29 was established. As anticipated, June 29-August 18, 2015, the period when the Pan Am Games Route Network lane regulations and bylaws were in effect, the Toronto Police Service and the Ontario Provincial Police saw a 73 percent increase in collisions over the fouryear average (2011–2014) within the temporary HOV area. However, the early implementation date did mitigate the impact of the collisions as the most significant spike occurred immediately following the changes to the road configuration, in advance of the actual Games.

A number of traffic management and enhanced rapid clearance measures were implemented in the event of an incident so that the roadways could be cleared as expediently as possible. The traffic measures implemented during the Games included

- High-visibility, proactive patrols with data-based zone selection for dedicated officer patrols
- Rapid incident detection and response via increased camera deployment and rapid response teams
- Quick clearance measures

#### **Enhancements to Reduce Response** and Clearance Times

#### Traffic Incident Management **Enforcement Teams**

An augmented contingent of Traffic Incident Management Enforcement teams was established. The dedicated teams comprising technical traffic collision investigators, commercial motor vehicle inspectors, reconstructionists,

This multidisciplinary, transportation-focused group allowed close collaboration and interoperability among the partners as effective practices and lessons learned from prior events were discussed and challenges were shared.

and dangerous goods officers respond together to immediately assess and remediate scenes quickly. While a team usually is working 24/7 in the Greater Toronto Area, ISU added an extra team during the Games, and the teams were deployed to strategic locations.

#### Unmanned Aerial Systems (UAS)

For the Pan Am Games, the Traffic Incident Management Enforcement Teams were each equipped with a UAS at a central location to reduce response time. The UAS are most effective when they are available for deployment as soon as the team arrives at a scene. There were two Games Route Network-dedicated UAS pilots to ensure scene evidence gathering in the early stages of any incident to reduce the closure time and resulting cascade effects. On average, collision data show that UAS deployment saves  $45\ \mathrm{to}$ 60 minutes of closure time. The technology was a very valuable tool for a successful Pan Am Games.

#### **Enhanced Towing Services**

The Toronto Police Service currently has an existing towing contract that divides the city into five geographic contract areas, four of which had jurisdiction over areas on the Games Route Network. Typically, when the Toronto Police Service requests a tow for impounds, collisions, breakdowns, or other situations, the tow company has a contracted obligation to respond to the call within 20 minutes of the request. Planners determined the 20-minute contracted wait time would be too long during the Games, and the resulting impact on the Games Route Network would be significant. The solution was to stage TPS-contracted tow service vehicles along the Games Route Network, which would be on standby in their respective zones to enhance and shorten the response and clearance times for blockages. During operating hours, one regular tow truck was staged in each area of contracted jurisdiction in addition to one heavy tow truck that responded to all four jurisdictions. The Toronto Police Service found this model to be very successful.

#### **Engagement/Service Level Agreements**

There was extensive engagement and, in some cases, service level agreements with public safety partners and stakeholders (e.g., coroners,

the Special Investigations Unit, body removal services, bio-hazard clean up, Fire and EMS, Ministry of the Environment, Ministry of Labor). Engaging with all of these partners and discussing the importance of rapid response and clearance was critical. Many of the partners enhanced their service delivery during the Games to ensure

#### Collision Reporting Centers (CRCs)

The Ontario Provincial Police opened four new CRCs across the Games' footprint to allow drivers to clear quickly from a collision scene and have the report taken later at a convenient, off-site, safe location. These CRCs were in addition to many already in existence throughout the Games' footprint. The goal was to divert approximately 50–60 percent of all property damage collisions off the roadway; reduce traffic congestion during the Pan Am Games; reduce the number of secondary collisions; improve customer service by operating seven days a week during the Pan Am Games; and more effectively use front-line police resources and civilian members. The model allowed citizens to report collisions at any of the CRC locations within a 48-hour time period after the collision. The 50-60 percent diversion target was reached during the Games.

#### **Unified Transportation Coordination** Centre (UTCC)

A UTCC was specifically developed for the Games with a view to co-locating all of the critical transportation delivery partners in one location, either in person or virtually. The UTCC's location was central to the Games' footprint, and technology allowed real-time feeds from a myriad of sources such as cameras, aircraft downlinks, police CAD, media, and transit central operations. The primary function of the UTCC was the joint monitoring of the network by all the partners for enhanced situational awareness. Network operators (e.g., public transit, Ontario Ministry of Transportation, police of jurisdiction) remained as the decision makers for their networks, but they were able to provide a coordinated response to major incidents. The UTCC staff also monitored and shared transportation information about performance of the Games Route Network and facilitated collaboration among the partners to make transportation adjustments when required.

The police agencies involved were confident that planning and collaboration would result in a safe and successful Pan/Parapan American Games that focused on the Games itself, as opposed to traffic congestion or other distractors. This confidence was well-placed—they were successful in their endeavor. It is hoped that this experience will result in an increased capacity within the province to host future highprofile international events. �

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