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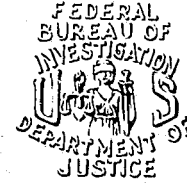
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THE COVER

November's cover features Metrorail, a part of our capital's mass transit system protected by the Metro Transit Police Force (MTP). See article on page 16. (Paul Myatt photograph)





NCJRS

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ACQUISITIONS

TODAY, THE USE OF INFORMANTS by law enforcement is a matter of public debate—and the necessary confidentiality of informants is also being challenged. It is not necessary to demonstrate the value of informants to working police officers; law enforcement professionals know the indispensable role of informants in criminal investigations.

The problem is to make our case to the public, whose perception of our need is prejudiced from the outset by a traditional aversion to informing, an attitude characterized by the very words used to describe confidential sources—"snitches," "squealers," and "stoolies."

In our profession we know that informants can range from the traditional small-time entrepreneur who knows every hoodlum in his "turf" to today's employee who learns of a sophisticated white-collar scheme to defraud the firm or the public and is the only person who can alert authorities.

The use of informants is grounded in historic precedent that has been upheld by the courts over the years. But now we must again make a brief for the practice, or risk losing this investigative technique.

The FBI makes no secret of its use of informants. Some of our biggest cases have been solved

through a combination of hard legwork and timely informant contributions—the Brinks robbery and the murders of the three civil rights workers in Mississippi come to mind. And last year, 2,600 Federal arrests and the recovery of property valued at \$200 million resulted from the FBI's general criminal informant program, accomplishments realized at a cost of only \$927,000.

The Department of Justice fully recognizes the necessity of using informants; the Assistant Attorney General of the Criminal Division recently testified that "... the use of informants is a most important investigative technique—one that we need in our efforts to combat organized and white-collar crime, official corruption, narcotics, and organized violence."

He also made a most important point about informants who are themselves part of the criminal element: "... they are able to report crimes that are still in the planning stages, thus allowing the government to prevent these crimes and to spare potential victims from physical and economic injury."

The traditional common sense of America's jury of public opinion will undoubtedly prevail, and law enforcement will make its case on informants. But we face a second challenge, the

attack on the confidential relationship between law officer and informant.

The Attorney General of the United States has resolutely faced this challenge in a recent case with a determined stand on the side of confidentiality within the limits of the law. Recognition of the serious danger in this issue has even come from the press, which faces challenges of its own on the use of confidential sources.

The *Atlanta Constitution* editorially noted that "like the FBI, the CIA and other intelligence agencies, the press depends to a considerable extent on a trust relationship between confidential informants. . . . Just as it should not be difficult for reasonable people to see why Attorney General Griffin Bell is reluctant to reveal the names of FBI informants—they might get killed, for one thing—the press is reluctant to break its pledges of confidentiality with its news sources. There is nothing sinister about this—it seems to us that a pledge of confidentiality is something that should be honored."

There are inherent risks in the use of confidential sources, as this editorial points out. In both law enforcement and in newsgathering, the question arises, "How far can their information be trusted?" In the FBI a basic rule for many years

has been to verify informant information through independent investigation whenever possible.

This policy was included in guidelines worked out by the Department of Justice and the FBI under former Attorney General Edward Levi in 1976. In recent congressional testimony on FBI charter legislation, the Department noted the guidelines outlined "limitations on the activities of informants . . . even though many of these limitations were already set forth in individual FBI instructions or recognized in existing practice."

Guidelines for use of informants, whether departmental or embodied in a new congressional charter for the FBI, *will* be followed while I am Director. I fully support the spirit of the present guidelines that "while it is proper for the FBI to use informants in appropriate investigations . . . the FBI must also insure that individual rights are not infringed and that the government itself does not become a violator of the law."

Together, we must reassure the American people that the law enforcement profession recognizes the risks in the use of confidential sources—that we will act judiciously on informant information to insure that "individual rights are not infringed."

November 1, 1978

WILLIAM H. WEBSTER
Director



MANAGING THE MAN WITH THE GUN

BY

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Since most homicides, we now know, occur among family members and most involve firearms, there is probably no type of call more frightening to the police officer than one concerning a man with a gun. With such a call, a policeman knows very well he runs a risk of becoming one of those homicide victims. By learning how to approach disturbed people who threaten him and others with firearms, the officer enhances his chances of survival.

The officer did not have to die. He had been the leader of a five-man team sent to investigate a call from a wife who was concerned about her husband's intentions to commit suicide with a rifle. He and four other officers gathered together on the porch of the white frame home. After ringing the bell, a man who was apparently intoxicated appeared at the screen door. His speech was slurred when he asked what they wanted. The officer explained that they had been called by his wife because she was concerned about him. The man asked to be excused to get a drink. The officers, feeling that the tension which had evoked the call was easing, relaxed momentarily, only to have the subject return with a rifle raised in their direction. The policemen spun out and away from the door, all drawing service revolvers and firing at the same time. Fire from three of his comrades hit the officer, who died shortly afterward on the porch. His death could have been prevented.

Aside from any psychological issues or aspects concerning the subject, five officers should not have gathered together on the porch of the home. They should have anticipated that if it became necessary for them to move quickly or to fire, they would be stumbling over one another. No more than two men should have been on the porch. Two other men should have been stationed on either side of the porch; the fifth should have been located near the rear or side door to cover an attempted escape from that direction.

The officer confronting the subject

could have removed his hat, so as to suggest that he and his men had enough time to wait and were in no hurry—a single gesture which usually has a tranquilizing effect and helps calm the disturbed and frightened subject.

They should not have permitted him to leave their view for a drink or any other reason.

Had a dog been present, they would have had to warn the owner that the dog had to be kept under control, removed, or possibly disposed of. Although this action could be questioned because of lawsuits and the like, it would be preferable to risk a lawsuit and bad publicity than to risk a life. A dog can be a disruptive, hostile element if the police are forced to act against the owner.

The subject should either have been invited outside onto the porch or encouraged to invite the officers into the house. Once inside, assuming that is the chosen course of action, an effort should have been made to ask to be seated. Provocative moves like resting the hand on the holster or fingering a nightstick or blackjack should be avoided at all costs, since a disturbed subject might feel that the officer is entertaining violence or aggressive actions or fantasies toward him and causing him to feel more defensive.

When managing the man with a gun, one of the responding officers should attempt to keep members of the family away from the subject. This can prevent relatives from goading the subject toward an act of violence, as it sometimes happens that they tend

to serve as instigators or cheerleaders. Taking the family aside likewise offers an excellent opportunity to obtain from them important psychiatric history, such as whether the subject has undergone psychiatric treatment, has ever been hospitalized, has a drug or drinking problem, has firearms elsewhere around the house, has a history of violence, or has any particular person or persons to whom he will listen.

This officer can also reassure members of the family that he will assist them in dealing with their upset loved one since he, too, represents a source of control. He can call an ambulance, city physician, or mental health resource. He can be available to help his fellow officer if there is further trouble with the subject, since his presence suggests to the subject that he (the subject) is not completely in control of the officer with whom he is talking. It means that danger or outside control is beyond his view and this will aid in checking further aggressive actions toward the investigating officer.

What can be done if a subject pulls a gun and points it directly at the officer? Threats against the subject should not be used, since this would only further inflame him and could invite grave consequences. The officer's appealing for the sake of his wife and/or children might work, but usually doesn't. The subject might find some secret revenge in punishing a family to compensate for his impotence in dealing with his own family members. This could involve some feelings of bitterness from childhood, or perhaps through the officer's death,

he could even the score for never having had a family himself. There are far too many unknowns for such a ploy. The officer should make no sudden moves or try to pull some Hollywood cop trick. He will have to write his own script, keeping in mind that while he is doing that, he is writing and acting in his own play.

One may have to face the fact that nothing will work. As in Joseph Wambaugh's novel, *The Onion Field*, it has been clearly demonstrated that even in a situation in which the police involved did everything they should have done for proper management, impulsively oriented criminals kill anyway.

Unfortunately, if the man with the gun is a professional criminal or hit-man, or if he is hyped-up on drugs, or suffers from some organic medical problem, nothing may help substantially. However, if the subject is an emotionally disturbed person, much can be done. The following guidelines apply to confrontations between such persons and the police.

Assure the subject that he is in control and ask him what he wants you to do. If he wants you to drop your gun belt or pass your revolver over to him, what do you do? Refusing to follow that order would seem prudent. By giving him your gun you may be giving him a better weapon than he has. Instead, you could either offer to drop it outside through a window or pass it along to a partner. If you are able to do that, you serve as a model for surrender in a manner which will not be costly for you.

If forced to surrender your weapon in the manner recommended, you are free to concentrate on the real issue; namely, the subject's need to trust you and let you help him regain control of himself. If you stall for time and try to avoid safe surrender of your weapon, he will see your thinking activities reflected in your eyes, for example, using or trying to use your

gun. If you are free to concentrate on him, you will look like you're completely interested and he will trust you even more. Most of us are poor liars, and if you say you won't try anything but plan on looking for an opportunity, a disturbed person will easily spot that type of behavior.

If you remove your gun to safety and he is still pointing his gun at you, don't be afraid to inform him that his gun makes you feel nervous and it is hard for you to try to understand his troubles with such pressure. You can say, "Look, you have the advantage. I don't have a gun now. Please put the gun down next to you with the barrel toward the wall. That way it won't go off accidentally and we can talk better because I'll be more comfortable. I'm not going to try anything. Just tell me what you want me to do. All you need to do is keep control of yourself. I'm not going to cause you any worry."

When speaking with him, address him as "Sir" or "Sam" or "Mr. —." For obvious reasons, don't swear, insult him, or cast doubts about his manhood or looks. Don't tell him what you'd like to do to him if you had control of the situation. Speak with a low, comfortable, and reassuring voice. It will help both the subject and you. Should he ask for advice on something you don't know enough about, don't be afraid to admit that you don't know the answer. However, since you can see it is important to him, you might add, "Let's keep talking. Maybe something will come to me." If no answer comes with further dialogue, suggest that you feel you'd like to help him by contacting someone else, perhaps a mental health worker, lawyer, or banker, anyone who might be able to provide the answer.

Once the disturbed subject feels the tension ease and knows of your interest and cooperation, he will be better able to respond and be more receptive to suggestions that he surrender his firearm and let you help

him. He will see you as a friend. Remember, most upset people don't want to lose control of themselves. They, too, are afraid to kill someone. They want somebody like you to intervene to prevent that from happening. In fact, many disturbed subjects fire accidentally or out of nervousness or because they secretly want the police to kill them as a type of suicide.

How you deal with the subject after the danger is over and he has surrendered his weapon is as important as how you behave and speak when you are under pressure with the gun pointed at your head. Talk to him nicely and quietly, just as you did when the pressure was on. Absolutely avoid any humorous, put-down remarks, as well as any roughness or violence; there is a good chance that either a mental hospital or a court will subsequently release this man and he will remember how you dealt with him. Strong-arm actions on your part will make him distrustful of you or one of your associates the next time around, but if you manage him properly, the next time he may not have to resort to threatened violence in order to ask for help and control from the outside.

He may have enough power to make it to a hospital or to walk into a police station, if he has trust and a reasonably good memory of how people in authority work as a result of his contact with you. *Remember*, there will be a next time in terms of an emotional crisis. If his psychiatric treatment has been inadequate or he has not received the care he needs, he may have to press the panic button again in a more desperate attempt to get the help he needs.

If you cuff him en route to your patrol car, do so gently. Don't leave him with wrist scars by which to remember you. Speak with him about getting some psychiatric help. Praise him for being cooperative with you. Such praise is well-deserved. After

all, you're both alive! He helped bring that about.

Once comfortably situated in your car, seat him on the nonfirearm side of an officer in the back seat, if you work as a two-man team. By all means, conduct a careful search for some other type of weapon. One officer was killed recently when he failed to search well enough and overlooked a second gun.

Can anything else be done to aid the officer responding to the man-with-a-gun call? Certainly! Even before the officers reach the scene and initiate an investigation, important measures can be taken by communications personnel, whose skills in obtaining information might help to save lives. What kind of information is helpful? There is a great deal of information which can offer psychological, as well as combat, guidelines for the management of an abnormal person who has a gun.

As a car is being dispatched, the communications officer or dispatcher can ask the caller about the firearms. "Is it a handgun or long rifle or shotgun? Are there more guns, and if so, where are they kept? Are any stashed away in chairs, each room, gun cabinets, or underneath mattresses? Are such guns kept loaded or does the subject keep them locked up with ammunition separate and locked?"

The latter information can reveal that the subject has been an individual concerned about safety and protection, and as a result, might be less likely to hurt someone if he can be talked back into control. If the subject has a gun in every room and keeps them loaded it might reveal him to be a paranoid person; that is, one who is suspicious of everyone and sees violence coming from others rather than from himself. It also might very well mean that he will be watching you like a hawk and it will be harder for you to encourage him to feel a sense of trust in you or anyone else.

Should the subject himself be the caller, it could be of help to ask for a serial number and some description of the firearm—especially if claim is made for a handgun. A person who has a gun for its sales value and dramatic effect will enjoy reading the manufacturer's name and looking for the serial number. In this way he can verify actual possession of a firearm. If he tends to be melodramatic or exhibitionistic about himself, he may click the hammer of the revolver and this may make a sound which can be heard over the phone. He may add a menacing quality to his exhibitionistic flare by firing off a shot. If he does that as you talk or as someone else reports the incident, he is telling you he has less control and very well might start shooting before or after your arrival at the scene.

It can be helpful to inquire about past military experience, combat experience in particular. If such history exists, it may mean that he had insurrection and counter guerrilla training, and this fact will add extra menace and difficulty to your assignment. He has been through combat and will respond to your armed presence in a very sophisticated and lethal manner. Although slightly different, but just as awesome, is a history indicating that the subject either hunts with firearms or is a shooting enthusiast and sportsman. The latter fact is less common among murderers, due to the discipline and control required of competitive shooters and kinds of people who use firearms for those reasons.

Among the factors deserving additional inquiry are previous psychiatric illness or treatments. The presence of a mental illness might mean the subject has less emotional control and some impaired judgment when upset. Such a history might reveal that there is a doctor who can offer you assistance, since he knows the patient and might be someone the subject trusts and can talk to.

An effort should be made to determine if the subject has been using any street drugs or diet pills, if he has epilepsy or a drinking problem, or if he had been drinking at the time he became upset. If so, simple waiting, quiet talking, and patience might allow the effects of a toxic substance to wear off so that he could come down from a high or agitated state. Furthermore, if he has not slept for a long time either because of an intoxicated or agitated state, waiting and patience might cause him in due time to develop sleepiness and to slow down.

Although this aspect pertains more to combat considerations, you should find out where the subject is located. Is he in an apartment or home? If he is in a home, is he upstairs in a bedroom? If so, try to determine the location of the bedroom in terms of front, back, or side position of the home and where the nearest neighbor's home is in terms of being able to observe the subject through field glasses. This would be of help in case he has to be stopped by a sniper.

It would also be helpful to know if the subject has a history of suicidal behavior, in order to determine a plan for combat operations. Any shooting at police may well mask his suicidal intent in terms of using them as his instrument of suicide. In this way, the police become killers in his mind, and he disclaims responsibility for his suicide. He may even see his behavior as an act of heroism, with him dying in the line of duty for some cause.

With regard to the sniper who may be acting out a rather dramatic type of suicidal plan, it would seem plausible to dispatch only a few police officers to the scene. One patrol car may be all that is required. Responding plainclothes officers, compared to uniformed, generally do not attract bystanders and gawkers; they tend to minimize the carnival aspect seen in recent shoot-outs which involved officers tripping over people who should

not have been there. If the uniforms are not visible, the sniper will not find shooting so attractive, since his plan involves being killed by policemen whose uniforms serve as props for the drama. As little noise and excitement as possible is the best approach to the sniper. Flashers and sirens often will act as stimulants to a person who is already emotionally disturbed before you arrive. Finally (and this is the tough one, because it may not work), send no more than two men to either side of the door to determine if the man can be talked into a calmer state and possible surrender. Only if the disturbed person cannot be talked into a calmer state should the long distance shoot-out maneuver be implemented.

"Usually, the more controlled and quiet approach is the most effective."

Usually, the more controlled and quiet approach is the most effective. It is not as likely to set off the man with a gun. It offers him professional intervention in his life, but still leaves him with an important sense of dignity. Even after the danger and/or smoke of battle is over, such dignity and control are necessary during the arrest and booking phase of the action. His needs must be recognized even more when the balance of power and control have shifted to your side. He will remember all that happens. During his stay in jail or in a mental hospital, he will have time to replay the scene many, many times. When your behavior toward him shows a basic attitude of respect for someone in psychological trouble and crying for help from someone like you, it will go a long way in helping him provide management of the next chapter in his life.

Now, what about the man who does not have a gun, but the caller says he does or might have one? There are many who threaten but who are not

really violent; they press the panic button in order to convince you they need help. They have learned that unless some very threatening or dramatic form of crying for help is used, no one will pay any attention. I remember one man who had just been released from a mental hospital about an hour before he called the police department threatening to kill a certain person, saying he had a gun in each pocket to prove it. He waited in the phone booth and chatted with the dispatcher until a patrol car arrived to arrest him. There were no guns found.

These calls are difficult for any professional to assess, but you must play the game as if the subject really has a firearm, or it may cost you your life or the loss of life to another citizen. The following incident offers a number of clues as to what must be considered in reaching a decision.

One Sunday morning in December, near Christmas, I received a call from a local police department. The desk sergeant asked for advice concerning a man who was holed up in a room of a local hotel. He claimed to have a



Bruce L. Danto

handgun with 1,000 rounds of ammunition, wanted to commit suicide, and would shoot anyone who approached to stop him. The man had kept the police at bay for 14 hours. With honesty, the sergeant said his men felt helpless and did not want to risk blasting away at him.

It was agreed that I would call the man at his hotel room and then check back with the desk sergeant after my evaluation. I called the man who talked in a firm, but somewhat threatening, voice. He related how he had been there a week, had been drinking alcohol heavily, had a history of a peptic ulcer, and had been bleeding from his stomach for several days. Upon questioning he related that he had a handgun with 1,000 rounds of ammunition. He would not identify the make of the gun or describe its caliber. Instead, he threatened to blast the "first cop bastard who shows up." I asked if he would let me come down and talk to him through the door and bring him some cigarettes if he needed them. He finally agreed to do so. The call took about 15 minutes. I cleared it with the police department and informed the sergeant that I would be carrying my own .38-caliber revolver as well.

After arriving at the hotel, it was decided to send away most of the police cars except the unmarked one. On the second floor were two officers who were positioned on either side of me as I stood away from the door on the side near the wall. I spoke with the subject for 30 minutes. He repeated his story and threats and could offer no reasons for his wish to die. There was no family or personal life stress about which he could talk. Thus, with reason for suicide absent, it sounded to me like he was a down-and-out homeless man and alcoholic who wanted some help and who had only enough nerve to invite the police to do what he could not do—bring about his death. In addition, he sounded too

healthy for a person who supposedly had been bleeding for several days, had not eaten, and had been drinking. His voice was not slurred. He sounded a note of menace in light of no reason. He was tougher sounding than he had to be under the circumstances. No one on our side of the door was threatening him.

He was told we were prepared to break down the door unless he showed good faith by opening the door to talk to me and receive the cigarettes I had promised to bring. He made threats to start shooting, but I didn't hear a hammer cocked back and he did not fire a warning shot—an act I felt he would commit if he really meant business. I gambled that he did not have a firearm. After counting out loud to three, an officer and I kicked in the lower panel of the hotel room door. The man immediately called out that he did not have a gun and asked us not to shoot. Holding the .38 in one hand, I displayed my medical bag in the other, as I didn't completely trust him. I asked where the light switch was and told him we were coming in. After doing that and turning on the lights, we saw him cringing in a corner of his bed. There were neither firearms, whiskey bottles, signs of vomitus in the sink or on the floor, nor anything else to verify his story. The police officers searched the man and looked underneath his mattress for concealed weapons. I continued talking to him and explained he would have to be assisted to the car while wearing cuffs. The officers were very understanding and helpful and explained that he would be driven by them to a local county mental hospital for observation, evaluation, and possible admission. They addressed him as "sir" and were careful not to put him down or embarrass him. The unmarked car was brought to the rear entrance, and he was assisted into the back seat and driven to the hospital. Three weeks later I received a phone call from the man, who

expressed his appreciation for our help and his sense of embarrassment over his behavior. I explained that I hoped he would remain in contact with the hospital staff and hoped that if he felt upset he would not have to set himself up that way again. He seemed to understand that there were other less risky ways to ask for help.

There are some areas in which it might be very difficult to obtain information. For example, if the subject is unknown to your department but has a criminal record which turns up later, long after the emergency, it would have been helpful to know at the time. It would offer a measure of his aggressive acting-out if he had killed someone, been involved in felonious assaults, been on drugs, or had been a professional criminal in some way. As regards to homicidal behavior, don't make the mistake of assuming that if the man with a gun threatens suicide, it means you are safe. All of us know that many killers commit suicide either at the time of homicide or subsequently. Many snipers and assassins kill in order to

be killed. People who struggle with violent feelings while trying to cope with feelings of rage, helplessness, and fears of the immediate future are people who can lose control of such aggressive feelings, and may express them impulsively toward themselves or others.

Trying to obtain an accurate picture based on a story offered by someone apparently psychotic and weaving distorted stories, expressing disconnected thoughts, and relating bizarre plots and actions of others is difficult, even for a psychiatrist. Speaking with them over the phone lends more confusion to the task, since you are missing important visual clues, as well as contact with others who can verify any or all parts of the story.

I recollect once speaking with a man on the phone who had fired a gun while talking on the phone to a volunteer. Because the volunteer was inexperienced, he panicked and asked for help. He was not sure the noise was gunfire. I spoke with the subject and listened to his delusional story about how he was an inventor of a



machinegun which fired 1,000 rounds of .45-cal. ammunition per minute. He related that the gun weighed only 3½ pounds, never needed oiling, and could not jam. He felt that the Russians were trying to steal the prototype model. When asked why he had called and had threatened suicide, he explained that he would rather die than let the Russians get his invention. He rationalized that it was an act of patriotism to die in this manner. He was sure that anyone sent to his house would be Russian and he would have to kill him.

When the local police began their investigation, I shared what reliable information had been gathered from him. Because my personal belief is that anyone threatening to use a firearm should be locked in by a listener's ears, he was kept on the phone. A short time later he heard a noise on his porch, left the phone to investigate, and told me that he was going to shoot some Communists. He hung up the phone. I immediately called him back, and as is the case with most emotionally upset persons, he could not resist answering the phone. Apparently, persistent phoning was enough to keep him from setting up an ambush for the officers. They entered his home while he was still on the phone. His front door had been left unlocked. Of course, there was no machinegun, even one firing less than 1,000 rounds a minute. There was, however, a loaded, single-shot .22-cal. rifle leaning against the wall near his phone.

What is the moral of this story? Even though he offered an unbelievable claim—his invention wrapped in the colorful array of his delusions about the Russians—he did have a firearm which he had discharged over the phone for the dramatic effect and sales value when the volunteer had initial contact with him. The listener must always take the time to assess properly the real from the unreal dan-

gers in the emergency call.

There is another lesson to be learned here. The one handling the call should maintain contact so that investigating police officers do not walk into an unsuspected ambush. In addition to this advantage, the listener-talker can offer some control to the subject so that his level of agitation can be effectively reduced by the time the officers arrive.

In light of the preceding, it becomes apparent that management of a man-with-a-gun call is a complicated business. It requires a great deal of strategy and cooperation among people from different community agencies, as well as members of the subject's family and neighborhood. Everyone, including the antipolice groups, recognizes that the police officer is the symbol of authority, law, and courage. He, therefore, is drawn into the grim crisis. The problem arises when he feels the need to turn to someone else for guidance and cooperative assistance. All too often, the police officer's cries for help fall on deaf ears and mental health professionals who are unable to understand or cope with violence themselves, except when writing about it from a safe distance. Most mental health consultants have not made patrol with the police and are frightened of firearms. A new type of relationship is needed to handle this type of frightening phone call. Both the police officer and mental health person must rub elbows, share responsibilities for management of the man-with-a-gun call, and search for answers to better understand and cope with this growing problem.

Police personnel should work now for the development of various mental health neighborhood and community resources so that they will know whom to contact before the danger call arises. In one Wisconsin city, bartenders and waitresses receive mental health training so that they can serve as resource people. Every police de-

partment should have a program for those mental health professionals who can accept the realities and problems of their police department and who can communicate and be available to officers in need of emergency consultation. Special mental health teams consisting of a police officer, a law student or a member of local public defender's office, a social worker, and a psychiatrist or psychologist could be attached to every department to handle such important and frightening problems as the man with a gun. Unfortunately, special teams in police departments sometimes become alienated from other divisions of the department, soon dissolve into a single man or desk position, and finally are wiped out altogether. But, the mental health team designed to deal with the disturbed person needs continued life, since the community problem of violence is growing like a cancer.

In summation, when coping with the man-with-gun call, follow these general guidelines: (1) Obtain helpful information about any past history of violence or psychiatric disturbances; (2) learn about the location of the subject and his firearms collection and training; and (3) approach him with cautious courtesy and efforts free of provocative signs or behavior that could be misinterpreted by him as threatening.

Although more people are being killed by neighbors and social contracts than by organized crime, little is being done to develop the staff and techniques for dealing with disturbed persons who can readily obtain firearms, explosives, or other lethal instruments. Bigger armaments should not be the only aspects of the management program. We need people who can learn to deal with those who present a danger to our community. We must safely protect the community from the man with a gun, and safely protect the man with a gun from himself.

(R)

Evaluation Program for Investigative Report Writing

By

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Investigative report writing traditionally has been a low training priority for new law enforcement officers. New recruits are given perhaps a 4-hour lecture on report writing and are thereafter expected to write good investigative reports. Officers in the field may be given periodic retraining lectures on report writing as a token measure to correct administrators' complaints that "the reports of our investigators are atrocious." These methods are clearly not benefiting the employee or the organization. Many officers are still struggling with report writing, and many administrators are still complaining about the quality of reports their officers submit.

Report writing taught by the structured lecture method of teaching is not working. Report writing is a skill and should be taught as a skill. Most law enforcement officers have the ability to write clearly and logically; however, this ability is not developed by the organization. In order to develop the skill of investigative report writing, the training must include *practice and evaluation of performance* against set standards.

Although much of the law enforcement officer's time is spent preparing reports, further schooling is not the

answer to correcting report-writing problems. The answer is practice-evaluation-correction, and more practice-evaluation-correction.

Practice involves the law enforcement officer actually writing a report of an investigation. This is done everyday by investigators. The problem is not one of practice opportunities, but rather one of effective evaluation of the investigative report.

Before evaluating any kind of performance, standards of that performance must be designed and defined. Thus, it must be determined what standards an acceptable report must meet. From these, an evaluation can be made: What was expected versus what was actually in the report. Evaluations with such general comments as "rewrite," "bad report," "can't understand," "report unacceptable," etc., are not effective in changing or developing report writing. Evaluations must be specific and immediate.

Few agencies, if any, have established written standards for investigative reports. However, when an agency does set up investigative report-writing standards, the standards must be supported and accepted by the field personnel. This support is usually achieved if field personnel are included in the decisionmaking process.

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Capt. John J. Harris, Jr.

**Charles A. Nuzem
Division Director**



Investigative report-writing standards should be listed and might include some of the following:

1. Elements of the offense clearly shown;
2. Facts which support increased penalty, as recommended by the investigating officer;
3. Probable cause for stop/detention/arrest;
4. Basis for search and seizure of a person, dwelling, or vehicle;
5. Miranda advisement and waiver;
6. Statements by suspect(s) and witness(es);
7. Suspect's demeanor;
8. Support of extraordinary circumstances, like a 6-month delay in an arrest;
9. Scientific analyses summarized and attached;
10. Proper format used;
11. Too few details;
12. Spelling errors; and
13. Poor organization.

This list could continue and in fact will be continued in the sample investigative report-writing chart. It is important that these investigative report-writing standards remain simple and easily defined.

Once these standards are accepted by management and officers, the evaluation system can then be implemented. The evaluation of the reports should be made by the employee's immediate supervisor as each report is submitted. To assist the supervisors in recordkeeping requirements of any evaluation system, a chart should be prepared listing all of the investigative report-writing standards. This chart could be used to determine problem areas and frequencies, as well as who is having the problems. Without such a management tool, long-range training planning would not be possible in improving investigative report writing. (See chart.)

This evaluation chart will show which aspect of the officer's report writing needs attention, and as time progresses, whether the supervisor and the officer have

REPORT NUMBER

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
1. ELEMENTS OF THE OFFENSE NOT CLEAR														
2. PENALTY ENHANCING CIRCUMSTANCES NOT CLEAR														
3. NO PROBABLE CAUSE FOR STOP/DETENTION/ARREST														
4. CONSTITUTIONAL REQUIREMENTS NOT MET FOR SEARCH OR SEIZURE														
5. NO MIRANDA ADVISEMENT AND WAIVER														
6. NO STATEMENTS BY SUSPECT(S) AND WITNESS(ES)														
7. NO MENTION OF SUSPECT'S DEemeanor														
8. IMPORTANT ISSUE(S) AND/OR QUESTION(S) LEFT UNANSWERED														
9. NO SCIENTIFIC ANALYSIS INCLUDED														
10. FORMAT INCORRECT														
11. SPELLING ERROR														
12. GRAMMAR FAULT														
13. ORGANIZATION POOR														
14. TOO FEW DETAILS; TOO BRIEF														
15. INADEQUATE PROOF OF CRIME; REASONABLE DOUBT OR PREPONDERANCE OF EVIDENCE RULES														
16. NO CHRONOLOGICAL ORDER TO REPORT														
17. JUMPY, TOO MANY SHORT SENTENCES														
18. RAMBLING SENTENCES AND/OR LONG PARAGRAPHS														
19. INCORRECT USE OF SLANG, CONTRACTIONS, UNEXPLAINED ABBREVIATIONS, ETC.														
20. FAILED TO IDENTIFY ALL PERSONS MENTIONED IN THE REPORT														
21. REPETITIOUS														
22. UNTIDY, MESSY, CARELESS WORK														
23. UNCLEAR, VAGUE, AMBIGUOUS														
24. UNNECESSARY WORDS OR SENTENCES														
25. TOO WORDY, TOO MANY GENERALITIES														
26. LACKS CONTINUITY														
27. SUPPORTIVE DOCUMENTS NOT ATTACHED														
28. CONFUSING														
29. PASSIVE VOICE INSTEAD OF ACTIVE VOICE														

been successful in correcting the major faults. As each investigative report is evaluated, each type of error, as indicated in the margins by the reviewer, should be counted and entered on the chart. For example, if on report number 1 the evaluator enters number 1 in the margin once, it means that the officer did not clearly include the elements of the offense in the report. Thus 1 would be entered under column 1 opposite fault number 1.

The object of training in investigative report writing must become skill development. By using an evaluation program based on specific written standards, problem areas can be defined and corrected. The ratio between cost and benefit of this type of training is suggested to be closer than the ratio between cost and benefit of classroom-type training. The evaluation program has been used for years by coaches in correcting faults of

players, as well as by other types of instructors to develop skills.

The benefits of better investigative reports are many. The primary organizational benefit would be time-saving. Initially, supervisors should, and will, take a lot of time to review and evaluate reports. However, once investigators become familiar with the standards and begin correcting many of their own faults by simply re-reading their reports, time and money will be saved by the department. (B)

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