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Applying Principles of Adult Learning

The Key to More Effective Training Programs

By RALPH C. KENNEDY, M.Ed.

The field of adult education has been emerging steadily as a discrete field of social practice in the United States since the founding of the American Association for Adult Education in 1926.¹ Since that time, research has produced many new concepts about the learning processes of adults and the motives that direct and influence an adult's ability to acquire new knowledge and skills. Recognition and application of these concepts are the key to more effective law enforcement training programs.

Although adult and youth learning are governed by many of the same basic concepts, research now shows that adults differ from youths in many ways that influence their learning. Adults differ distinctly in terms of such factors as motivation, interest, values, attitudes, physical and mental abilities, and learning histories. The conditions imposed by these differences make adult



learners a unique audience and form the basis for the principles of adult learning and for the instructional methodologies tailored to the characteristics of adult learners. With this in mind, law enforcement instructors, supervisors, and administrators who not only design training courses but also select those provided by other sources should inquire as to whether, as well as, how these courses use adult learning methodologies. Such knowledge can help law enforcement

managers find the most suitable training for their employees.

PRINCIPLES OF ADULT LEARNING

The principles of adult learning involve several differences compared with those of younger learners. Adult learners possess a different self-image, more life experiences, the fear of failure, a greater expectation to immediately use learning, a diminished speed and retention of learning, and some



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basic physical differences that can impact their abilities to learn.

Different Self-Image

Adults have a different self-image than youths. Unlike young people, adults enter learning activities with an image of themselves as self-directing, responsible, mature, and independent learners. Adults generally resist situations where they are treated like anything other than responsible adults.

A hallmark of the adult education philosophy is to include learners in the planning and implementation of their learning activities. When possible, law enforcement managers should solicit suggestions from officers through need assessment surveys and course critiques, as well as appoint officers to serve on training advisory boards. They should avoid placing officers in the position of simply being passive recipients of facts. Adult learning activities should include action and involvement.

Instructors should clearly inform officers concerning what they expect of them, the material they will be learning, and the standards by which their performance will be evaluated. This information not only will direct officers in the learning process but will give them clearly defined goals for direction in the training program.

Educators should create a classroom atmosphere that is informal and friendly and where a sense of mutual respect exists between the teacher and the student. Although teachers have the overall responsibility for leading a learning activity, the adult education philosophy espouses that everyone has something to teach and to learn from each other.

More Life Experiences

Adults enter learning activities with a greater amount of life experiences to which they can relate new learning. Therefore, teachers should not ignore what their

students already know. The life experiences and perspectives that adults bring to the classroom can provide a rich reservoir for learning. Where possible, educators should base new learning on the previous experience of the learner. This will facilitate faster and more effective learning. Instructors should use teaching techniques, such as group discussions, symposiums, debates, demonstrations, role-plays, and group projects, where learners have an opportunity to draw upon their previous experiences and to share them in cooperative interaction with others.

Conversely, past experiences also can be a handicap in acquiring new learning. To change past habits or old ways of thinking about important issues is one of the most difficult tasks educators may have. This may require extra time and effort to show learners why their old behavior is no longer appropriate and then to help them build a new pattern of response.

Fear of Failure

Many adults have experienced so much criticism, failure, and discouragement in their youth that their self-confidence and sense of worth are damaged. In a new learning environment, adults often are anxious, fear failure, and dread rejection by their peer group.

To counter these apprehensions, teachers should accent the positive and take every opportunity to praise good work and to minimize faults or mistakes. It is not necessary to ignore errors, only to minimize their negative impact on the adult learner. Educators can encourage adult learners by

recognizing their achievements. Adults need to believe that success is attainable. Meeting short-term goals and achieving recognition for these accomplishments can motivate adult learners to continue in the learning activity.

On the other hand, instructors must ensure that sufficient challenge exists in the learning activity to nurture an adult's interest. Individuals are best challenged just beyond their present level of ability. If challenged too far beyond, people have a tendency to give up; if not challenged enough, they become bored and learn little.

Expectations About Learning

Adults enter learning situations with more specific and immediate intention to apply newly acquired knowledge than youths who generally do not expect to use most of what they learn until much later in their lives. Because of this, optimum performance requires adults to perceive that a learning activity has some immediate application. Officers must believe that the content of the learning activity is relevant and can act as a catalyst for acquiring needed job knowledge and skills.

Instructional methods should emphasize techniques that are problem or situation centered. Problem-centered methods and techniques give adults personal meaning that promotes learning, as opposed to subject-centered teaching that tends to be very impersonal.

Speed of Learning

At about age 20, the learning performance rate begins a slow decline of approximately 1 percent a

year. The adult learner retains the power to learn, but gradually loses the speed at which learning is accomplished.² However, if time is not a factor, no difference generally occurs in an adult's ability to learn.

The slowdown in learning performance ability means that, in many cases, instructors should establish fewer goals and objectives for average classes and provide more time for those classes involving complex subject matter. New steps are learned better and faster when individuals already have

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Adults enter learning situations with more specific and immediate intention to apply newly acquired knowledge...

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learned the preceding step. Educators should break down complicated skills or complex ideas into sequential learning segments, progressing from the simple to the difficult or complex and introducing the next operation or idea only after students have mastered the previous one.

Teachers should adjust the instructional tempo and level of instruction to make them consistent with the desired degree of success. Neither the subject matter nor the time limit within which officers are required to learn should exceed their capacities, providing their

abilities meet or exceed established agency standards.

In addition, instructors should preface each training session with convincing introductory remarks or otherwise encourage officers to motivate their best possible performance. An appeal to personal safety, economic interest, or psychological or physiological well-being might act to minimize the decline in the learning performance speed.

Knowledge Retention

In general, an adult's ability to retain knowledge also declines with age. Memory functioning peaks around the late teens or early 20s and slowly declines into the 70s. Recall shortly after learning reduces the amount of forgetting, and spaced or distributed practice further facilitates retention.³

In short, learning must be used. Individuals tend to forget those items of knowledge and those skills that they do not use regularly. Therefore, training programs should provide a variety of opportunities to use what is gained. They should test, repeat, and provide officers with an opportunity to practice what they learned at previous sessions. For maximum benefit, programs should include practice opportunities as soon as possible after the instruction. Performing newly acquired skills under lifelike conditions allows officers to become more confident and effective when they use the action or related actions on the job.

Physical Differences

Adults often differ from youths in body size, weight, physical

endurance, visual clarity, and auditory acuity. The physiological changes associated with the aging process may require educators to modify their teaching methods and classroom environments for the adult learner.

Environmental and Social Factors

Physical discomfort and fatigue caused by inadequate classroom furniture hamper the learning process. Law enforcement training facilities should contain comfortable classroom furniture suitable for adults. Likewise, heating, air conditioning, and ventilation also play an important role. The ideal classroom is neither too hot nor too cold. If learners must sit for long periods in a warm or poorly ventilated room, they tend to get drowsy. If, on the other hand, the room is too cool, they become nervous and distracted. The best temperature seems to lie in a range from 68 to 70 degrees.

Adults learn best and remember longer when the presentation does not exceed their physical limits. They need regular breaks and the availability of refreshments. Moreover, if fatigue sets in, adults may need the freedom to quietly move around and stretch while in the classroom or even to take unscheduled restroom breaks. This freedom allows the adult learner to relax and to perform better in the classroom.

The adult lifestyle sometimes results in learners being fatigued when they attend training; therefore, most adults appreciate any teaching device that adds interest and a sense of liveliness to the learning activity. Instructors should

maintain a good sense of humor, employ a variety of teaching methods, make full use of available audiovisual aids, and occasionally find creative ways to change the pace of a learning activity.

Visual Clarity

Visual clarity, how well a person sees, is the physiological change most associated with the aging process. It peaks somewhere in the late teens or early 20s and then declines steadily until about age 40. After that, a sharp decrease is noted to around age 55, and then a gradual decrease continues throughout the remainder of adult life.⁴

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A hallmark of the adult education philosophy is to include learners in the planning and implementation of their learning activities.

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Because of this decline in vision, adult learners require proper lighting in any classroom. Common problems include inaccurate or improper lighting and glare. Professionals can provide advice on what might be best in each particular classroom setting. Other ways of helping adult learners combat visual difficulties include walls painted in soft shades that are restful to the eyes and nonreflective, thus minimizing glare, and

windows equipped with blinds or curtains.

Instructors should keep visual aids, such as overhead transparencies and computer presentations, short, simple, large, and legible (e.g., no more than six lines and no more than six words per line). In addition, strong colors can accent and add richness to visual material.

When using a chalkboard, teachers should write in large letters on only the top two-thirds of the board, use yellow “sight saver” chalk, and clean the board frequently. They also should allow adequate time for students taking notes from a board of any type.

Auditory Acuity

Auditory acuity, how well a person hears, also undergoes great physiological change with age. Auditory acuity normally reaches peak performance somewhere between 10 and 15 years of age, after which a gradual but consistent decline occurs to about age 65.⁵ Therefore, instructors should keep the teaching environment free from outside noise distractions because an inability to hear may profoundly affect a person’s ability to learn.

Teachers should consider using a fixed or portable (wireless) sound system, depending upon the learning activity and the classroom environment. Seats in rows should give way to nontraditional classroom arrangements where learners can see one another face-to-face, which makes verbal communication more effective. Other techniques that instructors can use to reduce the impact on hearing loss include—

- speaking clearly, distinctly, and loudly enough to be

heard anywhere in a classroom;

- writing unusual words, new names, and strange expressions on the board to assist the spoken word;
- refraining from turning their backs to classes while talking, as facial expressions and gestures improve verbal communications;
- changing the pitch of their voices often;
- repeating questions asked back to the entire class before answering; and
- encouraging those who cannot hear to speak out.

CONCLUSION

New theories have evolved regarding the discipline of adult learning as being distinct from the principles advanced for the effective teaching of youths. Adult learning principles are based on the fact that adults differ from young people in terms of physical, psychological, and social characteristics and that these differences are relevant to creating the most effective learning environments for adults. The challenge to law enforcement administrators and instructors is to become proactive and reexamine current practices and find ways to incorporate adult learning principles, strategies, and methodologies in their

training programs. Doing so is the key to more effective training programs that, in turn, enhance the law enforcement profession and its goal of improving service to the public. ♦

Endnotes

¹ Malcolm S. Knowles, "What Do We Know About the Field of Adult Education," *Adult Education* 14, no. 2. (1966): 66. For additional information, access the association's Web site at <http://www.aaace.org>.

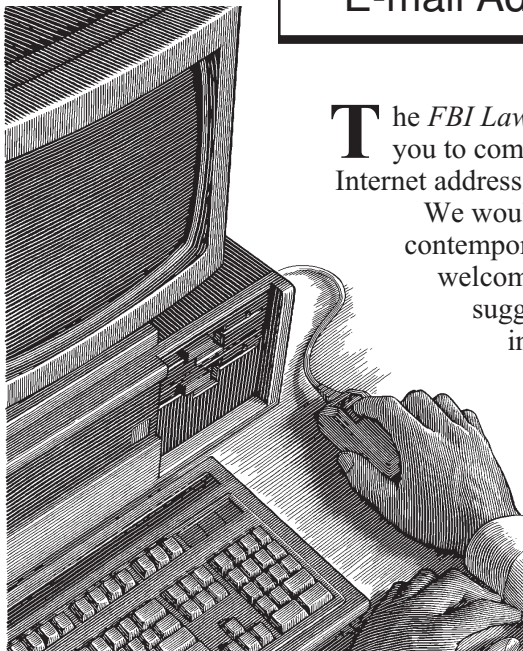
² Jane C. Zahn, "Differences Between Adults and Youth Affecting Learning," *Adult Education* 17, no. 2 (1967): 69.

³ Connie Lauerma, "Memory Storage Changes Give Us Senior Moments," *Democrat Gazette*, December 17, 2001, sec. E, p. 6.

⁴ *Supra* note 2, 71.

⁵ *Supra* note 2, 71.

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Statement Analysis Field Examination Technique A Useful Investigative Tool

By Gene Klopf, M.A., and Andrew Tooke

In the mid-1950s, the German psychologist Udo Undeutsch developed what is now referred to as the Undeutsch Hypothesis: “Statements that are the product of experience will contain characteristics that are generally absent from statements that are the product of imagination.”¹ His pioneering work was directed primarily at determining if children’s statements were truthful accounts in alleged child abuse investigations.

From these early beginnings, statement analysis, the word-by-word examination of a statement, has evolved into a valuable investigative tool.² When used in conjunction with other investigative techniques, it can assist greatly in the case-solving process.

Statement analysis provides insight into a statement that identifies areas for further investigation, thereby lending itself to helping law enforcement officers plan future subject interviews and ongoing investigations. It is similar to a crime scene search in that it represents a careful, systematic review of each word written or uttered by a person. Before trained reviewers can conduct an analysis, however, they must know the process followed that generated the statement.

The FBI has adapted traditional statement analysis methods to focus on whether statements are accurate and complete. This study represents an initial step in discovering the usefulness of the FBI’s statement analysis approach and provides investigators with the statement analysis field examination technique (SAFE-T), a quick method of analyzing a statement to determine accuracy and completeness, using only two elements of statement analysis—lack of conviction (personal) and extraneous information.³

THE STUDY

The authors wanted to find out whether two elements of statement analysis can identify accurate and complete statements. Furthermore, if deception occurred, they wanted to discover if it occurred

through omission (i.e., knowingly including other information that does not answer the question asked while leaving out and, thereby, avoiding pertinent elements of the event) or commission (i.e., knowingly misstating the facts of the event).

Because the sample for this study was small, readers should not generalize the results until more comprehensive research occurs. This study stands as a practitioner’s guide that attempts to shed light on two elements of statement analysis and the usefulness of SAFE-T as a field examination technique. However, readers should realize that using only these two elements of statement analysis limits the comprehensiveness of their analysis.

Elements Selected

The authors selected the two elements—lack of conviction and extraneous information—because they



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Lieutenant Tooke serves with the Seattle, Washington, Police Department and is an ACTAR-accredited collision reconstructionist.

often appear as strong indicators of the accuracy and completeness of a statement and are relatively easy to identify in a written statement. Investigators can use them to substantiate the Undeutsch Hypothesis that statements based on reality appear different from those based on imagination.

Lack of Conviction

Lack of conviction (personal) is “a *modifying or equivocating term*. Such terms allow the speaker to ‘evade the risk of commitment.’ The speaker is undermining his/her own assertion, which may indicate some difficulty with committing to what is being said.”⁴

Examples of words and phrases that indicate a lack of conviction on the part of the writer are “I think,” “I believe,” “kind of,” “sort of,” “to the best of my recollection,” “maybe,” “possibly,” or “as far as I know.” Any word or phrase that indicates an attempt by the writer to avoid personal accountability, especially when it qualifies or limits the central issue of the statement, represents an example of lack of conviction.

Extraneous Information

Extraneous information in a statement also can provide clues to deception. A truthful person, with nothing to hide, when asked “what happened?” will recount the events chronologically and concisely. Any information that does not answer this question is extraneous. This explains why the statement examiner must know the question used by the investigator to initiate the statement. Based upon the fight-or-flight physiological response, “It is much less emotionally demanding and anxiety provoking to take the route of least resistance: evasion and indirect deception, rather than direct denial, lies, and direct deceptions.”⁵ It is the authors’ supposition then that accurate and complete statements typically contain only incidental amounts of lack of conviction or extraneous information, if at all. When individuals answer investigators’ questions accurately and

completely, their statements are clear and straightforward, with little or no qualifying words, and the content of the statements relates directly to the questions asked by the interviewers. However, when writers cannot or will not explain what happened, their statements become riddled with lack of conviction or extraneous information. They supply information that is “safe” and will not implicate them in any crime or questionable activity.

Methodology Defined

The authors used 24 random statements written by Seattle, Washington, Police Department officers describing what happened to them during on-the-job traffic collisions. Because these officers had to write their statements before the end of their shifts, they experienced not only the stress of the accident but

also the added concern of time constraints, making the preparation of these statements more difficult. Police officers are trained and experienced in acquiring and interpreting oral and written statements. This skill may have affected the outcome of this study.

Lieutenant Tooke provided the statements, changing the names of the officers to the generic Smith and Jones. All statements came from closed investigations that the department investigated, prior to the conception of the study, using

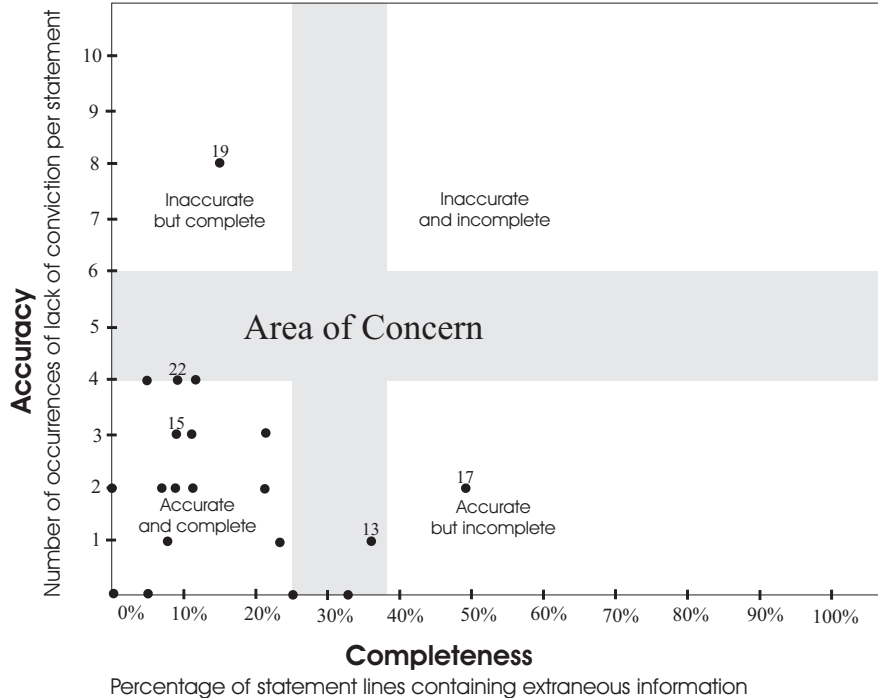
proper police traffic collision investigation procedures and techniques. Using standard motor vehicle investigation, analysis, and reconstruction protocols, Lieutenant Tooke independently validated the accuracy of the investigations. The reliability of the investigation and Lieutenant Tooke’s analysis, based on the sound scientific principles of accident reconstruction, established the known truth for the purposes of the study.

Special Agent Klopff analyzed these statements to determine their accuracy and completeness using only lack of conviction and extraneous information components of statement analysis. At no time prior to Special Agent Klopff’s statement analysis did

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This graph depicts the four categories used to label the 24 statements. The majority fell within the boundaries of the accurate and complete category (i.e., fewer than 4 incidents of lack of conviction and under 25 percent of the statement containing extraneous information). The study found statements 19 and 17 fell beyond the areas of concern for accuracy and completeness, respectively. Statements 3 and 13 fell just over the area of concern for completeness, with 38 and 36 percent of the lines containing extraneous information, respectively. The area of concern was arbitrarily set based on the author's personal experience analyzing statements.

statement, then the statement was accurate in answering the question asked by the investigator.⁶

An accurate statement does not necessarily mean that it is a complete statement. In this study, the authors measured extraneous information as a percentage of each statement's total number of lines.⁷ For example, if the statement was 50 lines long and 5 lines were identified as extraneous, then the level of extraneous information was computed as 10 percent.⁸ Together, these elements formed the axes of a graph depicting the accuracy and completeness of the statement.

Premises Considered

The first premise that the authors considered was that a statement containing a great deal of lack of conviction would not be accurate. In such cases, the writers of the statements, in effect, were hedging

Lieutenant Tooke divulge any details of the incidents to him. Only after Special Agent Klopf completed his independent analysis of each statement did he send the statement analysis and accompanying graphs to Lieutenant Tooke.

As in any detection of deception, verbal or nonverbal, investigators should identify clusters of behaviors. Therefore, in this study, the authors used the number of incidents of lack of conviction as a measure of accuracy. They individually counted each word or phrase that indicated a lack of conviction. The more incidents of lack of conviction used in a statement, the greater the writer's efforts to limit the accuracy of the story and, thereby, avoid providing accurate details of the event being investigated. Conversely, if no lack of conviction existed in a

their bets. This proves especially crucial if lack of conviction occurs while the writer is describing a core issue. Investigators should look for any lack of conviction physically located near a central issue. While not addressed by this study, the closer the lack of conviction appears to a core issue, the more significant it should become in the investigator's evaluation. A statement with four, six, or more incidents of lack of conviction in a 1- to 2-page statement might be complete, in as much as it includes all of the salient points, but contains so many qualifying words and phrases that the details become obscured. The authors described such a statement as inaccurate but complete.

The second premise that the authors contemplated was that a statement with 25 percent, 35 percent, or

more lines of extraneous information would not be complete. Extraneous information is important to the examiner. Such information may be completely truthful, but the writer may be using it as filler and replacement material in lieu of specific details about the incident. Extraneous information becomes more important as its presence increases in the statement, thereby decreasing the amount of the statement that describes the specific event.

THE FINDINGS

The authors examined all of the 24 statements. Using lack of conviction and extraneous information as the two discriminators, the authors labeled each statement as—

- accurate and complete (contains no or very little lack of conviction and extraneous information and, therefore, demonstrates veracity);
- inaccurate but complete (contains significant lack of conviction but little extraneous information and, therefore, reveals lying by commission or knowingly limiting the facts of the event);
- accurate but incomplete (contains very little lack of conviction but significant extraneous information and, therefore, shows lying by omission or knowingly including other information that does not answer the question asked while leaving out and, thereby, avoiding pertinent elements of the event); or
- inaccurate and incomplete (contains significant amounts of both lack of conviction and extraneous information and, therefore, represents outright lying).

In the process, the authors studied all of the statements in-depth. As examples of their findings, the authors present excerpts from those statements that best illustrate the two elements reviewed (statement 19 as the highest amount of lack of conviction;

statement 17 as the most extraneous information; and statement 20 as accurate and complete, containing neither lack of conviction nor extraneous information); the accident reconstructions (what the accident investigations and analyses revealed to Lieutenant Tooke); the statement analyses (what Special Agent Klopff found by examining the statements); and the determinations made regarding the accuracy and completeness of the statements. Statement 19, however, is categorically different from all of the other 23 statements in the study. Although it was collected as an accident report statement, it was not a report of an actual accident. Rather, the officers involved consciously decided to use their vehicles to stop the suspect from driving off a bridge in a suicide attempt. It was not a *true* accident. The authors included it as a basic illustration of lack of conviction despite its circumstances being different from those in the other 23 statements.

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...this small study indicated that investigators can gain valuable insight into cases quickly by using only two elements of statement analysis.

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Statement 19: Lack of Conviction

Accident Reconstruction

This event occurred during daylight hours on the dry pavement of a .3-mile elevated roadway structure, more than 175 feet above a canal. Subsequent investigation revealed that no roadway or vehicle defects contributed to any vehicle dynamics and that the

suspect intended to commit suicide by driving his van off the bridge at 85 miles per hour.

Three marked police vehicles, with full emergency equipment activated, were in pursuit of the van. As the suspect proceeded northbound across the bridge, he intentionally steered his vehicle to the left and tried to strike one of the police vehicles attempting to pass him on the left. The sergeant braked and avoided a collision. The van continued left across the other northbound lane and both southbound lanes. At between 25 and 30 miles per hour, the van diagonally struck the 12-inch high curb/sidewalk, deflecting the vehicle to the north. It then veered to the right,

crossing the south and northbound lanes and again hit the curb, which prevented the van from plunging off the bridge. The suspect attempted this maneuver a total of seven times. As the van reached mid-span, the suspect made his last attempt to transverse the curb/sidewalk. As the van contacted the west curb, the sergeant rammed the left side of the van to rotate it counterclockwise and stopped a short distance north of the van, which accelerated southbound and veered right. The right front wheel climbed the curb and deflated, with the van becoming stuck on the curb/sidewalk. At the same time, Officers Smith and Jones pinned the van between their police vehicles and the curb. The van, unable to move forward, began backing. In doing so, it caught Officer Smith's vehicle and pulled it into Officer Brown's, resulting in minor damage. The van essentially became disabled at that point, and the officers took the suspect into custody without further incident.

Statement Analysis

Special Agent Klopff found eight incidents of lack of conviction and a level of extraneous information of 15 percent. In his experience, a score of eight incidents of lack of conviction in a 42-line statement usually would indicate an inaccurate account of the incident. He generally believes that six incidents and above should represent a significant amount of lack of conviction in a statement of this length. But, the significance of lack of conviction is more than the mere number of incidents per statement. In statement 19, the location of the lack of conviction is equally important to the number of incidents. In this statement, five of the eight lack of conviction incidents occurred during a very confusing multiple-vehicle-controlled crash/stop. The officers consciously decided that the correct course of action involved using their cars to force the subject's vehicle to stop. When the officer used qualifying or modifying descriptors in his statement to describe the pursuit-ending crash, the statement became inaccurate. It is

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...accurate and complete statements typically contain only incidental amounts of lack of conviction or extraneous information....
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of interest to the investigator in that it identifies those areas of the incident where further questioning and accident reconstruction need to be pursued. The officer providing the statement legitimately qualified his language at this point in the statement because he may not have been absolutely positive about what happened at the end of the vehicle chase when all four cars collided and the situation became confused. So, he hedged his report, but not in such a way as to cause an investigator any concern. This type of lack of conviction may not indicate deception, only understandable caution in reporting a multiple-vehicle crash. Police officers are taught to state only those facts that they can verify. When they cannot make a statement with scientific certainty, officers qualify

their answers or observations with words that appear as a lack of commitment, but, in reality, reflect their trained response to state only those facts that they can verify. This use of understandable caution through the use of lack of conviction needs further study to determine its implications for statement analysis.

Determinations Made

Special Agent Klopff's analysis revealed this statement as inaccurate but complete. Despite Special Agent Klopff's placing this statement in the inaccurate but complete section, the lack of conviction that occurs at the end of the statement would not overly concern the investigator. Using the known facts determined through appropriate police traffic collision investigative procedures, Lieutenant Tooke agreed with Special Agent Klopff's analysis.

Statement 17: Extraneous Information

Accident Reconstruction

This motor vehicle collision occurred in a residential/light industrial area, with a posted speed limit of 25 miles per hour for both roadways. Both roadways ("A" Avenue and "B" Street) have one

Excerpts from Statements 17 and 19

#17

16 continued forward up onto the garden area of a building. (Which leads me
17 to believe that the other vehicle was moving at a rate of speed in excess of the posted
18 25 MPH limit. This is probably another reason that I did not see the other vehicle). I

#19

1 On 04/20/99 @ approximately 0459 hrs., I was responding to the report of a possible
2 homicide that had just occurred.... The caller stated that he was the shooter and
3 that he had just killed either his "lover or brother", I don't remember which.
4 Radio got no response, so they started dispatching units and I answered up stating
5 that I was responding.

#19

32 Southbound. My patrol car apparently bounced off the van as I attempted to pin it to
33 the West curb. It somehow slithered out from in front of me and was almost
34 immediately pinned to and up on the curb, by Off. Smith's and Off. Brown's patrol

Note: Extraneous information is highlighted and lack of conviction is circled .

unmarked travel lane in each direction, with parallel parking permitted on both sides of the street.

The police vehicle was northbound on A Avenue approaching B Street. The civilian vehicle was eastbound on B Street approaching A Avenue. The police vehicle disregarded a posted stop sign and impacted the civilian vehicle broadside, redirecting the civilian vehicle's direction of travel. The civilian vehicle proceeded diagonally through the intersection, over a 4-inch high curb, and across a planting strip and sidewalk before colliding with a building. During impact and disengagement, the police vehicle rotated nearly 180 degrees, coming to rest southbound in the middle of B Street east of A Avenue. The police vehicle bumped a parked vehicle on B Street as it was stopping, resulting in no reportable damage. Examination of the roadway revealed that the police vehicle had started braking at least 34 feet prior to impact and was braking at impact. No precollision evasive action was noted for the civilian vehicle; however, 21.2 feet

of braking occurred after disengagement prior to colliding with the building. Neither occupant in the civilian vehicle knew that a police vehicle had struck them until the officer contacted them. No one, other than the officer, indicated the use of a siren. With the stopping distance for a vehicle traveling 25 miles per hour under the circumstances that existed for this collision of 87 feet and the view obstructions created by vehicles, vegetation, and structures, it became evident that the civilian driver could not have avoided the collision. From the precollision deceleration, steering input, and the collision dynamics, it also became evident that the police vehicle was traveling at an excessive speed and that the officer recognized one or more hazards prior to impact.

Statement Analysis

Special Agent Klopff found only two incidents of lack of conviction in statement 17, which indicated that what it reported was accurate. However, his

rating of 49 percent extraneous information indicated that this statement was incomplete. By including so much extraneous information in his statement, the officer avoided important issues while answering the question used to generate the statement (what happened?). The officer did not state his speed when entering the intersection of B Street and A Avenue. The officer never stated whether he applied his brakes. The fact that he stated his car spun a full 180 degrees upon impact and that the civilian's car continued onto a lawn area indicated that excessive speed was a factor on the part of the officer's or the civilian's car. Also, the officer did not identify any witnesses. Finally, the officer never indicated the seriousness of the injuries sustained by the occupants of the other car.

At 49 percent extraneous information, almost one-half of this statement does not address core issues. Unlike statement 19, this statement should give pause to the investigator because a great deal of pertinent information was left out. The officer spent most of the statement talking about the nature of the call he was responding to, the reasons why he was only using his siren at intersections, and his belief that the other vehicle was traveling faster than the posted 25 mile-per-hour speed limit. When he finally got around to discussing the actual crash and, thereby, answering what happened, he did so in the last four words of lines 13 through 16. This represents only 3.2 lines out of a total of 21 lines, or only 15 percent, of the statement addressing the central issue. Thus, statement analysis provided the investigator with the insight to follow up in the areas of the police vehicle's speed and braking and input from accident witnesses.

Determinations Made

Special Agent Klopff's analysis revealed this statement as accurate but incomplete due to the amount of missing information vital to the central issue of the incident. Lieutenant Tooke agreed with this analysis.

Statement 20: Accurate and Complete

Accident Reconstruction

This accident occurred at a traffic signal-controlled intersection of two one-way arterial roadways ("C" Avenue and "D" Street), with posted speed limits of 30 miles per hour. Each roadway has three marked travel lanes with parking spaces on both sides of the roadways.

The civilian vehicle was traveling northbound on C Avenue in the center lane. The police vehicle, with all emergency equipment operating, was traveling eastbound on D Street in the left lane. A second police vehicle, also with all emergency equipment operating, was directly behind it. The traffic control signal for the police vehicles was red as they approached the intersection, and the vehicles stopped prior to entering. On C Avenue, a passenger vehicle in the left lane and a sightseeing bus in the right lane stopped, yielding to

the emergency vehicles. Both police vehicles accelerated slowly. As the first police vehicle neared the center lane, it stopped as the civilian vehicle approached. The civilian driver, observing the police vehicle, steered right and braked. The civilian vehicle began to rotate in a clockwise direction, and the left rear portion contacted the first police vehicle's front bumper push bars. A combination of the civilian vehicle's speed, steering input, braking action, and contact with the push bars caused the vehicle to rotate 180 degrees. Four citizen witnesses and the civilian vehicle driver acknowledged that the police vehicle had its emergency equipment operating and that it was stopped at the time of the collision.

Statement Analysis

Special Agent Klopff found no occurrences of lack of conviction or extraneous information in statement 20. The statement analysis for it was much like the statement itself—short, direct, accurate, and complete and the investigator should accept it as such.

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**Extraneous
information becomes
more important
as its presence
increases in the
statement....**
”

Determinations Made

Special Agent Klopff's analysis revealed this statement as the epitome of an accurate and complete statement. Lieutenant Tooke again agreed with this assessment.

Results Overview

For all 24 statements, Special Agent Klopff's analysis correctly matched the known truth for each one. Lieutenant Tooke used proper police traffic collision investigative procedures, while Special Agent Klopff used two elements of statement analysis to gain insight into the accuracy and completeness of the officers' statements. Using only two elements of statement analysis and the officers' own statements, Special Agent Klopff correctly identified the accurate and complete statements. Furthermore, the authors, using two different approaches, identified those statements that required further investigation because of inaccurate or incomplete information in the officer statements. When they "compared notes" after their individual reviews of the statements, the authors found that they were in complete agreement about each statement's salient points. Only two of the 24 statements, 19 and 17, fell outside the accurate and complete category. Statement 19 contained an understandable and acceptable use of lack of conviction on the part of the reporting officer and would not concern an investigator. Statement 17 fell in the accurate but incomplete classification. The reporting officer did not address the critical issue of his speed at the time of the accident. Both authors identified speed as the key item not discussed in the statement. Lieutenant Tooke used the accident investigation to identify speed as the missing element, whereas Special Agent Klopff examined the extraneous information from the statement to identify the incompleteness of the statement with regard to speed. This missing element would need to be established by further investigation. In addition, statements 3 and 13



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fell in and just past the area of concern for extraneous information, with scores of 38 and 36 percent, respectively. This amount of extraneous information raised a concern as to the completeness of the statements. Investigators should start to ask themselves why over one-third of the lines of each statement dealt with something other than the question asked to generate it. In other words, what critical piece of information did the writer *not* discuss while, instead, providing extraneous information?

Overall, this small study indicated that investigators can gain valuable insight into cases quickly by using only two elements of statement analysis. Clearly, lack of conviction proved a good tool for identifying accuracy. Basically, if statements are truthful, then they would be written simply and directly. Investigators should be suspicious of any

hedging of the writer's language. If the writer uses too many qualifying words, the statement becomes increasingly less accurate. Investigators then should direct their resources to determine why the statement was inaccurately written. However, they must take care not to form hasty conclusions. The inaccuracy may not occur because the writer was involved in threatening behavior or in the crime under investigation. Rather, it may exist for some totally innocent reason or because the writer was involved in some other illegal or illicit activity. Investigators must remember that statement analysis is just one of

many tools that they can use to gain insight into a case and to detect possible deception. Statement analysis only enhances common sense and the development of case facts. Moreover, in analyzing the 24 statements for this study, it became apparent that the quantity of lack of conviction was not the only significant factor in a statement. If the lack of conviction physically occurs near a central issue, the investigator should give it more weight. If the writer qualifies the critical issues, then lack of conviction becomes more significant.

Extraneous information appeared as a strong indicator of the incompleteness of a statement. Typically, truthful statements are short and to the point. Individuals who are being deceptive may feel compelled to say something—anything—because silence on their part appears damning to them. They experience a strong urge to appear to answer investigators' questions with nonincriminating information because they must supply some type of answer. A large amount of extraneous information in a statement indicates that descriptions of the event may be incomplete. The writer avoids answering the question and attempts to camouflage the response with extraneous information. Now, the investigator has to determine why the writer did not answer the question. This is no simple task, but statement analysis can get the investigator to that moment of investigative insight quickly and cleanly. In many cases, the lead investigator may not even speak to the writer until after reviewing the statement and determining whether it contains inaccuracies or a lack of completeness. In short, forewarned is forearmed.

RECOMMENDATIONS

Although this study was limited in scope, it revealed the statement analysis field examination technique (SAFE-T) as a quick method of analyzing a statement to determine accuracy and completeness, but not as a scientific or precise instrument. Additional research must take place to establish the reliability and validity of SAFE-T. Researchers need to analyze more statements for lack of conviction and extraneous information to determine if the findings in this study will hold true. Moreover, in this study, one person performed all of the statement analyses. In future studies, it would prove useful to determine if a group of trained evaluators can consistently identify lack of conviction and extraneous information in the same statements. If SAFE-T is to be a valuable tool for law enforcement officers, research must establish its interrater reliability.

In addition, researchers should examine additional elements of statement analysis to determine the reliability and validity of each element individually and when used together as a whole system. These studies should use rigid research processes for statistical analysis so that their results can provide a sound scientific and theoretical basis for statement analysis with regard to the accuracy and completeness of statements.

Finally, the typical question, "Is the person telling the truth?" is too simplistic. Too often, investigators use their "gut feelings" to guide them. Research has indicated that officers tend to overestimate their ability to detect deception. It would appear that statement analysis has the potential, as a tool in the trained investigator's hands, to more empirically determine if a statement is accurate and complete. Therefore, further research can help establish statement analysis as a reliable and valid tool for investigators.

CONCLUSION

Determining the truth represents one of the most important tasks that law enforcement officers must accomplish. Wading through evidence and following up on leads require time and perseverance, but statement analysis can help.

Oftentimes, officers can uncover valuable information from examining the statements of individuals, sometimes more than the individuals intended to convey.

By using only two statement analysis elements, this study provides a field technique whereby investigators can assess the accuracy and completeness of a statement. Such an analysis can quickly give officers valuable insight into a statement and suggest areas for follow-up investigation. ♦

Endnotes

¹ Steven W. Horowitz, "Empirical Support for Statement Validity Assessment," *Behavioral Assessment* 13 (1991): 294-295.

² For additional information, see Susan H. Adams, "Statement Analysis: What Do Suspects' Words Really Reveal?" *FBI Law Enforcement Bulletin*, October 1996, 12-20.

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**Additional research
must take place
to establish the
reliability and
validity of SAFE-T.**
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³ Additional elements of statement analysis include changes in language, editing phrases, time, and specific parts of speech, especially verbs, nouns, and pronouns.

⁴ Don Rabon, *Investigative Discourse Analysis* (Durham, NC: Carolina Academic Press, 1994), 20.

⁵ Wendell C. Rudacille, *Identifying Lies in Disguise* (Ellicott City, MD: Verifacts Systems, Inc., 1994), 34.

⁶ It should be noted, however, that the authors, on occasion, have analyzed statements from individuals who may have been mentally ill

when writing their statements. Such individuals appear able to write a totally erroneous statement with complete conviction. SAFE-T will not identify the veracity of this type of statement.

⁷ All statements were double-spaced, and each line was numbered.

⁸ A more accurate measure would be a percentage of the total word count. This was not used in this study because a simple “eyeball” measurement was desired to keep the analysis quick and direct, giving the investigator a tool to use “on the spot.”

Bulletin Alert

The Pointer Laser Threat



Pointer Laser – Red Beam – Class II¹

Laser pointers, handheld lasers, and other bright light sources are being pointed at helicopters and aircraft from the ground at an alarming rate. Illumination by a laser beam at night can distract pilots and even cause fatalities if it occurs during a critical phase of flight.

After unknown laser light sources illuminated several commercial aircraft in 1997, the Federal Aviation Administration (FAA), in partnership with the Ontario International Airport in California, began tracking laser illuminations against aircraft and helicopters. Since 1997, the FAA has documented over 200 laser incidents occurring over a geographical area covering 16 states.²

The majority of laser pointer illuminations cause reactions of startling, after imaging, or flash blinding. However, if the laser is powerful enough or sustained on the eye long enough, eye damage can occur. Additionally, bundling lasers, or “six-packs,” is a technique that gangs in California have used against law enforcement helicopters. Many varieties of pointer lasers exist and some that project a beam that can reach 1,500 feet cost as little as \$15. For a helicopter operating at night between 500 and 1,000 feet, laser beams can present a real threat to pilot safety.

If possible, an individual who is illuminated should look away immediately from the beam, contact ground units for support to locate the laser source, and report the illumination to the FAA. Currently, the FAA is coordinating the publication of a document that will assist the aviation community in understanding and thwarting the pointer laser threat.

Endnotes

¹ The Las Vegas, Nevada, Metro Police Department was illuminated March 29, 1999. The pilot was flash blinded and suffered from eye irritation for 3 days.

² FAA Security in the Western Pacific Region and at the Ontario International Airport in California has been documenting laser illuminations against aircraft and helicopters since 1997.

Submitted by Madelyn I. Sawyer, Federal Aviation Administration.



Lethal Predators and Future Dangerousness

By ALAN C. BRANTLEY, M.A., and FRANK M. OCHBERG, M.D.

In the summer of 1978, police in East Lansing, Michigan, arrested a baby-faced criminal justice student and youth minister witnesses had seen running from a house following the assault and rape of a 14-year-old girl and the stabbing of her 13-year-old brother. Fortunately, both children survived and ably assisted police during the investigation. The subject, then in his early 20s, was no stranger to Lansing police officers when they arrested him. For many months, they had considered him a suspect in the disappearance of four area women, beginning with his fiancée who vanished on the first day of

1977 after spending New Year's Eve with him. Local detectives and prosecutors believed that he was responsible, but, despite exhaustive efforts, they never developed enough evidence to charge him in any of the cases. Moreover, in three of the four cases, police never found the women's bodies.

After the subject's subsequent conviction, prosecutors offered him a plea bargain in the other cases. He would lead authorities to the bodies of his victims, allowing authorities to close the cases and the families to end their anguished uncertainty. In exchange, he would be prosecuted for manslaughter, with

sentences to run concurrently with the 30- to 50-year term he already was serving. The missing women's families agreed to the deal and so did the subject. Because of statutory sentencing guidelines, including mandatory "good time," he was scheduled for release in February 1999.¹

The county prosecutor who oversaw the plea bargain remembered the subject as "cunning, religiously obsessed, deceptive. He did not look physically threatening or dangerous, anything but."² He remained calm and composed during the long investigation, "so composed that he went over to one

victim's house on the morning after the murder and offered to help search for her."³ Twenty years later, this same individual maintained his earlier assessment, believing that the subject still would be dangerous if released, "I was positive to a moral certainty that he would kill again."⁴

CONCEPT

The authors consider this subject representative of a small, identifiable, and exceptionally dangerous subpopulation of lethal criminals. Those who investigate their crimes and evaluate and study their behavior call these killers "lethal predators."⁵

These offenders, almost always males, have killed at least once and are likely to keep killing as long as they are free to do so. They are deliberate, sadistic, and often highly intelligent. They tend to carry out their crimes in a ritualistic manner, to include a strong sexual component in their acts, and to rape or torture their victims. They formulate their plans, then pursue, capture, assault, and ultimately kill their prey. Some leave their victims' bodies in poses that express and symbolize the feelings of power and pleasure they have achieved in the act of killing. They lack feelings of guilt or remorse. They typically become increasingly violent and cruel over time, driven by fantasies that feed their predatory desires and lead them to compete with themselves in a twisted game of "practice makes perfect." They understand their misbehavior, know the difference between right and wrong, and can choose when and where to act upon their urges. They

are criminally responsible for their acts and are not insane.

Many of these killers are skilled at covering their tracks and become more competent and confident with each crime. As a result, they often are convicted for lesser offenses leading to less severe sentences than their crimes and level of dangerousness should warrant. They have little or no motivation for treatment, which, in any case, is extremely unlikely to offer any kind of "cure." Upon their release or, in some cases, their escape, they essentially are unchanged and as likely to assault and kill as they were before their incarceration.

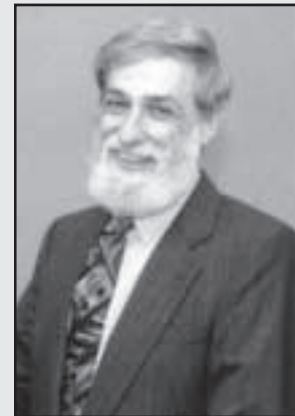
No one knows the number of lethal predators, whether in prison or out, or how many are serving less than maximum sentences and might be released with their capacity and desire for violence still intact. In addition, no easy way exists to

develop that information. Crime statistics, court records, and prison data do not distinguish lethal predators from the rest of the criminal population or from the more than 140,000 inmates now serving time for murder in U.S. prisons.⁶

These killers have several overlapping characteristics. They have a history of lethal violence, sexual predation, and certain types of mental abnormality. Law enforcement and mental health professionals agree that each of these factors independently is associated with violence and aggressive behavior. When all three coexist, a synergistic effect can form, greatly increasing the probability of violent acts that inflict extreme suffering on others. From a public safety standpoint, the most important concern about lethal predators is that they commit their crimes repeatedly. Policymakers in the criminal justice and mental



Special Agent Brantley, former senior psychologist with the North Carolina Department of Correction, is assigned to the National Center for the Analysis of Violent Crime at the FBI Academy.



Dr. Ochberg, former associate director of the National Institute of Mental Health, is a clinical professor of psychiatry and adjunct professor of criminal justice at Michigan State University in East Lansing.

health systems, as well as the public, legitimately may consider whether criminals of this type are too dangerous to ever be released.

In considering the questions surrounding sentencing issues and postsentence confinement of these predators, authorities should remember that potential at-risk victims exist both outside and inside prison. When someone is freed from imprisonment and then commits another highly publicized crime, especially likely when one of these killers is involved, it undermines public confidence in criminal justice and mental health professionals. In that sense, lethal predators have the capacity to endanger not just the people they stalk and kill but the bond of trust between citizens and their governmental institutions. For this reason, developing an understanding of lethal predators from both criminal justice and mental health perspectives is essential and has serious implications for public safety. Those, like the authors, attempting to combat these criminals understand the need to develop reporting procedures or other methods that will provide an informed estimate of where these predators are located. They also urge the development of protocols and a methodology for evaluating violent felons who may fit the definition of a lethal predator.

As the country debates these issues, legislators, the public, the criminal justice system, and the behavioral science community must reach an understanding of exactly which offenders might be subject to maximum sentences or indeterminate confinement. The criteria that the authors suggest are intentionally

narrow, designed to identify a small number of killers who fall at the extreme end of the spectrum of offenders who commit murder or manslaughter.

DEFINITION

The authors base their definition of a lethal predator on four elements: lethal violence, multiple acts of sexual predation, mental abnormality, and legal sanity. All four must exist for a criminal to be classified as a lethal predator. In addition, this definition of lethal predation is consistent with, but more restrictive than, the criteria the FBI uses to define sexual homicide.

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Many of these killers are skilled at covering their tracks and become more competent and confident with each crime.
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The FBI’s National Center for the Analysis of Violent Crime (NCAVC) distinguishes four types of sexual homicide: organized sexual homicide, disorganized sexual homicide, mixed sexual homicide, and sadistic murder.⁷ These subclassifications are related closely to the types of criminal acts committed by those the authors define as lethal predators. According to the FBI, sexual homicide, both organized and disorganized, “involves a sexual element (activity) as the

basis for the sequence of acts leading to death. Performance and meaning of the sexual element vary with an offender. The act may range from actual rape involving penetration (either before or after death) to a symbolic sexual assault, such as insertion of foreign objects into a victim’s body orifices.”

Lethal Violence

Lethal violence is criminal killing, meeting the legal definitions of murder or manslaughter. To comply with the authors’ proposed constellation of factors, the killing must occur at least once in the context of sexual predation.

Multiple Acts of Sexual Predation

Sexual violence is “the threat or use of physical force either to coerce another person to submit to sexual behavior or to produce sexual excitement or release in the perpetrator.”⁸ Predation is not a legal term, but denotes an intentional act of selecting, pursuing, and overpowering a person and then inflicting harm on that person for the pleasure of the predator.

Sexual predators, whether they kill or not, will escalate their activities over the course of their careers. Typically, they will start with violent sexual fantasies and progress to acting out their imagined scenes with both willing and unwilling partners. The lethal predator also will demonstrate increasing skill in selecting, pursuing, capturing, and controlling the victim and carrying out the murder.

In analyzing sexual motivation, the authors point out that predators may find sexual gratification in

activities most people would consider nonsexual, such as the infliction of pain, mutilation, or postmortem display of the body and collection of trophies.⁹ Those sexual predators who kill commit acts quite often that have nothing to do with the commission of the murder. For example, they may pose, move, mutilate, or dispose of the victim in an unusual way. These acts may be symbolic and designed to make an impact on others or for the predators' perverse pleasure and enjoyment, or both. In some cases, no evidence is found of "normal" sexual arousal, such as erection and ejaculation. Such seemingly nonsexual behaviors, when they occur repetitively, also can establish the criterion of multiple acts of sexual predation.

These crime-scene behaviors also can indicate that a lethal predator is likely to re-offend. Law enforcement professionals trained in crime-scene analysis techniques and experienced in working with violent offenders are best able to assess evidence of predation based on their thorough review of case materials.

Mental Abnormality

Mental abnormality, the most elusive of the four elements in the authors' definition, can become evident when someone exhibits the traits and characteristics of a variety of mental disorders without reaching the threshold of mental illness necessary for exculpability or diminished capacity. At the core, evidence will exist of severe personality disorder or paraphilia and may include, but is not limited to, traits associated with antisocial

personality disorder, psychopathy, sexual sadism, pedophilia, and, in certain extreme instances, necrophilia.¹⁰ Other disorders may coexist with these, but, similarly, do not rise to the level of mental illness or defect that satisfies the legal standard of diminished criminal responsibility. Psychiatrists and psychologists are best able to assess mental abnormality based upon traditional mental health assessment techniques, such as using record reviews, interviews, and psychometric testing.

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In *Kansas v. Hendricks*,¹¹ the U.S. Supreme Court upheld the constitutionality of Kansas' Sexually Violent Predator Act¹² against a claim that the act violates the due process clause of the Constitution. The act provides for the civil commitment of persons who, because of mental abnormality or personality disorder, are likely to engage in predatory acts of sexual violence.¹³ Mental abnormality is defined in the act as "congenital or acquired condition affecting the emotional or volitional capacity which predisposes the person to commit sexually violent offenses in

a degree constituting such people a menace to the health and safety of others."¹⁴ The Court ruled that the statute satisfies constitutional due process because it requires a precommitment finding that these individuals are dangerous and suffer from a mental abnormality or personality disorder that renders them dangerous beyond their control. Because those two conditions are satisfied, the Court was untroubled by the fact that the Kansas statute does not require a finding of mental illness as it is understood by the medical community.¹⁵

Legal Sanity

In saying that lethal predators are mentally abnormal but legally sane, the authors recognize that mental abnormality and mental illness are not precise terms. They use the term *mentally ill* to refer to a condition that diminishes people's abilities to understand the nature and quality of their acts or to commit them with conscious intent. The authors use the term *mental abnormality* to describe a mental state that is surely perverse, but does not diminish criminal responsibility.

Individuals with a mental abnormality may lack the ability to experience remorse and empathy. They may be able to control their predatory behavior when witnesses are present or if they are unlikely to escape without being identified and apprehended. Conversely, when a victim is available and their assessment of risk to themselves suggests a high probability of a successful escape, they will not stop themselves. Mental abnormality can include traits of mental illnesses or severe personality disorders, but

not necessarily to the point of meeting strict clinical diagnostic requirements.

While the mental health community has no uniform definition of abnormality, the authors believe that it is a diagnosable condition and that trained professionals can reach valid, reliable conclusions about its existence when evaluating cases. Similarly, the legal world has no commonly accepted meaning for mental abnormality. However, the authors believe that the concept can be defined and diagnosed clearly enough to satisfy the legal requirements for civil commitment after criminals have completed their prison terms.¹⁶

FINDINGS

Across the country, other cases have continued to demonstrate the extreme danger that lethal predators can represent. A particularly relevant example occurred in Great Falls, Montana, and involved the kidnapping and murder of a fifth-grade boy missing for nearly 5 years.¹⁷

According to prosecutors, the subject raped and tortured the boy before killing him, then dismembered, cooked, and ate the remains. In the subject's garage, detectives dug up 21 bone fragments that DNA tests showed belonged to another child. In the house, police found other evidence, including photographs and a handwritten list with names and dates that appeared to link him to dozens of cases of child abduction and molestation in several states.

Montana residents and state officials were outraged to learn that the subject had come to Great Falls

following his release from 12 years of confinement in his home state of Massachusetts. The judge who freed him determined that he was "not dangerous," even though several evaluations had concluded the opposite and even though his original sentence for attempted murder and kidnapping of two 13-year-old boys had called for 18 to 20 years in prison. Evaluations of the subject, while confined in Massachusetts, contained such descriptions as "a borderline personality with marked

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Sexual predators, whether they kill or not, will escalate their activities over the course of their careers.

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passive-dependent and psychopathic features and a dangerously disturbed young man whose prognosis for recovery seems questionable.”¹⁸ One psychologist noted that the subject's "sexual fantasies, bizarre in nature, outline methods of torture extending to dissection and cannibalism; he expresses a curiosity about the taste of human flesh.”¹⁹ Another reported that fantasies of violence appeared as his primary source of sexual excitement. Those ominous evaluations proved accurate when authorities arrested the subject in another child-molesting incident barely a month after his release.

Like the man in the opening scenario, this subject appears to fit the definition that the authors have developed for the lethal predator. The devastation both men left behind among the families of their victims and the terror they created in their communities stand as compelling reasons for further study of this special type of criminal and for informed and careful decisions about how best to guard against the danger they represent. While further research must occur, the authors believe that present knowledge clearly establishes three primary facts.

- 1) Lethal predators are dangerous and a high probability exists of their future behavior remaining consistent with their past behavior.
- 2) Lethal predators can be identified by specific criteria.
- 3) Lethal predators can be confined beyond criminal sentences, according to current U.S. Supreme Court holdings of constitutionality.

CONCLUSION

Lethal predators, a small group of killers, form a relatively homogeneous subpopulation of criminals who are cruel, predatory, violent, and likely to kill again if released from criminal or civil incarceration, regardless of the length of their confinement. The authors, along with others, have studied the characteristics of such individuals to find ways of preventing future acts of violence and cruelty committed by these killers.

By offering a clear and comprehensive definition of lethal

predators, calling for an informed accounting of their numbers and whereabouts, and encouraging the development of protocols and policies for evaluating potential members of this dangerous and perverse class of criminals, the authors hope to break the cycle of suffering these felons can create. To this end, the criminal justice community along with mental health professionals, legislators, and the public must join in a concerted effort to find ways of identifying and removing these predators from society. Only then can those in the public safety arena protect law-abiding citizens from such senseless acts of cruelty and perversion. ♦

Endnotes

¹ Amid growing community anxiety as the release date approached, Dr. Ochberg assembled a group of detectives, judges, legislators, prosecutors, prison psychologists, and victim advocates to explore ways to prevent the subject's release. Under Michigan state law, he could not be confined in a mental hospital because he was not insane. In the absence of viable alternatives, the group approached Michigan lawmakers, asking for new legislation consistent with the recently issued *Kansas v. Hendricks* ruling. In the meantime, guards found a homemade garotte in the subject's cell, and prosecutors filed a felony charge of weapon possession while in prison. Because it was his third felony under Michigan's habitual offender law, he received an additional sentence of 20 to 40 years in prison.

² Chief Judge Peter D. Houk, 30th Judicial Circuit of Michigan.

³ *Ibid.*

⁴ *Ibid.*

⁵ The authors based this article on a larger project to define and examine the "lethal predator" so that legal interventions may prevent future acts of violence. This project has received support from the Critical Incident Response Group of the FBI; the Dart Foundation of Mason, Michigan; and the Critical Incident Analysis Group based at the University of Virginia. Individuals involved in the project

include the authors and Robert D. Hare, professor emeritus of psychology, University of British Columbia; Peter D. Houk, chief judge, 30th Judicial Circuit of Michigan; Robert Ianni, assistant attorney general in charge, Criminal Division, Department of Attorney General, state of Michigan; Earl James, president, International Forensic Services, Inc.; Mary Ellen O'Toole, special agent, National Center for the Analysis of Violent Crime, FBI; and Gregory Saathoff, associate professor of clinical psychiatry, University of Virginia School of Medicine.

⁶ U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, *Prisoners in 2000* (Washington, DC, 2001).

⁷ J.E. Douglas, A.W. Burgess, A.G. Burgess, and R.R. Ressler, *Crime Classification Manual* (New York, NY: Lexington Books, 1992).

⁸ A.J. Reiss, Jr. and J.A. Roth, eds., *Understanding and Preventing Violence* (Washington, DC: National Academy Press, 1993).

⁹ K.V. Lanning, "Sexual Homicide of Children," *American Professional Society on the Abuse of Children Advisor* 7, no. 4 (1994): 40.

¹⁰ As defined by the fourth edition of the *Diagnostic and Statistical Manual of Mental Disorders* (DSM-IV).

¹¹ 521 U.S. 346 (1997).

¹² Kan Stat. Ann Sections 59-29a01 *et seq.* (1994).

¹³ *Id.* Section 59-29a02(a).

¹⁴ *Id.* Section 59-29a02(b).

¹⁵ *Kansas v. Hendricks*, 521 U.S. at 359.

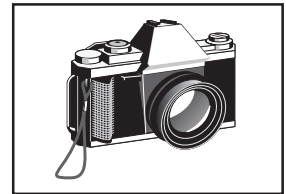
¹⁶ *Foucha v. Louisiana*, 504 U.S. 71, 118 L. Ed. 2d, 112 S. Ct. 1780 (1992).

¹⁷ The authors culled details on this case from various press accounts, specifically "Bar-Jonah's Life History Full of Tales of Violence," *Boston Herald*, January 7, 2001; "Long History of Dangerous, Bizarre Acts," *Boston Herald*, January 7, 2001; "Tragic 'Transfer' to Montana: Mass. Sex Offender Charged in Boy's Death," *Los Angeles Times*, January 9, 2001; "Cannibalism Alleged in Disappearance: Child Molester Held in 5-Year-Old Montana Case," *The Washington Post*, January 12, 2001; "Mass. Officials Praise Sex-Predator Ruling," *Boston Herald*, January 18, 2001; "Critics Cite Flaws in Sex-Predator Lockup Law," *Boston Herald*, January 14, 2001; and "System Stands Accused in a Montana Man's Case," *New York Times*, January 23, 2001.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

Wanted: Photographs



The *Bulletin* staff is always on the lookout for dynamic, law enforcement-related photos for possible publication in the magazine. We are interested in photos that visually depict the many aspects of the law enforcement profession and illustrate the various tasks law enforcement personnel perform.

We can use either black-and-white glossy or color prints or slides, although we prefer prints (5x7 or 8x10). We will give appropriate credit to photographers when their work appears in the magazine. Contributors should send duplicate, not original, prints as we do not accept responsibility for damaged or lost prints. Send photographs to:

Art Director
FBI Law Enforcement Bulletin, FBI Academy,
Madison Building,
Room 209, Quantico,
VA 22135.

Notable Speeches

The *FBI Law Enforcement Bulletin* received two speeches that provide an unvarnished view of what law enforcement officers face daily in the performance of their duties. The *Bulletin* presents excerpts from these speeches to showcase some of the everyday challenges, dangers, and responsibilities that officers encounter in their efforts to safeguard the citizens who they have sworn to protect.

Law Enforcement Officers Wanted Good People for a Thankless Job

By Henry P. Henson and Kevin L. Livingston

Police officers work in situations that most people never experience. They provide 24-hour-a-day, 7-day-a-week protection for their communities. They may work all night, then wait in court all day. Or, they may work all night, when most people sleep, then come home to their families getting ready to start their day. Or, they may work all night, trying to stay awake when things are calm, yet be alert to suddenly respond to a robbery or homicide and handle it properly. Or, they may work all night, aware of the resulting fatigue and poor health that comes from unnatural sleep patterns. Or, worst of all, they may work all night knowing that their families never may see them alive again. Oh, yes, many people work a night shift, but do they face the same situations as police officers?

At times, an officer may be physically tired from trying to subdue a person who will not submit to arrest, from chasing a suspect on foot, from swimming in a cold polluted river to rescue citizens from drowning after their car crashed, from leaning over a ledge on a building high above the ground holding onto a person who was trying to jump off, or from any number of other physical situations that might occur

and which most people never experience. These represent only some of the situations that police officers find themselves in at any time. There are many others. How about sitting down to eat lunch, but immediately having to leave it to respond to an urgent call? How about working and not knowing what danger may occur on the next call? How about getting shot at, seeing the bright glint of a knife blade in a subject's hand, being attacked by a crazed drug

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addict, or facing an attacker who is mentally ill? And, what about that “loose nut” behind the steering wheel of a car? Who’s going to stop him? If you’re a police officer, it’s YOU! You who joined the police department because you *cared* about other people. You who went through 28 weeks of extensive training—8 hours a day, 40 hours a week—involving the knowledge of criminal laws, ethics, firearms training, defensive tactics, and physical training, 7 long months of training. You who got on-the-job training by working with an experienced officer for 2 or 3 months or until your supervisors believed that you were capable of working alone. You who faced probation for at least a year from the time you were

sworn in as a police officer. You who, through it all, prided yourself on becoming the best officer that you could and to always perform your job in the proper manner.

Some citizens understand what the police officer has to contend with. Most, however, only have a general idea of what a police officer does, but no idea of the details of the job or of what it takes to become a “cop.” As a police officer, you need a thorough knowledge of rules and procedures concerning the power of arrest, search and seizure, probable cause, and the use of force. You must know the proper procedures for transporting prisoners; be aware of any safety concerns to yourself and others; be able to detect potential evidence at a crime scene; know the proper procedures for collecting and preserving that evidence; have the ability to write clear, concise, and detailed reports; be able to follow correct radio-transmitting procedures; and be alert to all radio transmissions. You must be familiar with street names, with businesses and their hours, and anything that may be out of the ordinary. You must drive safely and be conscious of all types of road conditions. You need the ability to interrogate and interview people effectively and efficiently to get as much information as possible. You must apply discretion in using police powers, answering alarms, investigating traffic accidents, responding to and handling suicide and hostage situations, and giving aid to victims and offenders. You must know how to testify in court and how to operate computers. You must know all of this, and more, to fulfill the many roles that you will play during the course of your career. These roles include those of a lawyer, a doctor, a counselor, a social worker, a security specialist, a mediator, and a negotiator.

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...we in the profession must make sure that we hire only the best people, keep only the best people, and promote only the best people.

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You will work all hours of the day and night, on your wedding anniversary, on Christmas, and on the day your kid stars in the kindergarten play. When you hear explosions, gunshots, or screams, you must run *toward* them, not away. You must love children, even those shooting at you. You have to be able to separate a knife-wielding husband from his pistol-wielding wife, without injury to anyone. When you arrest one, the other person jumps on your back. People curse you; you can’t curse back. People hate you; you can’t hate back. You can never lose your temper. You have to solve major crimes in a day or you’re not doing

your job. If you stop for 5 minutes, you’re goofing off. If you accept a cup of coffee, you’re on the take. In a hostage situation, if you shoot the hostage taker, you’re a killer. If you don’t shoot him, but continue talking to him and someone is injured or killed, then you’re indecisive and stupid. You’re unpopular, all of the time, every hour of every day, until someone *needs* you.

No other job in America is so complex as that of a law enforcement officer. It will continue to be so. That is why we in the profession must make sure that

we hire only the best people, keep only the best people, and promote only the best people. We must commend those officers who strive daily to uphold the high ideals of the profession and attempt to garner support from our communities to value the brave men and women who have dedicated themselves to serving others. In short, let us reverse the mind-set of those people who hold that officers are unappreciated until they’re dead; then, they get a parade. ♦

Mr. Henson is a retired chief of the Norfolk, Virginia, Police Department. Assistant Chief Livingston serves with the Bloomington, Illinois, Police Department.

ViCAP Alert

Attention: Homicide and Robbery Units

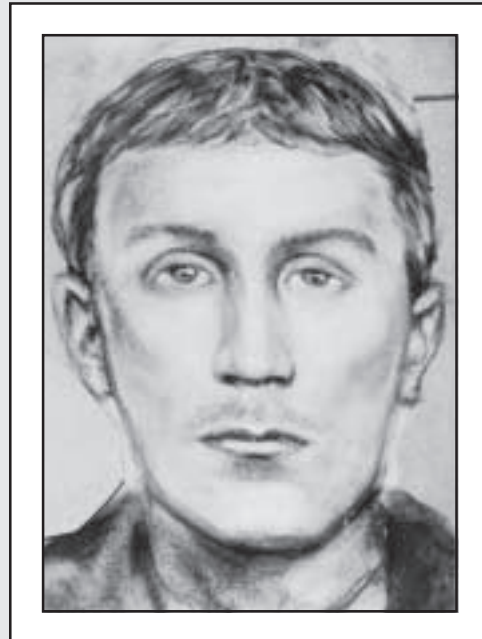
Unsolved Homicides/Robberies

The St. Charles, Missouri, Police Department requests assistance in an investigation of a series of unsolved commercial homicide/robberies that occurred in the spring of 1992. A lone white male entered strip mall stores near Interstate 70 in several states, shot the employees, and robbed the stores. All of the victims were females, except for one male with long hair whose appearance might have suggested the presence of a female. Firearms evidence was recovered at each location. These murders became known as the Interstate 70 Series because of their close proximity to that route.

Crime Scenes

The suspect appeared comfortable traveling long distances along Interstate 70 and selected victims in strip mall stores, several of which were only a few miles from other interstates as well. The homicides occurred in Indianapolis and Terra Haute, Indiana; St. Charles City and Raytown, Missouri; and Wichita, Kansas. The offender entered stores that had the appearance of possibly being operated by women (e.g., shoe, ceramic, and bridal shops). From April 8, 1992 to May 7, 1992, he killed six individuals on five separate occasions by shooting each of the victims in the head.

Firearms evidence from the six victims and five scenes was compared. Examination of this evidence revealed that the same firearm was used at all five scenes. Bullets recovered from the scenes were .22 caliber and exhibited marks consistent with having been fired from a barrel rifled with eight lands and grooves, right-hand twist. Casings from a .22 caliber also were recovered.



Possible Suspect Information

Witnesses described the suspect as a white male, about 5' 7" in height. At the time of the attacks, he was between 32 and 37 years of age, with blonde, red, or brown hair.

Alert to Law Enforcement

Law enforcement agencies should bring this information to the attention of all crime analysis personnel and officers investigating homicides or crimes against persons and robberies. Any agency with solved or unsolved cases similar to these should contact Detective Rich A. Plummer of the St. Charles, Missouri, Police Department at 636-949-3320, Special Agent Ann C. Pancoast of the FBI's St. Louis Division at 314-589-2540, or Major Case Specialist Eric W. Witzig of the Violent Criminal Apprehension Program (ViCAP) Unit at 703-632-4194. ♦

Agencies that have a case exhibiting similar modus operandi, even if the case is not a homicide, should contact the St. Charles, Missouri, Police Department at 636-949-3320.

Law Enforcement

The Bureau of Justice Assistance (BJA) introduces *Operation Cooperation: Partnerships Between Law Enforcement and Private Security*. This BJA videotape presents an overview of Operation Cooperation, a national initiative designed to encourage partnerships between law enforcement agencies and private security professionals. Law enforcement agencies and private security professionals are well suited to work together because they address many of the same problems through different angles. This video, funded by BJA, describes why cooperation is essential for public safety, what benefits arise from cooperation,

what is being done already, and how to establish new partnerships. It also elaborates on four key elements of Operation Cooperation (networking, partnering for problem solving, cross-fertilization, and information sharing) and presents examples of partnerships in several states. A booklet that supplements this video (*Operation Cooperation: Guidelines for Partnerships Between Law Enforcement and Private Security Organizations*) is available only on-line at <http://www.asisonline.opcoop.pdf>. This VHS videotape (NCJ 189103) is available from the National Criminal Justice Reference Service at 800-851-3420.

Juvenile Justice

Early Precursors of Gang Membership: A Study of Seattle Youth, produced by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), draws on data from the Seattle Social Development Project, a longitudinal study of youth living in high-crime neighborhoods, to assess risk factors for youth gang membership. Identifying early precursors of gang membership can facilitate the development of more effective interventions to prevent youth gang membership and combat juvenile crime. This bulletin, part of OJJDP's Youth Gang Series, analyzes the relationship between risk factors present in the lives of 10- to 12-year-old youth and the probability of their participation in gangs later in life. The implications of this analysis for the design of successful prevention strategies also are explored. For a copy of this 6-page bulletin (NCJ 190106), contact the National Criminal Justice Reference Service at 800-851-3420. Or, access this publication at OJJDP's Web site at <http://ojjdp.ncjrs.org/pubs/gangsum.html#190106>.

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

Suicide Risk and Hostage/ Barricade Situations Involving Older Persons

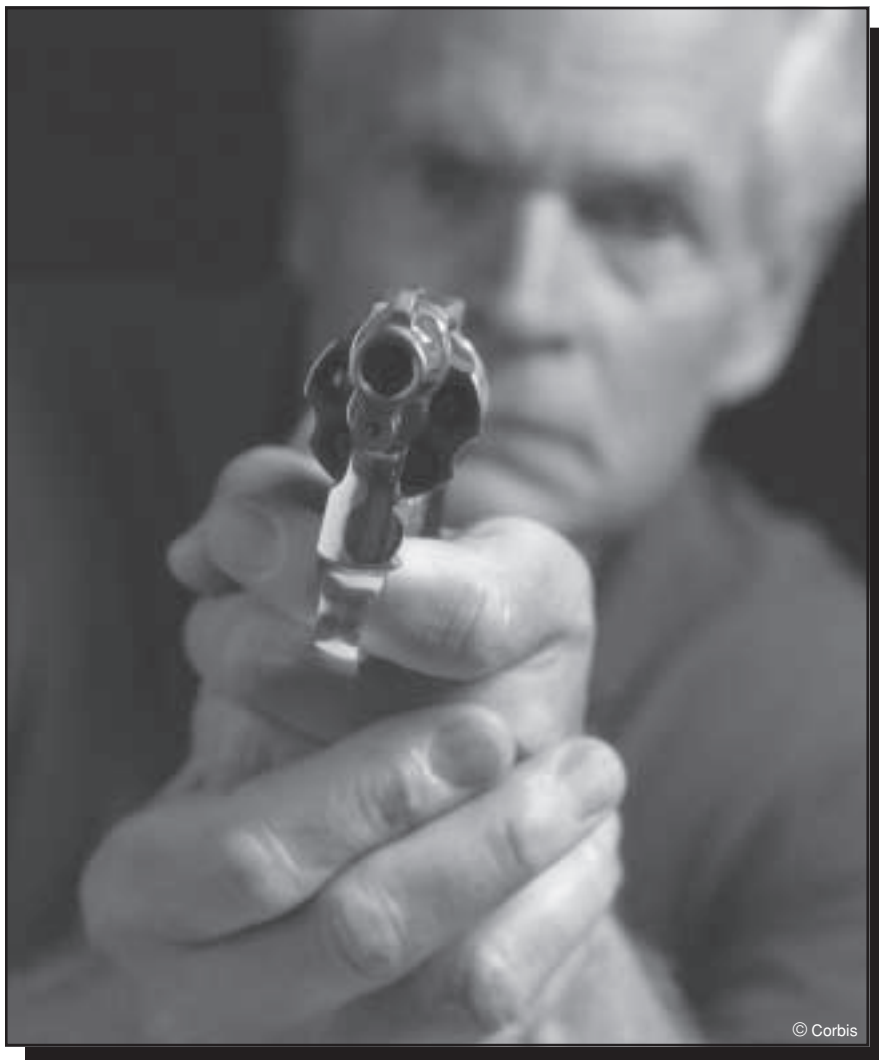
By ARTHUR A. SLATKIN, Ed.D.

The “graying of America,” a popular catch phrase, describes the present and forecasts the future demographic changes in the population of the United States. For any number of reasons, Americans are living longer. The number of older adults in this country doubled from 1950 to 1980. Today, 11 percent of the U.S. population is over 60 years of age; by 2030, estimates place that number at 25 percent.¹

Increased longevity creates unique problems, challenges, and solutions for older persons. On the downside, rates of depression, alcohol and other drug abuse, and suicide, all germinal ingredients of crisis, are high for aging Americans. Lethal crises involving older persons likely will play out in the public sphere and be encountered by law enforcement officers. A

range of critical incidents that may force a lethal response by police can include hostage taking, barricade situations, suicide threats, or police-precipitated suicide (“suicide by cop”), an increasing phenomenon.² In all cases, the subject likely is depressed, an alcohol or other drug abuser, and under the influence of such substances upon confronting the police. As this constellation acts to impair thinking and judgment and disinhibit impulses, violence may ensue and force a police crisis negotiator response.

In a study of 1,912 incidents of hostage taking or barricades, nearly 2 percent of the subjects were 65 years of age or older.³ Some 13 percent previously had attempted suicide one or more times, and a significant number used alcohol or other drugs. Forty-eight percent used alcohol or other drugs during the incident, with alcohol being the overwhelmingly largest number (33 percent), and 44 percent had significant histories of substance abuse. In separate studies of suicide by cop, subjects were mostly male (94 to 96



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percent), intoxicated (40 to 50 percent), depressed (60 percent), armed with firearms (46 to 63 percent), and previously had attempted suicide (38 to 50 percent).⁴ With such data in mind, law enforcement officers must learn how to recognize the dangers that older persons may pose to themselves and to others in their communities.

CASE STUDY

A 77-year-old male called the 911 dispatcher and asked simply, "Is it against the law to commit suicide?" Judging by his speech and expansive manner, the dispatcher surmised that he was intoxicated. She heard his question as a cry for help. Investigation determined that the caller briefly had held his wife hostage at gunpoint. The wife had slipped out of the residence and called the police from a neighbor's apartment. As special weapons and tactics (SWAT) and hostage negotiation team (HNT) units assembled at the scene, the elderly man called 911. The dispatcher made the connection between his call and his wife's. Although not trained as a negotiator, the dispatcher established an immediate and healthy rapport with the now-barricaded man. Authorities decided to allow her to continue the negotiations from the radio room. The HNT leader and mental health consultant coached her when they arrived.

In negotiations that lasted nearly 2 hours, the man wove story after story about his times as a young soldier in World War II. His stories were interesting and amusing, but ultimately morose. They all related to guns and death. He was charming and engaging, and the

dispatcher genuinely liked him. In turn, he praised her for being a good listener. He avoided any more talk of suicide, but showed no inclination to surrender. When pressed about his suicide intentions, he became agitated and angry. He admitted having a gun, but first evaded answering and then denied that he was going to kill himself "now." Negotiators believed that his risk for suicide was high. He voiced his frustrations with life and of the business from which he had just retired. After ventilating his strong depressive and angry feelings, he began to focus somewhat on his immediate situation. He gave the negotiator grudging assurances for his safety, but angrily asked, "Don't you believe me?" She replied, "You know cops, they only believe what they see, not what they hear." With that, he surrendered, and the incident ended safely.

CASE ANALYSIS

Wisely, the dispatcher heard the elderly man's call as a suicidal

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Dr. Slatkin, a psychologist with the Kentucky Department of Corrections, Division of Mental Health, serves as a mental health consultant to the Louisville, Kentucky, Division of Police hostage negotiation team.

threat and a cry for help. A charming man, he engaged the young female dispatcher with stories and reminiscences of a time in his life when he was a young man at war—virile, indestructible, exhilarated, vulnerable, and scared. His whole life lay ahead of him. The war was a singular event, the highlight of his life, the best of times, and the worst of times. His present state of declining physical and emotional health, along with his current life's offerings and satisfactions, paled by comparison. Fifty years later, in the twilight of his life, he faced a struggle—for which few, if any, guidelines exist—to make sense, gain perspective, and integrate the war and other life experiences through a "life review." He struggled to make sense of the past, to make peace with the present, and to face the uncertain and inevitable future.

Just prior to the incident, the man had transferred his business to his daughter, an attorney living in another state. He had built the

business on his own after returning from the war and worked there for 50 years. On the one hand, it represented his monument to himself; it was his singular accomplishment; his source of power, status, and control; his *raison d'être*. On the other hand, the business had become a source of stress and frustration for him at a time when he increasingly was impatient, irritable, and generally less able to cope with it without feeling out of control. Turning over the business to his daughter left him feeling relieved, but, at the same time, it was another passage and another loss.

Negotiators adjudged him at high risk for suicide not only because of his obvious and overt behaviors but because of the constellation of other factors that included age, race, depression, and alcohol intoxication. He had intent, means, and a plan. Depression and alcoholism were longstanding problems for him. Alcohol, a depressant drug, had no doubt deepened his depressed mood and lowered his inhibitions, allowing him to act out his frustration and anger through his violent impulses. Drinking heavily that day and depressed about his retirement, he acted out a suicidal fantasy—to die in battle (e.g., suicide by cop)—a fabricated replay of his fabled war memories. His actions that day betrayed a marked ambivalence, the conflicted, divided, and indecisive feelings suicidal persons struggle with about choosing to live or die. That day, he ultimately chose to live.

The dispatcher instinctively let the man talk and listened with interest as he reminisced about his life

experiences and ventilated his feelings. He appreciated being listened to as others, not interested or having heard his tale many times, likely had treated him dismissively. He appreciated the attention he received from the dispatcher, perhaps, partly because she was a sympathetic young woman. He felt validated; he had been *heard*.

“

Alcohol...remains a significant factor, the third most common psychiatric dysfunction in older persons.

”

EFFECTS OF AGING

The aging process includes primary aging, the irreversible changes that occur over time, and secondary aging, the changes caused by particular conditions or illnesses correlated with aging (the incidence of chronic illness increases significantly with age). Secondary aging changes are not inevitable, may be preventable, and can be reversed in some cases.⁵

For the older person, forces within the individual and society combine to form a series of learning tasks that arise at or about a certain period of life, which the individual must master to become a reasonably happy and successful human being.⁶ This represents a natural evolution as learning takes place throughout

the life span and continues into later years. Such developmental tasks include adjusting to decreasing strength and health, to retirement and reduced income, and to the death of a spouse; establishing an explicit affiliation with an individual's own age group; adopting and adapting social roles in a flexible way; and making satisfactory physical living arrangements.⁷

One researcher conceptualized development across the life span as eight stages, with the final one, integrity versus despair, as an attempt by older persons to bring unity and integration to their life experiences by taking stock of the personal choices and events that have shaped their lives and integrating them into a meaningful whole.⁸ Many realistic reasons occur for feeling despair and pain, for fearing the future, and for facing death as certain and unknowable.⁹ Some get mired in despair, bitterness, blame, and fear of death and, as a consequence, cannot accept either the past or the future.¹⁰ Others develop a sense of pride and contentment with their past and present lives and face the future without despair.

To handle this existential task, older people become more reflective. By way of a life review, or reminiscence, individuals recall events and occurrences in their lives. Remembering the highs and lows, comparing the past with the present, and identifying accomplishments and failures allow individuals to assess their lives. They replay, reinterpret, and, finally, reintegrate memories in an attempt to make sense, gain perspective, and find meaning to their lives.¹¹

Nostalgia, reminiscence, and storytelling represent elements of a necessary and healthy psychosocial process. Although helpful to older people, such reiteration may not be easy for others to listen to as the teller may have told the story many times. Also, these stories may be very personally centered, emotional, and overly detailed. Yet, it may be important to older individuals' self-worth that others acknowledge the lives they have lived.

Unfortunately, aging can become a time of crisis for those who fail to find peace at this stage in their lives. Moreover, maladaptive behaviors and disease may hinder finding that peace. With increased longevity has come increased incidence of many diseases and disorders, principal among them, depression, along with substance abuse and a higher risk of suicide.

Depression

While all elderly people experience losses, depression is not a normal part of aging anymore than it is at any age.¹² Often treated dismissively, older people's complaints may go unheard, and, as a consequence, their depression may be more difficult to detect. Symptoms may go unreported, be incorrectly attributed to the aging process, or be overshadowed by a concurrent medical condition. Research indicates that depressive symptoms occur in approximately 15 percent of elderly persons living in the community and 15 to 25 percent of those living in nursing homes. Nearly 5 million of the 32 million Americans 65 years of age or older have some form of depression.¹³

The human experience of loss and grief causes depression at any age, and aging is a time of loss. Depression in the elderly population differs from that in the young due to critical losses typically experienced after age 60. Primary losses include the death of spouses, friends, and family members; loss of employment through retirement or disability; loss of strength, mobility, and stamina; loss of lifelong home; and loss of sensory input through reduced vision and hearing.

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Along with the primary losses come those attendant to them. These secondary losses include the loss of social support, familiarity, security, and sentimental anchors; loss of status, income, power, purpose, and relationships; and decreased ability and independence. With these losses come an overall sense of diminished well-being, meaning, purpose, and control.

With depression, feelings of hopelessness and helplessness may develop, and, with them, thoughts of suicide may emerge. Some may turn to mood-altering drugs as a

means of coping with and escaping from their despair.

Substance Abuse

The use and abuse of alcohol and other drugs generally decline in old age, although this may vary with the class of drug. While less is known about the scope of drugs of abuse other than alcohol, these substances may represent the greater problem. Alcohol, however, remains a significant factor, the third most common psychiatric dysfunction in older persons.¹⁴

Most alcoholics have a lengthy history of alcohol abuse from their young adulthood; however, some may not have initiated heavy drinking until middle age or later. Substance abuse may be a chronic longstanding problem or may be of the "late-onset" type, beginning after age 60. Late-onset alcohol and other substance abuse problems can represent responses to age-related stresses.¹⁵

Alcohol abuse is an even more serious problem for the elderly because of their vulnerability to the effects of the drug. Biological sensitivity to alcohol and most psychoactive drugs increases with age. Metabolic and brain changes can make older persons more susceptible to the effects of alcohol, including cognitive impairment, anxiety and depressed mood, decreased tolerance, and physical symptoms. In the aging population, 33 to 35 percent of suicides were facilitated by alcohol.¹⁶

Other drug abuse includes both the use of illegal substances and over-the-counter and prescription drugs. The potential for drug interactions creates more difficulties as

older persons often take large numbers of medicines for chronic diseases associated with aging. Problems may arise from drug interactions with over-the-counter and prescription drugs, multiple prescriptions, and difficulty with correct self-administration. Concurrent use of alcohol may further compound these problems.

Suicide Risk

In the United States, the highest rates of suicide occur in the elderly population. Rates remain level until ages 65 to 69, when they rise steeply. For this age group, 25 suicides occurred per 100,000 individuals; for those 70 to 74 years of age, 30 people per 100,000 took their own lives; and for those from 75 to 84 years old, the number continued to climb until peaking for individuals 85 and older, where 65 per 100,000 committed suicide.¹⁷ While people 65 and older accounted for 13 percent of the population in 1992, they accounted for 20 percent of all suicides. Rates rose 36 percent between 1980 and 1992¹⁸ and are expected to double by 2030 as the oldest members of the “baby boom” generation turn 65 in 2011. This generation already has a higher rate of depression than the World War II generation that comprises today’s elderly population.¹⁹

Risk factors for older persons differ from those for the young. Substance-abusing, divorced or widowed, white males in assisted living or nursing care facilities have the highest risk. Among the elderly, the greater incidence of depression, social isolation, multiple losses, and

physical illnesses also may contribute to the higher rate. Principal among the factors is depression. In 90 percent of elderly suicides, a psychiatric diagnosis, principally depression with co-morbid substance abuse (i.e., “dual diagnosis”²⁰), was warranted. Older persons who attempt suicide are less likely to warn of their intent, seem more determined to carry out their plan, make fewer attempts for completed suicides, and commonly choose more lethal means, such as firearms.²¹

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With increased longevity has come increased incidence of many diseases and disorders, principal among them, depression....
”

CRISIS NEGOTIATION STRATEGIES

Crisis negotiation strategies with older persons in hostage/barricade/threats-of-suicide situations should take into account those developmental life-span issues that concern and characterize older persons. Because of the significant triple threat of substance abuse, depression, and suicide in the elderly, negotiators must consider these factors in planning a negotiation strategy.

A crisis played out as a hostage/barricade incident or suicide by cop constitutes a desperate act—an attempt at problem solving, however misdirected and unconstructive. It may be the desperate act of an otherwise adequate person struggling under the overwhelming stresses of old age or a continuation into old age of a lifelong pattern of dysfunction and bad judgment. In either case, a precipitating event likely has interacted with the person’s age, ethnicity, depression, and substance abuse.

To deal with such situations, negotiators need to employ strategies designed to incorporate the effects of aging and the older individual’s reactions to the aging process. First, they should encourage older people involved in hostage/barricade situations to reminiscence through active listening.²² This can establish rapport with older persons, allowing them to ventilate pent-up emotion and to feel heard and, thereby, validated. It also enables negotiators to learn more about these individuals as their stories convey themes and underlying emotions that negotiators then can use to engage the subjects, “hooks” that they can exploit in negotiating with the older person. Recalled past events about which subjects may feel proud, from a time when they were younger, felt more adequate, and were more hopeful about the world and themselves can help negotiators find fruitful avenues to pursue while, at the same time, aid in bolstering subjects’ wounded egos. Family memories, old times, athletic and academic achievements, courtship and

marriage, military service, career and financial security, all before the vicissitudes of aging, retirement, and loss took their toll, are some of the likely reminiscences.

Second, and similarly, recalled past events about which subjects may feel ashamed or embarrassed or over which they express deep regrets also can help negotiators find further areas to explore. This can include helping subjects see that “unfinished business” remains, such as reestablishing lost or estranged connections with others, making amends, finding meaning and purpose in their remaining lives, or anything that denotes a mission unfinished. Helping subjects picture themselves enacting their mission projects them into the future and on the other side of their present feelings and circumstances (i.e., tomorrow is a better day).

Finally, getting subjects to verbalize aloud their thoughts and feelings about death helps them feel validated and less frightened; paradoxically, they may value living more. Along with this, negotiators should point out to subjects that intoxication and depression color their world view and distort their judgment, just as they produce the effects and symptoms associated with each condition. Therefore, subjects should not make critical decisions while in that state.²³

CONCLUSION

All too often, the popular caricature of older persons, which younger generations widely accept, describes them as forgetful, if benign, fools who live in the past and retell the same stories over and over again to the consternation of

everyone. In fact, this reiteration represents a universal medium through which older persons examine their lives out loud. The need for existential self-examination and validation by others drives them to review their lives to find meaning, unity, and integration as they contemplate their nonexistence. They catalog successes and failures, weigh regrets and resentments, recall lost loves, and attempt to tie down loose ends.

Problems arise, however, when older persons, facing the numerous challenges and losses associated with aging, become depressed, abuse alcohol and other drugs, and contemplate suicide. Such actions can result in critical incidents that will require law enforcement

intervention. Dealing with older persons in hostage or barricade situations who see no alternative to their pain and loneliness other than by killing themselves or prompting a suicide-by-cop incident represents a truly difficult task for officers and even for highly skilled negotiators. However, by understanding the effects of aging, actively listening to older persons describe their pasts, and employing strategies specific to negotiating with the older person, officers can bring a crisis to a successful and safe conclusion. ♦

Endnotes

¹ National Clearinghouse for Alcohol and Drug Information, *Older Adults*; retrieved on May 13, 2002, from <http://www.health.org/govpubs/phd827/older.htm>.

Internet Resources

Centers for Disease Control and Prevention
National Center for Injury Prevention and Control

<http://www.cdc.gov/ncipc>

Health Resources and Services Administration

<http://www.hrsa.gov>

National Institute of Mental Health (NIMH) Suicide
Research Consortium

<http://www.nimh.nih.gov/research/suicide.htm>

Substance Abuse and Mental Health Services Administration

<http://www.samhsa.gov>

Office of the Assistant Secretary for Health/Surgeon General

<http://www.surgeongeneral.gov>

Source: The Surgeon General's Call to Action to Prevent Suicide, 1999: At a Glance, Suicide Among the Elderly; <http://www.surgeongeneral.gov/library/calltoaction/fact2.htm>; accessed May 9, 2002.

² L.C. Pyers, *Suicide by Cop: Results of Current Empirical Studies*, 2001; retrieved on May 9, 2002, from <http://www.pyers.com/cable/sbcstudy.htm>.

³ U.S. Department of Justice, Federal Bureau of Investigation, Crisis Negotiation Unit, *HOBAS: Statistical Report of Incidents* (Washington, DC, 1999).

⁴ Supra note 2.

⁵ Kathleen S. Berger, *The Developing Person Through the Life Span* 4th ed. (New York, NY: Worth, 1998). This author also reveals that aging is an interaction of many genes with each other and with external forces, such as lifestyle. Aging affects appearance, sense organs, and other body systems. Psychological changes include changes in information processing, memory, knowledge base, and control processes.

⁶ Robert J. Havinghurst, *Developmental Tasks and Education* 3rd ed. (New York, NY: David McKay, 1972).

⁷ Ibid.

⁸ Erik H. Erikson, *Identity, Youth, and Crisis* (New York, NY: Norton, 1968); and Erik

H. Erikson, J.M. Erikson, and H.Q. Kivnick, *Vital Involvement in Old Age* (New York, NY: Norton, 1986).

⁹ Ibid.; and supra note 5.

¹⁰ Supra note 5.

¹¹ Supra note 5.

¹² *The Surgeon General's Call to Action to Prevent Suicide 1999: At a Glance, Suicide Among the Elderly*; retrieved on May 9, 2002, from <http://www.surgeongeneral.gov/library/calltoaction/fact2.htm>.

¹³ Ibid.; and U.S. Department of Health and Human Services, National Institutes of Health, *Diagnosis and Treatment of Depression in Late Life*, Consensus Development Conference Statement, November 4-6, 1991; retrieved on May 13, 2002, from http://consensus.nih.gov/cons/086/086_statement.htm.

¹⁴ Ricky L. George, *Counseling the Chemically Dependent: Theory and Practice* (Englewood, NJ: Prentice-Hall, 1990).

¹⁵ Ibid.; and "Elderly Suicide Statistics," *Salt Lake Tribune*, June 12, 1996; retrieved on March 26, 2001 from <http://www.fe.psu.edu/exs~194/Stats.htm>.

¹⁶ J. Lucinda Aguilar, *Recognition of the Rising Rate of Suicide in Our Aging Population*; retrieved on March 26, 2001, from <http://www.nmsu.edu/~socwork/papermlucindaaguilar.htm>.

¹⁷ National Institute of Mental Health, *U.S. Suicide Rates by Age, Gender, and Racial Group, 1999*; retrieved on May 9, 2002, from <http://www.nimh.nih.gov/research/suichart.htm>.

¹⁸ "Suicide by Elderly Men on Rise," *Psychiatric News*, January 1, 1999; retrieved on May 9, 2002, from <http://www.psych.org/pnews/99-01-01/men.html>.

¹⁹ Supra note 15 ("Elderly Suicide Statistics").

²⁰ Supra note 18.

²¹ Supra note 18.

²² For additional information, see Arthur A. Slatkin, "Enhancing Negotiator Training: Therapeutic Communication," *FBI Law Enforcement Bulletin*, May 1996, 1-6.

²³ For additional information, see Arthur A. Slatkin, "Negotiating Skills: Dealing with an Alcohol-Impaired Hostage Taker or Barricaded Subject," *Law and Order*, April 2000, 123-126.

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The Bulletin Notes

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



Officer Cullen

Late one evening, Officer Thomas Cullen of the Johnstown, Pennsylvania, Police Department responded to a call of a vehicle stranded in a river. Officers located the vehicle, but they could not find the driver or any passengers. Rescue workers began a hurried search for any occupants as the air temperature that night hovered around 0 degrees Fahrenheit. Officer Cullen located the driver, the lone occupant, lying in the icy waters about 150 yards south of

the vehicle. Cold water rescue personnel then were able to retrieve the driver. Emergency room physicians advised that if the driver had been in the water for another 5 minutes, he would have succumbed to hypothermia. The body temperature of the driver, upon arrival at the hospital, was 88 degrees Fahrenheit. Officer Cullen's courageous actions undoubtedly saved the driver's life.



Officer Walrond

Officer Steven Walrond of the South Brunswick, New Jersey, Police Department responded to a call of a motor vehicle accident. Upon his arrival at the scene, he realized that two of the vehicles involved were on fire. Officer Walrond asked bystanders if everyone had exited their vehicles. He was advised that one person remained in one of the cars. Officer Walrond then approached the flaming vehicle, unbelted the semi-conscious driver, and pulled him safely out of the car. Within seconds, the passenger compartment of the vehicle became fully engulfed in flames. Officer Walrond's decisive actions saved the life of the motorist.



Officer Golden

Preparing to leave his home for his nephew's high school graduation, Officer Robert Golden of the Newport, Rhode Island, Police Department observed his daughter turning blue and not breathing. Determining that she had a piece of hard candy lodged in her throat, Officer Golden used the Heimlich maneuver three times on his daughter. The Heimlich proved unsuccessful, and Officer Golden's wife began to call 911 for assistance. Officer

Golden then tried the maneuver one more time and was successful. Coincidentally, just the night before, Officer Golden had attended a 4-hour department training session covering life-saving techniques. The session was timely and important because Officer Golden was able to apply what he had learned to save his daughter's life.

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

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Patch Call



The patch of the Newport, Kentucky, Police Department features the Ohio River, spanned by the Daniel Carter Beard Bridge, and a riverboat, representing this river city's heritage and riverboat restaurants. On the right side of the patch is the One Riverfront Place Building, depicting the beginning of the city's economic redevelopment. The bottom of the patch features the City of Newport Municipal Building. The city of Newport, Kentucky, chartered in 1795, is the oldest municipality in Northern Kentucky.



The patch of the River Falls, Wisconsin, Police Department features a depiction of the swinging foot-bridge, built in 1925, that crosses the Kinnickinnic River, which was instrumental in the city's development. The bridge connects a large wooded park, a favorite with city residents and University of Wisconsin students, to the residential and business districts. The eagle seizing the flag emphasizes the department's dedication to the safeguarding of democracy and individual freedoms for the citizens of the community.