

Journal

of the Federal Law Enforcement Training Centers

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INSIDE the New FLETC International Transportation Training Complex

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DRUG ENDANGERED CHILDREN

National experts investigate the issues and explore the solutions.

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What's inside



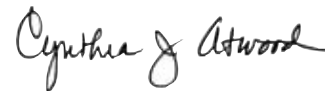
CYNTHIA J. ATWOOD
Assistant Director
Centralized Training
Management Directorate

In reviewing this issue of the FLETC Journal, I felt immense honor in being a part of The Federal Law Enforcement Training Centers (FLETC) and the Department of Homeland Security (DHS). Throughout this issue, you can celebrate the positive impacts our staff and Partners make even in the face of tremendous evil. Having Secretary Napolitano and TSA Administrator Pistole here for the opening of the Intermodal Training Facility (cover photo), was a fitting honor and tribute to the Hanson family, whose granddaughter Christine, was the youngest victim of the terrorist attacks on this country on September 11, 2001. A beautiful photo of Christine stands in the lobby as a reminder to all trainees who pass through the start-of-the-art facility, of the importance of our mission — to train those who protect our homeland. Kyle Barrington's article emphasizes the need for training and interoperability among agencies — something we believe in and practice at the FLETC through consolidated law enforcement training.

As critical as such training and preparation is to the security of our homeland, this issue of the Journal demonstrates the FLETC's impact is not limited to training to prevent and respond to terrorist attacks. Through our talented and experienced staff, we are working hard to educate and train law enforcement officers on the dangers faced by our nation's children due to the decimating scourge of drugs, the sinister nature of cyber crimes, and the havoc and terror caused by a lone deranged gunman. In the face of so many challenges across our nation and around our world, the articles in this issue reflect the efforts we are making to fight back. Jeff DuPont's riveting article reminded me of why the FLETC's Back Country Tactics Training Program is in high demand. Ron Mullins emphasizes the need for professions and law enforcement

disciplines to interact, to share information, and to establish standardized protocols — all factors emphasized through consolidated training. Jeni Groot-Begnaud provides an overview of the collaboration between our Behavioral Science Division and the Dallas Police Department to help provide the best insights possible into conducting successful interrogations — a key tool for any law enforcement officer or investigator. Preston Farley delivers insights into digital crime investigations and the advances made in law enforcement photography training. Nick Kopcho provides a glimpse into FLETC's Electronic Learning Portal, the first component of the FLETC's On-line Campus, in support of secure online training. This issue of the FLETC Journal is rounded out with highlights from Jenna Solari and John Besselman of the Behavioral Science Division and the Office of Chief Counsel, respectively, of the 2011 FLETC Psychology Consortium and the first Homeland Security Law Conference, both held at Glynco. Finally, given FLETC's mission, it is particularly rewarding to read about our partnership with Fort Stewart. Through our work with both Fort Stewart and the Walter Reed Army Medical Center, we have had the privilege to assist our country's Wounded Warriors prepare for their transition to civilian life.

The positive accomplishments highlighted in the following pages, provide readers an opportunity to reflect on the talent, commitment, and dedication our employees and partners exhibit enterprise wide. Thank you for all you do.



Cynthia J. Atwood
Assistant Director
Centralized Training Management Directorate

FRONT COVER: Cutting the ribbon at the grand opening of the FLETC's International Transportation Training Complex are (left to right): TSA Administrator John Pistole, Eunice Hanson, DHS Secretary Janet Napolitano, Lee Hanson, and FLETC Director Connie Patrick.

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about them: **the contributors**

DRUG ENDANGERED CHILDREN

Ron Mullins is currently employed as a law enforcement specialist at the Federal Law Enforcement Training Center in Artesia, NM. For two years previous to his move to Artesia, he served as the National DEC Training Coordinator located in San Diego California. In this position, he was tasked with coordination of training throughout the nation promoting a multi-disciplinary approach to removing children from drug labs and other drug environments.

He has a law enforcement background, retiring in 2004 from the New Mexico State Police. He served as the Clandestine Laboratory Enforcement Team Commander for the last six years of his career. In 1994 he received a meritorious award from the Governor of New Mexico for his efforts in the formulation of the Clandestine Laboratory Enforcement team and for being instrumental in changing the precursor laws as well as amending the child abuse law to include making it a third degree felony to subject a child to the volatile, toxic environment of a drug lab.



Holly Dye is a national expert on drug endangered child issues. After years of work with foster children, in-patient and out-patient drug treatment settings, criminal justice system research and working with Kentucky Drug Courts, Holly is the founder and Executive Director of the National Drug Endangered Children Training and Advocacy Center. She received her master of rehabilitation counseling at the University of Kentucky and earned a B.S. degree in child

development. She has authored numerous publications, many specific to methamphetamine and child victimization and has developed programs for offending parents.

She is the recipient of the 2006 Champion for Children Award and the 2007 Federal Medical Center, Victim Impact Program Recognition, and received a 2011 Certificate of Appreciation from the Department of Homeland Security. She currently serves as a subject matter expert for the Drug Enforcement Administration, and the Federal Law Enforcement Training Center, Homeland Security.

TRAINING FOR REALITY



Jeff DuPont presently serves as a Program Specialist in the Driver and Marine Division's Marine Training Branch. Since joining FLETC in 2004, DuPont has served as a Driving Instructor and as a Senior Instructor in the MTB. DuPont has over 15 years of uniformed service as a Sheriff's deputy and as a trooper with the Georgia State Patrol.

DuPont is a veteran of the U.S. Navy and also holds a U.S. Coast Guard Merchant Mariner's master's license. He has a bachelor's degree in criminal justice and is currently enrolled in the master's program at Troy University.



CASE OF THE SHOWER CAM VICTIM AND DIGITAL FORENSICS ART
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Journal

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instructor since 2004.

In 2006 Farley became the Program Coordinator for the Seized Computer Evidence Recovery Specialist Training Program which is the introductory digital forensic analysis class open to all law enforcement officers and agents at both the local and federal level.

His law enforcement career includes 20 years as a United States Military member in both the active duty Air Force and the active duty Army culminating in nine years of investigative experience with the U.S. Army Criminal Investigation Division Command as a Special Agent. Farley has served in Germany as a Digital Crime Lab Investigator, a General Crimes Agent and in the Balkans as a War Crimes Investigator. Mr. Farley has specialized training in Dignitary Protective Services, Child Abuse Investigations, Crime Scene Processing, Death Investigations and Financial Crimes. Farley retired from the U.S. Army in June 2004.

INTERROGATION FULL CIRCLE: A 360° LOOK AT CRIMINAL INTERROGATION

Jeni A. Groot-Begnaud is a Senior Instructor with the Behavioral Science Division. Jeni's law enforcement career includes eight years as a Special Agent with the U. S. Air Force (USAF) Office of Special Investigations (AFOSI) conducting felony-level criminal, counter-intelligence, and fraud investigations. Prior to becoming an AFOSI Special Agent, Jeni was a USAF Explosive

Ordnance Disposal (EOD) Technician. She holds a bachelor of science in behavioral science and is completing graduate work in pursuit of a master of science in clinical counseling.



A COLLABORATIVE EFFORT: 2011 FLETC PSYCHOLOGY CONSORTIUM

Jenna Solari joined the FLETC in April 2006 as a Senior Instructor in the Legal Division. Prior to coming to FLETC, Jenna worked as a Special Agent with the Naval Criminal Investigative Service in the Washington, D.C. field office. Before entering law enforcement, Jenna served a tour in the U.S. Navy as a military prosecutor at the Naval Air Station Jacksonville, FL. Jenna has a B.A. in psychology and criminal justice from the University of Richmond, a J.D. from the University of Georgia School of Law, and served as a law clerk to the Hon. Gerald Tjoflat on the U.S. Court of Appeals for the Eleventh Circuit. Jenna is currently working as a Senior Instructor in the FLETC Behavioral Science Division.

IT CAN HAPPEN HERE: HOW LAW ENFORCEMENT CAN PREPARE FOR A MUMBAI-STYLE ATTACK

Kyle Barrington retired from the U.S. Army after 20 years of service. Barrington spent the last 16 years in the U.S. Army Special Forces. He has experience involving counter terrorism, hostage rescue and advanced

explosive breaching. After his army career, Barrington worked two years as a military trainer for Northrop Grumman. In this position he instructed members of the USAF in nuclear weapon recapture operations. Barrington has also served as an advanced explosive breaching instructor for the Department of Energy and was a Deputy Sheriff for Bond County Illinois.

FLETC'S ONLINE CAMPUS GOES COUNTRYWIDE FOR LEOs

Nick Kopcho is an Instructional Systems Specialist with Federal Law Enforcement Training Centers' Training Innovation Division. He has been the Program Manager for the FLETC Electronic Learning Portal content development since October, 2010. Nick has more than 20 years of experience developing and delivering curriculum and has been with the FLETC, Glynco, since July 2009.

EDITORIAL NOTE:

Correction: The FLETC Journal article in the Fall 2011 edition entitled "OTC Technical Surveillance Countermeasures and Dangers to Law Enforcement Officers" was incorrectly credited to Mr. Curtis Shane. The actual author was Mr. Ken Wagoner of the Technical Operations Division, Law Enforcement Techniques Branch, Glynco. We apologize for any inconvenience this may have caused.

Drug Endangered Children



RONALD V. MULLINS
SENIOR INSTRUCTOR, FLETC

HOLLY DYE
EXECUTIVE DIRECTOR, NATIONAL DRUG ENDANGERED
CHILDREN TRAINING AND ADVOCACY CENTER

The child is two when her mother is arrested and sent to prison. She is left home with her father who begins to sexually abuse her from the age of two. Shortly after she is released from prison, the mother delivers a second child who is born positive for marijuana, cocaine, methamphetamine, and opiates. Eleven days later, the baby boy is brought to the emergency room and diagnosed with dehydration and failure to thrive as well as testing positive for drugs again. Social workers are called to address the situation. The baby is given several bottles and the family is offered in-home nursing services. Baby number three is born one year later at an out-of-area hospital to avoid intervention from social services. During the next year, law enforcement has been called in numerous times with arrests ranging from burglary, possession, trafficking, and a hate crime. Another year passes and baby number four is born. This child also tests positive for drugs, but is also allowed to go home with parents if family members agree to offer support. Now, the oldest child has gained attention of teachers who are concerned about abuse. She is not willing to share information with investigators, so she is left in the home. Months later, authorities are called to the home where the reporting officer discovers that an infant strapped in a carrier has been attacked by a pit bull. The child is rushed to the hospital by ambulance and survives. The parents provide an explanation and social workers agree to leave the children in the home if they are willing to get rid of the dog. Within four months, law enforcement officers are called in to respond to complaints of drug trafficking. They arrest the father and leave the mother so the children will have a place to stay. Upon the father's release, a 9-1-1 call comes in to report a stabbing has taken place. The father has stabbed the children's mother. At this time, the children are placed with paternal grandparents. By now, the children have come to expect daily sexual abuse and torture after their mom and dad get out the 'little pipe.' Due to the grandparent's health issues, the children are moved out of state where they are supposed to remain for three weeks when their mother is released from jail after an outstanding warrant was served. Four children living in a home, each suffering neglect, physical, sexual and emotional abuse.



FAR LEFT: Law Enforcement Officers rescue an infant following a narcotics raid. LEFT: Two sisters wait at social services to talk with their caseworker.

The system failures are the ones we see splashed across newspapers and television. These four children had been living in a drug-fueled hell, and no one was able to offer enough safety to the children for the truth to be revealed. Children who have experienced prior investigations from social services and law enforcement or even a lifetime of frequent emergency room visits represent the system failure that a specific approach has the potential to decrease significantly.

Chemical dependence is strongly related to repeated referrals for child maltreatment and accounts for as much as 80 percent of all substantiated child abuse.¹ Substance abuse is also associated among a high rate of child abuse potential among pregnant women.² In the 1980s, Sue Webber-Brown was a Welfare Fraud Investigator who observed excessive drug activity among welfare recipients. Brown questioned what would happen if child endangerment that was observed in drug homes was documented and pursued legally. Upon sharing her observations with Butte County District Attorney, Mike Ramsey, she was invited to join the Narcotics Investigation Unit as a Reserve Officer. During that time, investigation techniques were perfected, and to date over 3,000 children have been rescued.

The concept of implementing a drug endangered children (DEC) investigation involves a child-centered focus during prioritizing, investigating, and charging all drug related crimes. A DEC investigation does not

prohibit therapeutic sentencing options but instead offers the court additional information to ensure children's safety in the process.

A DEC investigation is completed when a drug-related crime is committed in a place where a child resides, visits, or is present. Ideally, law enforcement will co-investigate a drug scene with a specially assigned child protective services investigator. Currently, for example, if officers respond to a domestic violence call not resulting in arrest that is not reported to the supervising social worker, it cannot be considered when determining reunification with parents. Simply calling a social worker does not meet the standard of a DEC investigation. A DEC investigation encourages joint responsibility between law enforcement and social services for follow-up communication.

Literature supports the notion that outcomes for children improve when child protection workers are adequately trained, their service length (i.e., period of probation) is longer, and there is a higher number of face-to-face visits by caseworkers.³

During the operation of the Kentucky Drug Endangered Child Training Network grant, funded by the Appalachian Regional Commission, surveys indicated that children or evidence of children were present at an estimated four of every 10 drug homes investigated by law enforcement. Ask social services and that number increases to eight of every 10 homes.⁴ This number did not include circumstances in which children were not home at the time of a drug related



The negative impact of abuse impacts health and wellbeing for a lifetime.

knock and talk, drug bust, or domestic violence call involving substance abuse. It was clear that children were not being protected because the professionals in a position to protect children were not working together.

All aspects of the home and the child's life should be documented with photographs and interviews executed by a trained child protective services investigator along with the narcotics investigator. In fact, without photos and a police report that clearly documents the harm to a child, a judge may lack information necessary to maintain a child's safety. Failing to ensure such documentation limits the ability of the court to ensure protection of a child.

There are many professions, or disciplines if you will, that interact with these children. The problem is these professionals rarely interact with each other. They may even be suspicious of each other and are therefore reluctant to share information. The only person that suffers from this behavior is the child. Discretion should be taken away from all the disciplines. Standardized protocols need to be in place to ensure that every child rescued from a drug environment is treated the same way every time. When this doesn't happen, the child falls through the cracks. When this happens, we have failed them.

In order for a DEC investigation to successfully protect children, law enforcement must actively work with Child Protective Service workers to thoroughly assess the evidence that is presented. All culpable

individuals must be held accountable and evidence presented to the court so appropriate orders may be made. For some offenders, prison is appropriate, and for others, a long-term, court-ordered program may be more appropriate. However, neither of these decisions should be made just so a child will have a place to stay unless evidence strongly suggests a home is free from drug use and crime.

The homes in question frequently are filthy, littered with drug paraphernalia and porn. Drug world associates are in and out of the home all hours of the day or night thus exposing children to unsafe people. Infants may be used as collateral in exchange for drugs when money is not available. Research documents the most common examples of child maltreatment include the use of money to purchase drugs, the inability to adequately supervise children during use and recovery from drug use, as well as exposure to drug trafficking, prostitution, and other criminal activity.⁵

Academic journals are filled with studies of intergenerational transmission of abuse and poverty. The negative impact of abuse impacts health and wellbeing for a lifetime. Although 77 percent of children experiencing abuse when substance abuse is not present will not abuse their children. When drugs are involved, children are 24 percent more likely to be abused.⁶ Children from abusive homes are involved in an adult relationship with intimate partner violence at a rate of 36 to 42 percent compared to children with the same background placed in a residential treatment program resulting in a 14.5 percent rate of adult violence.⁷ Childhood abuse is related to behavioral and personality problems, as well as substance abuse.

In a case-control study, half of children testing positive for drugs at birth but not removed were removed by the end of the first year. Babies born with cocaine in their systems were almost eight times more likely to be abused.⁸ None of the babies born drug-free were investigated or removed from their homes within the first year. In all cases, and across study after study, poly-substance use is the greatest determinant of child maltreatment.

Children in their teens may not know a day of being drug free



They may also have been traded sexually by parents in exchange for drugs or given drugs to make them more compliant with sexual acts.

because of environmental drug exposure. They may also have been traded sexually by parents in exchange for drugs or given drugs to make them more compliant with sexual acts. Some of these children you will encounter as truants or runaways – status offenses that may be screaming ‘drug endangered child.’ Even teens becoming pregnant may have been perpetrated by drug world associates they have learned to trust as much as anyone can be trusted in the drug world. Women who are sexually abused are ten times more likely to become substance abusers. Children growing up in drug homes have greater access, may have been born positive for drugs, likely have not known a day without drugs in their system, and are more likely to have experienced repeated acts of physical, sexual, emotional abuse and neglect. Children experiencing greater than four abusive acts during their lifetime are at a greater risk of lifelong chronic disease including ischemic heart disease, cancer, stroke, chronic bronchitis, emphysema, diabetes, skeletal fractures and hepatitis.⁹

It should be noted that research indicates the importance that relatives chosen to provide care must be cooperative with investigating agencies, recognize the severity of abuse and also have access to resources while providing care for children to have the best overall outcome.¹⁰ It is especially critical that no family member be granted custody of children without assuring they can pass both a urine drug screen and a national criminal records check.

Study after study indicates that blood is not the factor, but rather the length of time a child lives in a stable, violence-free home that improves health and well-being among children. Repeat interruptions in placement are harmful; a thorough investigation allowing a safe, stable placement is critical. Family members should not be considered unless it is clear that the home is safe, stable, drug-free and capable of protecting the child from future harm.

The Adoption Safe Families Act of 1997 requires that children have a permanency plan within 15 months of removal unless a waiver

A LAW ENFORCEMENT PERSPECTIVE

RONALD V. MULLINS
SENIOR INSTRUCTOR, FLETC

Prior to my retirement from the New Mexico State Police, I was assigned as the commander of the Clandestine Laboratory Enforcement Team. I thought I was prepared for just about anything. In my tenure as a police officer I was assigned to Patrol, Criminal Investigations, and the Narcotics Bureau. I have witnessed, like many of you, man’s worst inhumanity to mankind and children. Nothing however, prepared me for what I would witness when I began entering and dismantling drug labs.

The drug lab is a truly evil place. There exist saturated carpets, chemicals, animal and human feces, guns and booby traps everywhere. There would be no food or rotting food everywhere. Most of the time the plumbing didn’t work; the entire house would be in total disarray. Floors are littered with clothing and other material.

Extreme pornography was found in every room and floors were littered with sex toys. Backyards were stacked with discarded chemical containers and toxic waste from the cooking process. Sophisticated instrumentation used to check levels of explosiveness and contamination would be almost off the scale. Is there any more dangerous activity you can perform in police work today?

In the beginning, I did as many others did when confronted with the problem of children at the crime scene. Our thought process was “What are we going to do with these kids?” You see, it wasn’t our problem. We were there to arrest the bad guys and dismantle that dangerous lab. We often would pass them off to nearby relatives or neighbors that would

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SEE CHILDREN PAGE 40



Sue Webber-Brown, a Welfare Fraud Investigator, holds an infant following a narcotics raid on a home.

CONTINUED FROM PAGE 9

take them or the first non-felon that walked through the door. It turns out we sometimes handed them off to people that were worse than the people we were arresting!

I called this process a 'mistake of the head not of the heart.' As soon as it was discovered that we were actually harming children by this process, we stopped doing it. Many times, endangerment charges were never filed. These children were caught in a revolving door of abuse and we, unfortunately were assisting towards that endeavor.

I became involved with the practice begun by Sue Webber-Brown in California. I found that by not placing the children with CPS, the abused and neglected children we encountered in drug labs were not getting the medical testing or cognitive testing that should be done every time a child was identified as a drug endangered child. Those same children were soon placed back in that abusive environment only to have us kicking in the door a month or two later.

Children found in drug homes often experience parentification, which refers to a child acting as the adult in the family. It was common to find a six-year-old taking complete care of his or her younger siblings. To take one child away from siblings that in many ways have become like adults, is devastating to them. Sadly, because of rampant sexual abuse, it may be necessary to separate children for periods of treatment. Doing nothing,

however, sends a clear message: "Nobody wants you, nobody cares about you and as a human being you have no value." It is simply important to insist that children all go together. The bond they have must be protected as much as possible.

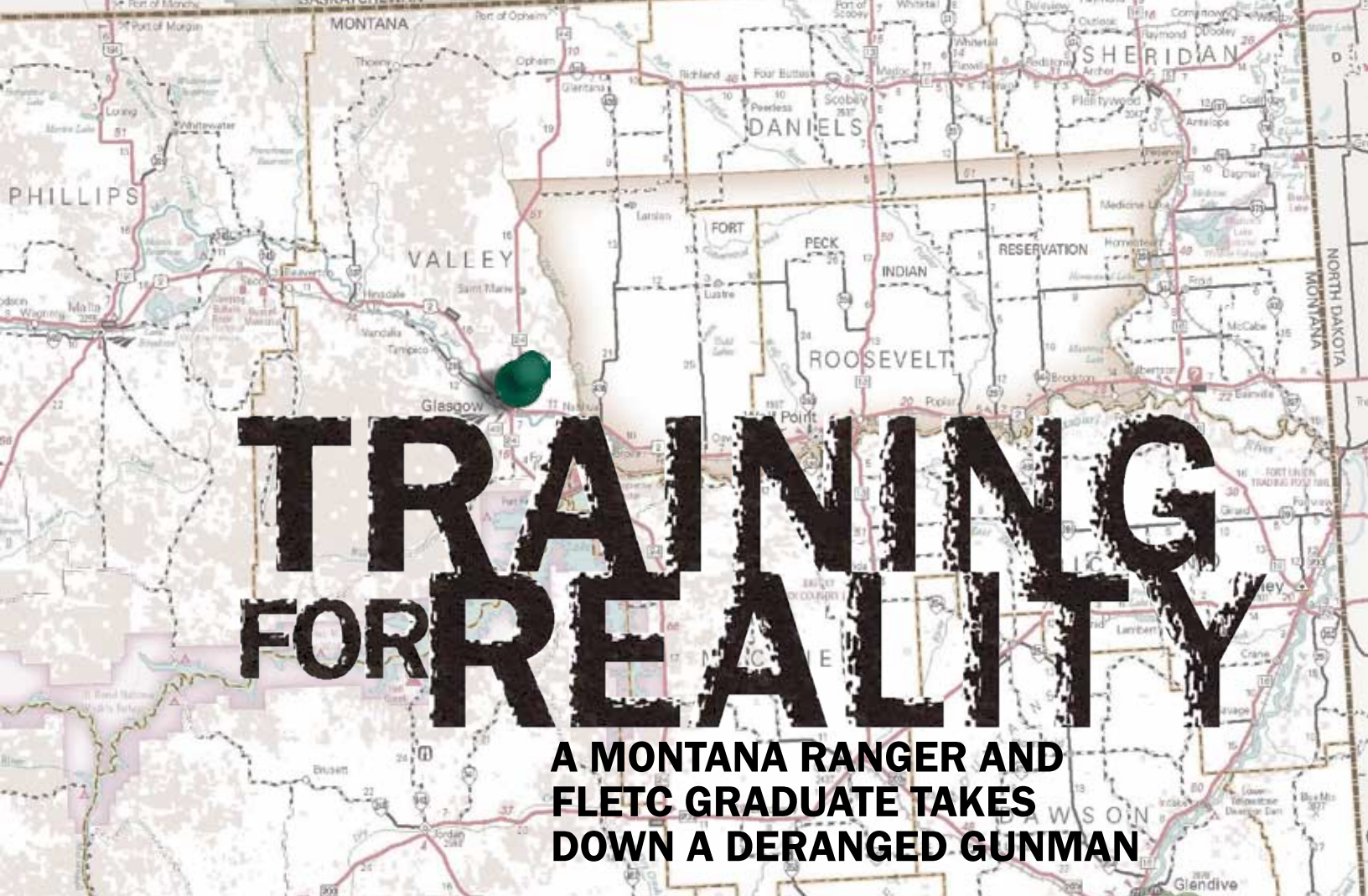
I have lectured nationwide and psychosocial experts across the board agree that if there is realistic and continuous intervention, procedural memory can be changed. They will all tell you that at first, these children are a little hard to love. They are angry and acting out. If you take the time to change how they feel about themselves, something almost magical happens. Once they know and understand they have value, those behaviors begin to diminish. There is a transformation. These children prove to be very resilient. The question we have to ask ourselves, if we know this to be true, and it has been proved over and over, why don't we create an environment where this can happen?

When I was an undercover narcotics agent, I used to think there was no hope for a child that was subjected to an abusive atmosphere. I used to believe that if things didn't change for them within the first few years of their lives, they were doomed. These children are at risk, not doomed and life can be very different for them if we do the things we need to do to change their course. Studies show it can happen at any age. Some of you reading this are those former children. I know with certainty that somewhere along the way, you found a safe adult that made you feel valued, made you feel loved.

I had an older man tell me after a lecture that he had grown up in an abusive home. He told me his father was an alcoholic that beat him all the time and yet, he had turned out OK. He was a good husband and father. He told me he didn't fit that mold. I responded by telling him I knew there had to be one person in his life that made him feel valued, that loved him and nurtured him. He was silent for a moment then started sobbing. He shook his head and said "That is true. My mother made me feel that way. She made me feel as if I was special every day of my life." I told him it was his mother who was his salvation.

Studies tell me that in 1980 we arrested approximately 260,000 people on drug related offenses and spent approximately 1.5 billion dollars on drug interdiction. Twenty years later the federal government alone spent 20 billion dollars on drug interdiction and the states matched that amount totaling 40 billion dollars and yet we incarcerated 1.6 million people on drug related offenses. Total cost now to the United States is about 50 billion dollars a year just to keep them locked up. In the last 20 years California built 20 new prisons and only one university. Drugs are cheaper, purer and more abundant than they have ever been.

Do we continue along this course until we are spending our gross national product keeping people locked up? We cannot keep doing what we have always done and expect different results. The problem of drug addiction cannot be arrested away. People are tired of hearing about the "War on Drugs." We can win the war on drugs but it will take the rescue, sheltering, defending and supporting of this nation's drug endangered children to do it. ■



JEFF DUPONT
PROGRAM SPECIALIST, FLETG

January 17, 2009, started out like any typical Saturday in the small town of Glasgow, located in northeastern Montana. On this particular day, it was clear and cold in the Big Sky country. Abundant snowfall had carpeted the eastern plains and the below zero temperatures had all of the area roads snow packed and icy. Residents were busy attending to many of the same things that they would ordinarily do on a Saturday morning, but little did they know, their lives were about to take a drastic turn for the worse.

The morning had turned to afternoon and at approximately 4:30 p.m., a lone sniper with no apparent motive, concealed near the parking lot of the local hospital decided to take his first shot. Moments later, a 37 year old Emergency Medical Technician and mother of four lay motionless on the icy ground; killed instantly from a lethal bullet wound. Upon hearing gunfire, a nurse who was on duty at the hospital, along with her husband, ran to the

fallen victim to render aid, but were both hit themselves while attempting to rescue the victim, who unbeknownst to them, was already dead. Although both would-be rescuers were wounded, they were able to retreat to the cover of their vehicle where the husband retrieved his own weapon, contacted 9-1-1 and then returned fire, holding the gunman at bay until officers from the Glasgow Police Department arrived and engaged the shooter in a gun battle.

During the exchange of fire, the gunman was wounded, although not mortally and then quickly retreated to the thick cover of the nearby Milk River, located approximately 40 feet away from where he initially started his rampage. Unsure of the gunman's location or his next move, Glasgow police quickly locked down the town and sent out a request for help from any and all available law enforcement.

At around 6 p.m. Ranger Alex Steven Burke, of the



THE FROZEN GROUND HAD BEEN TAINTED WITH SIGNS FROM OTHER OFFICERS, LIVESTOCK AND NUMEROUS WILD ANIMALS, WHICH MADE STAYING ON TRACK EXTREMELY DIFFICULT...

Bureau of Land Management, and a graduate of the FLETC, was headed to town to meet a friend for dinner following a well deserved day off. Ranger Burke is responsible for patrolling a vast area in the northeastern part of the state and after a long week, was looking forward to a quiet evening and some quality time with friends.

The roadblock that was set by the Glasgow Police was the first indicator that something was amiss as Ranger Burke approached and soon found out. The local police explained the situation to the off-duty Ranger who immediately called dispatch to go in-service. Ranger Burke quickly returned home, changed into duty gear and responded to the call for assistance. While in-route, Burke's friend and occasional co-worker, Phillip Wright of the U.S. Border Patrol was summoned and met with Ranger Burke and the two of them, along with a local officer and a canine, soon took up the trail of the killer.

The tracking conditions were difficult. The canine was not a tracking dog, so Burke and Wright had to rely upon their skill as backcountry trackers to stay on the trail. The frozen ground had been tainted with signs from other officers, livestock and numerous wild animals, which made staying on track extremely difficult, especially under the stressful circumstances that come with knowing what may be waiting for them at the end of the trail. One thing that Burke and Wright used to their advantage was the subtle drops of blood that had been left on the newly fallen snow by the wounded gunman. Burke explained that at first, they noticed the blood around every forty yards or so, but eventually that diminished to around every four hundred yards or more.

After two and a half hours on the trail, Burke, Wright and the canine officer found themselves down beside the Milk River, several miles away from the initial incident. Their perseverance and determination to stay on the trail was about to come to fruition. Burke said that all of a sudden they experienced a "very weird sensation" sort of a "sixth sense" telling them that the killer was very close. They would later find out that he was less than 100 yards away, when Ranger Burke made a call to dispatch, updating them on their present location and situation. At this point Burke noticed several drops of fresh blood on the frozen

ground and was in the process of telling the dispatcher that they were close, when Wright suddenly yells out, "Show me your hands; show me your hands, knife!"

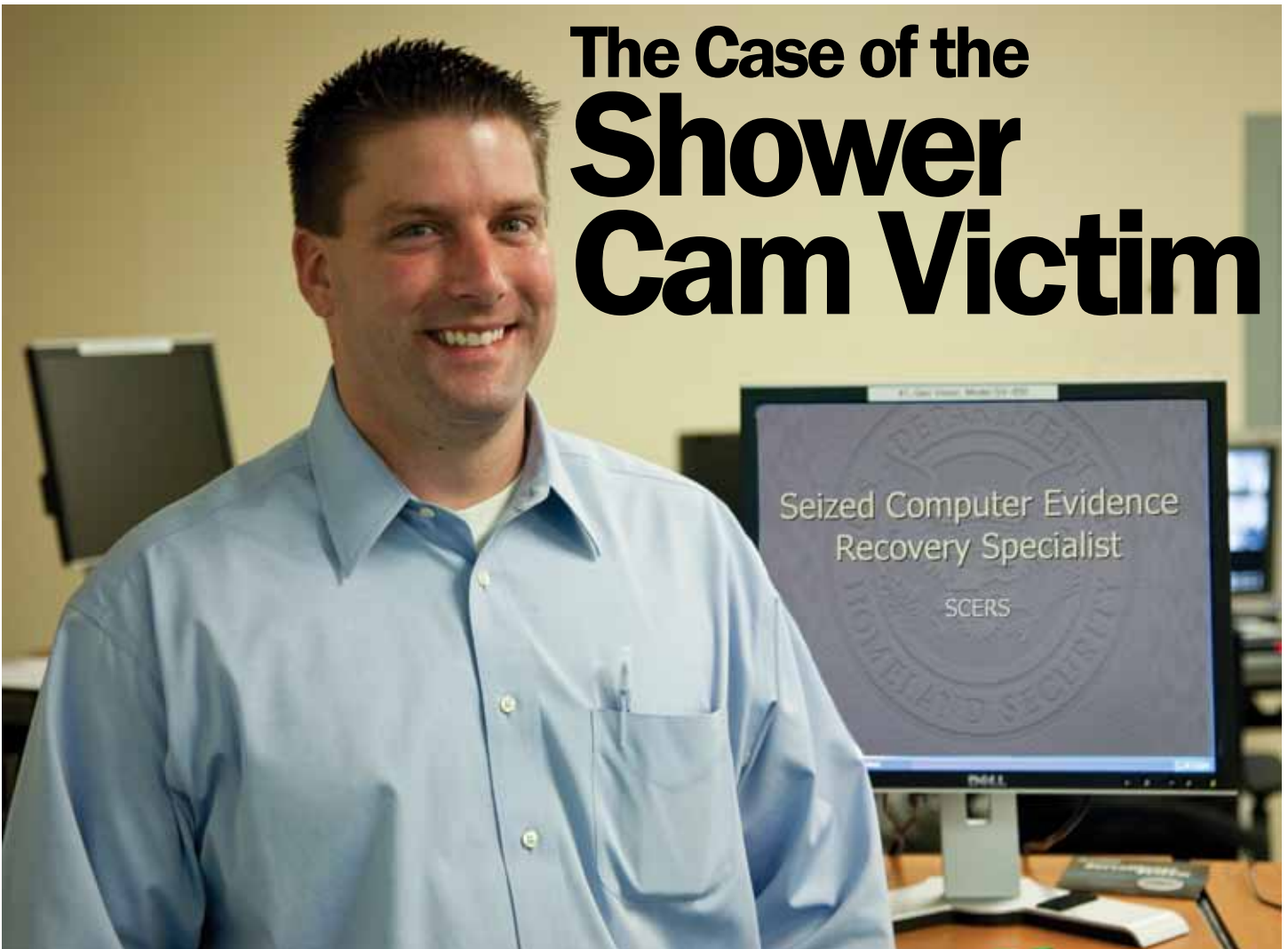
Following the verbal commands issued by Wright, the next sequence of events all happened in less than a minute, "very quickly" as described by Burke. Wright was in the lead, followed by the canine officer, then Burke and an unknown local officer brought up the rear. Burke had relayed to dispatch that they had contacted the suspect and then quickly terminated the call and focused full attention on the direction where Wright was looking and shouting commands.

Without warning, the suspect exploded from his hiding place, running an erratic pattern, toward the tracking party, with a knife in hand. At approximately 40 to 50 yards away, Ranger Burke yelled out "Shoot, shoot, I'm going to shoot," as the canine officer simultaneously released his dog who attacked the armed assailant. Just as the dog was about to put the bite on the attacker, he recklessly and wildly swung the knife, cutting the dogs mouth, breaking off one of its teeth, causing the dog to disengage as the attacker continued his advance toward the officers. As the suspect closed the distance, the canine officer fired a single shot, but Ranger Burke noticed that the attacker didn't react. The officer had missed and did not fire a second shot. At this point, Burke took over.

Ranger Alex Steven Burke—more precisely Alexandra Steven Burke—then stepped into harm's way and shielded the other officers from any further onslaught. She leveled her Remington model 870 and fired a single round of buckshot, which delivered 15 pellets right on target. The threat was eliminated. Instinctively, Burke reloaded and tactically approached the motionless suspect and handcuffed the now lifeless body. Although she knew the suspect was more than likely dead, she thought earlier during the search that the suspect they had been tracking could possibly have been wearing body armor, prompting her to take the extra precaution by applying the handcuffs. The search for the dangerous fugitive was now over and all of the officers that had been involved in the sniper incident

SEE **TRACK DOWN** PAGE 41

The Case of the Shower Cam Victim



Detective David Roose, a 14-year veteran officer with the Euclid Ohio Police Department

FLETC Digital Forensics Training leads to plea by Sexual Predator

PRESTON FARLEY
SENIOR INSTRUCTOR, FLETC

It happens hundreds of times a day. A friend of a friend knows someone who is willing to help, purely from the kindness of their heart. Most of the time, that's exactly what happens. Those who have, help those who don't, and the world continues to turn. Every once in a while the story turns sinister; something is not quite as it seems. What appears "too good to be true" actually is. This is one of those stories.

A woman was offered free rent, until she got on her feet, after graduating college. With college loans and routine living expenses all coming due, not paying rent was a big deal. She was single and so was the home owner, a friend of a college friend. Her friend had known the landlord for years and trusted him implicitly. Her friend had even lived in his home, as a guest, for a time. There was one small issue with the shower. It was “under repair” which explained the large hole in the wall. He had just not gotten around to fixing it quite yet. With everything else looking so good, that was not a big issue.

Things went well for months, but there was something nagging in the back of the victim’s mind. Every time she showered, the landlord could be heard climbing the stairs to his office, which was adjacent to the bathroom. The first few months this went unnoticed, but then it became odd. Finally, one day, the victim decided to explore the suspect’s room and see just what was behind the shower wall. What she found shocked her.

It was a routinely depressing call to the Euclid Ohio Police Department concerning voyeurism. The victim stated she found video recording equipment with the digital camera focused on her shower. A nearby computer was connected to the Internet and explicit images were observed on the computer screen. There was also evidence of prior shower-cam victims. A search warrant was granted by the court and a search of the premises was conducted.

The investigation eventually revealed evidence, not only the surreptitious videotaping of unsuspecting house guests, but also the suspect uploading those videos to a commercial pornography site in Asia for global dissemination. Not surprisingly, there were child pornographic downloads as well.

While the crimes remain the same, the technology used to accomplish them has improved, along with every other technological breakthrough in the past 25 years. Cameras, computers, even firearms, are all tools which may be used for good or misused for evil. As these tools are used in the commission of crimes, it is the responsibility of professional law enforcement officers to learn how to conduct forensic examinations of them and present that evidence in the courts of law. Digital forensics is now a central discipline in the fight against crime in the modern world. It seems its importance grows with each passing day.

What the previous story did not tell you is that the officer assigned to the investigation did not possess the knowledge to conduct the investigation when he assisted in seizing the evidence. The seizure occurred a week before he was scheduled to attend the Federal Law Enforcement Training Centers’ Technical Operations Division Seized Computer Evidence Recovery Specialist Training Program at the Glynco campus. Detective David Roose, a 14-year veteran officer, was assigned as the digital forensic officer in early 2011. Roose had attended FLETC computer training before, beginning with the Mobile Device Investigator Program, which focuses on seizing and analyzing portable devices (like smart phones). Shortly thereafter, he attended the Digital Evidence Acquisition Specialist Training Program, which provided him with the skills and tools to seize a forensically sound digital copy of the evidence found on the suspect’s computers and allied digital media.

In a question and answer interview with Roose, he explains how the FLETC advanced classes provided the technical foundation for properly retrieving the digital evidence from the crime scene detailed in the story.

Question: How long have you been a police officer?

ROOSE: 14 years.

Q: What digital forensic training did you have prior to attending FLETC?

ROOSE: None, I studied computer programming in college, but had no formal digital forensic training.

Q: Why are you at FLETC now, in November of 2011?

ROOSE: I’m taking (FLETC’s) Recovery of Evidence from CCTV Video Recordings course, as this is yet another avenue of digital forensics which, while it has many similarities with computer forensics, it has as

many differences, which makes it necessary to attend specialized training to properly investigate.

Q: Can you tell me a few details about the specific case involving the voyeur that you investigated?

ROOSE: We knew it was a digital camera from the photos the victim took when she discovered the crime. This made it a digital crime investigation. Prior to this case, we had always utilized an outside agency to process our digital evidence. It was not unusual for our evidence to take 12 to 18 months to get processed by the regional lab. This resulted in a lot of digital evidence not being used by the prosecutors, as they couldn't wait this amount of time to prosecute for non-violent offenses. Since attending FLETC training, it has added impetus for us to process cases on our own.

Upon returning from SCERS, I set up my issued forensic computer and began imaging the evidence from this case immediately. I was able to review three digital cameras, three personal computers, 12 external hard disk drives and some 3,000 compact disks or other external storage devices. I interviewed the suspect after the search warrant. He confessed and admitted to the possibility of "other stuff" in a large download file, which I found on his hard drive. After I reviewed the evidence on his computer, he also admitted to uploading videos of his house guests to a commercial pornographic web site. As for the "other stuff" it turned out to be child sexual abuse imagery which revealed segregation of the photos by age, pose and physical characteristics. The folders were very well organized, which is typical for child pornography curators.

For cases like this, we are able to use Internet Crimes Against Children trained prosecutors. It is crucial that the prosecutor is trained in the field of digital forensics, so that the evidence is interpreted properly and the issues that the defense may raise are dealt with intelligently. Within two weeks of my analysis of the evidence, the case was ready for presentation to the grand jury.

As I was unable to present the case to the grand jury myself, my partner, based upon my written report, presented the case. This resulted in an indictment. My partner was not what you would consider an experienced computer crime detective; a 33-year police veteran who has had limited computer training and has only been

using e-mail for the past few years. However, due to the training I received in SCERS, the necessary level of detail and adherence to the basics, allowed the evidence and analysis to speak for itself through my report.

About a month into the investigation, I was notified that the defense wanted our evidence for discovery. The subject hired a top-notch attorney who, in turn, hired a digital forensic defense expert to review my examination. As you can imagine, I was a little apprehensive at having my first analysis being scrutinized at this level. The trial was held three months later. The subject pled guilty and received seven years of confinement and must register as a tier-2 sexual predator for 25 years. There were no flaws in my report mentioned by the defense in the courtroom. Again, my SCERS training proved itself as current, accurate, and broad enough in scope to be of real-world assistance immediately upon graduation.

My department could never have afforded the hardware alone, much less the software and the training provided by FLETC, without assistance from the Office of State and Local Training. The training at the FLETC is phenomenal. I could not have accomplished this investigation without the training and tools provided by the FLETC. This is a dividend which I plan to draw upon for all future digital investigations.

Currently, all of the digital forensics training conducted by the FLETC Technical Operations Division occurs in building 217 on the Glynco campus. This is officially known as the Technical Operations Training Facility. Due to the melding of the computer world and the worlds of video and photography, FLETC leadership decided to put the focus of these disciplines under one roof a few years ago. A year of planning and construction and \$8 million dollars later, there is now a state-of-the-art facility designed to provide the optimum learning environment for these technologies. This facility is uniquely staffed by seasoned law enforcement professionals who are bridging the gap between high technology and LEO students in the classroom as only FLETC can provide. For more information about the digital forensics training, visit www.fletc.gov/tod or e-mail Preston.Farley@dhs.gov.

Digital Forensics Art

Lee Hanson

FLETC Offers Relevant, Realistic Crime Scene Training

PRESTON FARLEY
SENIOR INSTRUCTOR, FLETC

The process known as photography has been with us for quite some time now. The concept of photography was described as early as the 6th century BC, but it took chemists until the 19th century to perfect the process. The first permanent photograph was created by a French inventor in 1826. It was an eight-hour exposure! The first photograph of a human being was taken in 1838 when the exposure time was reduced to “a few minutes.” The photographic process was a chemical reaction between light and light-sensitive chemicals embedded on glass and eventually plastic, e.g. film. That process is collectively known as “wet” photography due to the chemical emulsions required to process the film. At first, images

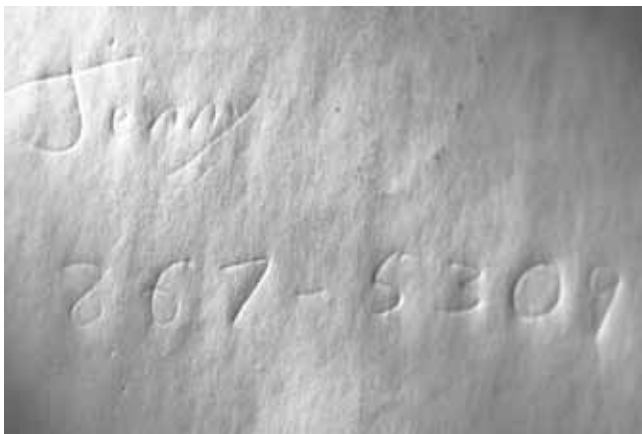
were only available in “black and white” due to the rudimentary nature of the technology. The first color photograph was created in 1861, but not commercialized until the 1890’s. Kodachrome was the first modern color film, introduced by Kodak in 1935. The next revolution of photography was the leap from chemical-based images to digital ones. This occurred in Kodak’s labs in 1975, but Kodak’s management didn’t see any potential for the technology and let it languish. This Kodak prototype weighed in at a svelte eight pounds, recorded a black and white image to a cassette tape, took 23 seconds to capture an image and had a resolution of 10,000 pixels or 0.01 megapixels, a measurement we are more familiar with today. Given those pathetic statistics, Kodak management

opted to ignore further research in this endeavor. Then in 1981 Sony introduced the first digital camera to the public called the Sony Mavica. The Japanese company had managed to overcome the engineering obstacles and produce a truly portable digital camera. However, it wasn't until 1991 that Kodak introduced the DCS 100, the first commercially available digital single lens reflex camera, which really heralded the beginning of commercial digital photography because its resolution was in an acceptable range for that market.

Law enforcement saw the value of photography early on. The first documented use of photography by law enforcement was in Switzerland in 1854. An effective and prolific robbery crew had been working in that country for over a year. The crew was very shrewd in that they left no discernable clues at the crime scene and none of the stolen artifacts were ever recovered in that country. The investigation did lead to some suspects who were rounded up, questioned, and photographed. One of the suspects would not answer any questions and there was virtually nothing known about him. His photograph was taken and then distributed to all of the Swiss law enforcement agencies and to surrounding countries. Villagers from his home town recognized him and identified him to police. The unknown person's picture was shown to prison wardens who recognized the man and revealed his past as a professional criminal. When finally confronted with this information, the suspect then confessed to being the mastermind of the operation.¹ In the 1840s, it was discovered that Belgium police were already using mug shots in their criminal justice proceedings. The first documented use of photography in the United States court was in California in 1859. The case involved the question of legality of a land grant deed, supposedly signed by the acting Governor. The judges in the case

compared photographs of actual signatures with the alleged signature of the acting Governor. Through analysis of the photographs, and testimonial evidence, the court determined that the document was a forgery. *Luco et al. V. United States*, 23 Howard 515 (1859).

Of course, with any new technology there is always resistance, both passive and active. The law enforcement agency with which I was previously affiliated issued all of its offices first generation digital cameras (Fuji DS-220) in the mid-1990s but their resolution was insufficient for the task that 35mm wet film had been doing for the previous 50 or so years. They were removed from service after just a couple of months. It took a couple more years before the next iteration of digital cameras were issued and their resolution was deemed sufficient for forensic purposes. A clear advantage of digital photography over wet is immediacy. The officer can immediately observe the image he has captured and determine if it is sufficient for forensic purposes. If not, adjustments to the image capture can be made and the shot retaken. Another advantage is the relative economy of taking digital photographs versus wet film. Once you purchase digital "film," it is reusable for thousands of photographs. Additionally, there is virtually zero cost for "developing" the images; simply copy them to your computer for archiving and/or printing. The drawback to digital photography is its lack of resolution compared to wet. It is estimated that a 35mm negative captures the equivalent of 175 million pixels (megapixels) in digital terms! That being said, the vast majority of images captured for law enforcement purposes do not have to have the resolution of which wet photography is capable. In fact, the average "enthusiast" digital single lens reflex camera at the \$1,000 mark is currently rated at only 14 to 16 megapixels. We've all seen the beautiful photographs taken by this level of camera.



OPPOSITE: An example of ultra-violet light to document a latent fingerprint with fluorescent powder. ABOVE: Oblique lighting is used to reveal indented writing underneath the document actually written on. ABOVE RIGHT: Macro photography detailing micro-printing on U.S. currency for counterfeiting analysis.



ABOVE: An example of diffused lighting sources to document latent fingerprints on a reflective surface.
OPPOSITE: An example of using laser light to track ballistic trajectories for crime scene analysis and reconstruction.

As digital camera technology advances, it attempts to usurp all of the niches formerly occupied by wet film. Remember how mug shots were once the province of Polaroid “instant” processing? Or travel cameras with 110 film were purchased at tourist spots? Today we see digital cameras dominate all of these areas. With respect to travel photography, the ubiquity of the digital camera in the cell phone cannot be ignored. The quality of photographs in these multiuse devices has been increasing as well. In fact, the saturation of cameras in our society has created conditions for new crimes such as sexting. This term is used to describe minors taking photos of themselves in nude or partially-nude poses and texting them to others. There have been many criminal cases revolving around this phenomenon in the past few years with both adults and minors being charged with production, possession and/or distribution of child pornography. The law of unintended consequences is clearly at work here.

Another issue which affected the adoption of digital photography in the law enforcement realm was image

manipulation. Or rather, how easy it is to digitally manipulate digital photographs. As the relative power and ease-of-use of digital image manipulation software became known, some questioned the value of digital photographs in forensics at all. The argument was that the temptation to “enhance” a digital image might be too great for an officer to resist if it would “make” his case. I, as well as many other professional law enforcement officers, forcefully reject this argument and its implications. As with any other tool at a LE officer’s disposal, how that tool is used is the crucial fact. If an officer is willing to sacrifice his integrity using a computer to manipulate an image, then that officer is already compromised and is likely cutting corners in many other areas as well. This is not an issue of the technology being inherently unethical, but rather the user. Additionally, given the state of the art in digital image analysis today, it is virtually impossible to pass off a manipulated image as the real McCoy.

All of this discussion brings us to current training in this field at the Federal Law Enforcement Training Centers’

Technical Operations Division and its Digital Photography for Law Enforcement Training Program; www.fletc.gov/dple. This program has been offered at the Glynco campus for a number of years and is the “big brother” to the crime scene photography course which is provided to all basic academy students in the Criminal Investigator Training Program. DPLE was developed to address the need for professional, authoritative instruction into the many facets of photography in the law enforcement world. This course is for LE personnel who have already had exposure (pun intended) to digital photography but want to drastically increase their proficiency. The eight-day course begins with the fundamentals of photography and the science behind capturing light. It then moves into the particulars of digital photography by introducing a forensic-capable digital camera and flash which the students are issued as part of the curriculum. As with all TOD courses, to the greatest extent possible, the students are issued field-ready investigative equipment while attending the course. DPLE is no exception. The other aspect of digital photography, that of image handling and post-production on a personal computer are also addressed by issuing and training on industry standard digital photo processing software. As with all TOD courses, classroom time is only part of the training. There are numerous field labs in which specific aspects of photography are tested and reinforced. Some of these labs include: crime scene documentation, macrophotography and investigative and surveillance photography. One particularly interesting lab involves “painting” a night time scene with light. The scenario is that your crime scene is in near total darkness, but must be accurately documented by photography. By using the techniques taught in the classroom, a student is able to

turn a dark alley into a noon-day scene for documentation purposes. Another fascinating use of forensic photography is that of documenting projectile trajectories such as bullet holes through walls or doors. Students are shown how to use lasers to visually represent single or multiple trajectories in a crime scene. (See photo below.) Finally, as evidence of its thoroughness, this course has been approved by the Crime Scene Certification Board of International Association for Identification as meeting the requirements necessary for training and professional development towards crime scene certification or recertification.

As we have seen, there is a long history of photography in the criminal justice environs. The FLETC, through DPLE, is now addressing this science head-on with relevant, modern, realistic crime scene training using state of the art tools and technology to ensure criminal justice is being taught at the highest possible level. Now, smile for the camera.

¹ <http://www.forensic-evidence.com/site/EVID/LegalPhotog.html>.





ABOVE: Photo of Christine Lee Hanson, the youngest 9/11 victim, is displayed at the Ribbon Cutting Ceremony for the International Transportation Training Complex.

In Memoriam **The Ribbon Cutting**

The FLETC recently held its International Transportation Training Complex Ribbon Cutting Ceremony at the FLETC HQ in Glynco, Georgia. The facility was dedicated to the youngest victim of 9/11, Christine Lee Hanson.

DHS Secretary Janet Napolitano was the keynote speaker at the event, which was part of the DHS 10th Anniversary of 9/11 commemoration activities. “This facility reflects the intermodal nature of transportation, and the fact that today, getting from one place to another often involves taking more than one mode of transportation. This interconnectedness provides great advantages for travel and commerce, but also creates potential vulnerabilities.”

This first of its kind facility significantly enhances the FLETC’s ability to provide frontline law enforcement personnel with advanced, realistic and scenario-based

training to better deter and combat evolving threats across major transportation modes.

During the ceremony a photo was presented to the paternal grandparents of Christine Lee Hanson. The child’s aunt and cousin also attended the ceremony. Other attendees at the event included TSA Administrator John Pistole, Congressional staffers and local community leaders.

“We have not forgotten what happened on September 11th of 2001,” said FLETC Director Connie Patrick. “We’ve taken to heart the 9/11 Commission observation that law enforcement and the intelligence community suffered a “failure of imagination,” and vow that we will work hard to train those on the front lines who work to deter and prevent such acts of terror on the Homeland.”

Planes, Trains and... the Intermodal

Law Enforcement professionals at the Federal Law Enforcement Training Centers can now receive hands-on, scenario-based training in a realistic, state-of-the-art International Transportation Training Complex, or Intermodal, that is the first of its kind worldwide. Its purpose is to enhance the DHS mission to defeat terrorism, protect critical infrastructure, expand comprehensive trans-border security and provide effective incident management as well as meet the FLETC mission to train those who protect the homeland.



ABOVE LEFT: Lee Hanson, Eunice Hanson, DHS Secretary Janet Napolitano, Kathy (the Hansons' daughter), Alexandra (the Hansons' granddaughter). CENTER: Secretary Napolitano is greeted upon her arrival by FLETC Director Connie Patrick. RIGHT: Secretary Napolitano is briefed inside the Intermodal building by Assistant Director Dominick Braccio. LEFT: The Intermodal plays a role as a transportation hub. It comes equipped with planes, train cars, and buses.



at a glance: the intermodal experience



Subway Platform-North
136



Control Booth
135



Stairway
111

Inspection Room
128

Mechanical
138



SUBWAY TO NOWHERE:
Although it is stationary
this subway car has
all the features of
a real one. It was
custom built inside the
intermodal facility.



As training needs emerge for federal, state, local and rural officers and the threat to our nation's transportation systems remains a constant, the Intermodal Training Facility will enable the FLETC to provide fast, focused and flexible training to all stakeholders. Scenarios can continually be developed as new threats emerge or are anticipated and applied to any training program that FLETC conducts.

The Intermodal training facility includes a subway system, train station, international airport and a bus terminal with ticket counters, food court and waiting areas, and it represents a shift in how students are trained. The facility is designed to "get students out of the classroom and into a realistic venue in order to practice strategies to protect these various modes of transportation," said Dominick Braccio, assistant director of the Glynco Training Directorate.

FLETC wanted the hands-on training to be so real that there's a food court and airline gates. There are two gates in the airport: one is Gate 9 and the other is 11. Everything in the facility pays tribute to 9/11, from the gates to the airplanes. On board the planes, there are four classrooms which are numbered to match the flight numbers associated with events of September 11, 2001. The intermodal venue allows law enforcement to improve on its imagination of anticipated threats in a reality-based environment and to shift into problem solving quickly.

It also gives law enforcement the ability to conduct scenarios involving multiple agencies and enhance tactical capabilities.

For example, many of the students FLETC trains in its Uniform Police Training Program will report to major cities in the United States and will be expected to protect the United States Capitol, the White House, the Washington Monument, and other federal buildings and national monuments and landmarks. These officers will be expected to interact daily with the public while remaining vigilant and responsive to a number of incidents that can occur on any given day. The intense training within the Intermodal site will help prepare them for this task, said Braccio. It will also enhance the cooperation and communication between law enforcement officers responding to a large, possibly violent criminal event such as the September 11, 2001 terroristic attack.

"We want them to rehearse and practice together and become familiar with one another here in a training environment. We don't want them to meet for the first time at an emergency or at the next Ground Zero," Braccio said.

Carl Milazzo, chief of FLETC's Counterterrorism Division, predicts that on any given day, more than 100 law enforcement students will eventually train at the site. For example, inside the simulated aircraft, contracted role-players will be used in scenarios so students will learn how



SUBWAY ARREST: A FLETC student and roleplayer demonstrate handcuffing techniques at the FLETC's International Transportation Training Complex

to react to various situations. Outside the rail yard, trainers can replicate a chemical attack, with smoke machines and in the subway venue, training can occur both on board and underneath the subway car.

"It's constructed in such a way you could have a SWAT team come in here and practice as if there was some type of criminal act or terrorist attack," Milazzo said. "Inside the aircraft, students will be taught how they need to respond to these types of situations through scenario after scenario and drill on the needed response skills," he added. The Counterterrorism Division is also conducting hazardous materials labs, physical security training and aircraft countermeasures classes in the facility.

Prior to the opening of the new training site, students often conducted simulated field interviews in sterile environments; however, staff with FLETC's Behavioral Science Division (responsible for providing law enforcement professionals with an understanding of human behavior) developed interview scenarios that take advantage of the interactive, realistic Intermodal setting. Students are expected to interview and communicate with the public, witnesses, victims and suspects while continuing to be aware of their surroundings and the activities going on in the various transportation modes surrounding them.

According to BSD Chief Ariana Roddini, the UPTP students going through the new training scenarios

have expressed their appreciation for the realism of the setting, and she plans for additional scenarios at the site for students attending the Criminal Investigator Training Program. "Additionally, BSD has plans to use the intermodal venues for an entire day of scenarios in a new program being developed, the Behavioral Recognition Interviewing Training Program," Roddini added.

Many federal agencies have already used the Intermodal Training Facility since its opening. The Bureau of Alcohol Tobacco and Firearms conducted canine training in the facility. The Drug Enforcement Administration in cooperation with the FLETC Office of State and Local conducted training involving interdiction enforcement in an intermodal environment. Furthermore, FLETC is in discussions with the Transportation Security Administration to collaborate on joint training and the agency's use of the Intermodal facility. Also, U.S. Customs and Border Protection officers are utilizing the facility to instruct basic officers in processing of trade and cargo and in the processing and preservation of evidence.

"We are going from those lessons learned to lessons anticipated. The mindset we want to have here is that we want to anticipate what a criminal may do, what a terrorist may do, and we want to be in front of them. We want to thwart that from happening," Braccio said.

360°



Interrogation Full Circle

How the Federal Law Enforcement Training Centers partnered with the Dallas Police Department to develop an innovative video-based training medium.

JENI A. GROOT-BEGNAUD
SENIOR INSTRUCTOR, FLETC

HENRY DAVID THOREAU once said, “It takes two to speak truth, one to speak and another to hear.” While the philosopher certainly was not referring to criminal interrogations, this principle very much applies when an investigator sits across from a suspect in search of the truth behind an allegation. The Federal Law Enforcement Training Centers Behavioral Science Division strives to equip federal, state, and local law enforcement professionals with the best training possible as they work to obtain the truth. Recently, the division partnered with the Dallas Police Department to develop and field a groundbreaking, new, video-based training tool, *A 360-Degree Look At Criminal Interrogation*. The training tool recognizes truth is found during criminal interrogations through an interaction involving two individuals with unique perspectives on that complex process and provides comprehensive analysis of the dynamics and decisions that influence the outcome of an interrogation. This article explains the development and implementation of *A 360-Degree Look At Criminal Interrogation* and includes the story of the collaboration from the viewpoint of DPD Senior Corporal Kevin Navarro, one of the key individuals involved in its development. It also incorporates an opinion regarding the effectiveness of *A 360-Degree Look at Criminal Interrogation* provided by DPD Homicide Detective John Palmer, who is featured in the training tool.

The mission of the BSD is to provide law enforcement professionals with an understanding of human behavior that inspires interpersonal communication skills necessary to effectively protect and serve the American public. The BSD vision is to bring out the best in law enforcement through understanding human behavior and communication. The division provides training to basic and advanced investigative and uniformed

law enforcement personnel in a vast number of areas including interviewing, victim/witness awareness, conflict management, and managing abnormal behavior. This is accomplished using a variety of instructional methodologies ranging from classroom lectures to practical scenarios where students interact with role players in realistic law enforcement scenarios.

BSD instructors, providing training in the areas of suspect interviewing, frequently receive requests from students to see examples of real interrogations. Many federal agencies do not have a policy mandating recording of interrogations, though a number of federal agencies have recently revised their policies and now require recording of suspect interviews. This



ABOVE: Benito Medina was one of the inmates interviewed by FLETC Law Enforcement Leadership Institute Division Chief Scott Donovan (left) and Dallas Police Department Senior Corporal Kevin Navarro (right) during the development of *A 360-Degree Look At Criminal Interrogation*. Medina confessed to acting as the getaway driver during the gang-related murder of an Immigration and Customs Enforcement employee.

OPPOSITE LEFT: Dallas Police Department Homicide Detective Kenneth Penrod conducted two interrogations featured in the new video-based training tool, *A 360-Degree Look At Criminal Interrogation*. TOP: Edward Douglas confessed to murdering his girlfriend when interrogated by Dallas Police Department Homicide Detectives Eduardo Ibarra and Maria Varker. He provided his perspective on criminal interrogation when interviewed in prison. BOTTOM RIGHT: One of the case studies included in *A 360-Degree Look At Criminal Interrogation* focuses on the murder of a convenience store owner by two gang members. DaShawn Larkin confessed to his role in the murder when interrogated by Dallas Police Department Homicide Detectives John Davison and Dwayne Thompson.

reality makes it difficult to obtain video-recorded interrogations associated with federal investigations to present to students. The BSD continually works to improve training and recognizes the tremendous benefit students in basic and advanced training programs could reap from watching actual interrogations take place and analyzing the multitude of associated factors, including the suspect's behavior and decision-making process, the dynamic between the interrogator and suspect, and the techniques used by the interrogator. The BSD is fortunate to have the ability to call upon the expertise of a number of leading psychologists with whom the division has built relationships through its Psychologist Consortium. Those experts agree there is always something to be

conducted those interrogations, and follow-up interviews of the now incarcerated suspects. Those three components were gathered by BSD and DPD subject matter experts before being compiled by the FLETC Media Support Division into an impressive, well-organized, and user-friendly DVD-based instructional tool.

The training tool consists of five DVDs with each DVD devoted to a single case study and containing a menu allowing the instructor to navigate through a presentation that emphasizes a variety of concepts associated with criminal interrogation. Two of the case studies highlight an investigation in which two suspects are interrogated regarding their involvement in the homicide and each interrogation is analyzed. An effort was made to select a variety of different homicide cases portraying offenders of different characteristics. The offenders range from a very high-ranking member in the Aryan Brotherhood of Texas



gained when a law enforcement investigator can gain insight into the mindset of the suspect before entering an interrogation room.

A 360-Degree Look at Criminal Interrogation is a video-based training tool resulting from the collaboration between the FLETC BSD and the DPD, that began officially in 2009 and continues to this day with the development and delivery of this product. The training tool uses video to present case studies based on DPD homicide investigations with the objective of providing perspective on all aspects of the interrogation process. This is accomplished by examination of video-recorded interrogations associated with specific homicide cases, interviews of detectives who

to a young woman who plans a homicide to obtain bail money for her boyfriend. Some offenders were motivated by money or status, and others by pure emotion.

Each case study DVD includes a video introduction outlining key aspects of the investigation and the circumstances under which the interrogation(s) took place. Introductions contain information on victims in the featured homicide cases, as well as the backgrounds of suspects. In addition to the introduction, the menu for each case study itemizes five subject areas from which an instructor can show video segments; Planning, Rapport, Themes, Confession, and Core Principles. The DVD is designed to allow an instructor to show a video segment related to one of these areas that compliments and/or reinforces their instruction and facilitation of classroom discussion on the topic.

The majority of video segments included in the training tool are blends of video from the interrogations, inmate interviews, and detective interviews associated with particular cases which instructors commonly refer to as “360s.” These video montages provide multiple perspectives on specific topics associated with criminal interrogation. Included in the compilation of video are some “stand-alone” clips featuring only interrogation video, inmate interview footage, or film from the interview of a detective, which are used to showcase a particular training principle. The video-based training tool is accompanied by an instructor guide book which provides a synopsis of the investigations, background on the investigating detectives, and comprehensive descriptions of all video clips included on the DVD.

SEE **FULL CIRCLE** PAGE 30



OPPOSITE LEFT: The Benito Medina crime scene evidence shows an unspent shell casing and bullet following the murder. RIGHT: A detective looks in behind the door at the murder victim on the floor. ABOVE: Blood spatter evidence can be seen here to the right of the door knob.

25 YEARS IN THE MAKING

A Personal Story Behind the Development of
A 360-Degree Look at Criminal Interrogation

KEVIN NAVARRO

SENIOR CORPORAL, DALLAS POLICE DEPARTMENT

IN AUGUST 2006, Dallas Police Department Academy class number 168 celebrated its 25th anniversary.

My classmate and friend, Scott Donovan attended the reunion. Scott was a Dallas Police Officer for three years before leaving the Department

to pursue a career as a Special Agent with the United States Secret Service. When Scott retired from the Secret Service, he joined the Behavioral Science Division of the Federal Law Enforcement Training Centers in Glynco,



Kevin Navarro

Ga. and eventually became a FLETC Division Chief. I had remained with the Dallas Police Department where I served as a Homicide Detective for many years before transferring to the Department's Academy as an instructor.

So here we were at that class reunion, both working to train new generations of law enforcement officers, 25 years after the beginning of our own separate law enforcement careers. In spite of the divergent paths of those careers, we shared a strong interest in the art of interrogation. Scott was a polygraph examiner and interrogator for the Secret Service while I honed my interrogation skills investigating homicides in an era when the murder rate was extremely high in Dallas. During the reunion, Scott and I discussed how beneficial it would be to collaborate on an interrogation training product that presented law enforcement trainees with unprecedented insight into the interrogation process.

We thought it would be particularly insightful to gather information from suspects who had been interrogated regarding their perspective on the interrogation process and the individuals who interrogated them. There were successful examples of this type of project such as the Exceptional Case Study accomplished by the United States

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Secret Service and National Institute of Justice as well as Project Slammer conducted by the Federal Bureau of Investigation and the Department of Justice. Both projects provided unique insight into offender motivations and behaviors in the areas of assassins, near assassins, and espionage in video-taped interviews of those types of offenders. We felt the information provided by suspects who were interrogated by law enforcement officers in homicide investigations could likewise be invaluable and incorporated in groundbreaking training material.

As we parted ways after our class reunion, this training concept was simply the bright idea of two buddies. It took a little time, but this brainstorm grew to be much more. In July 2009, Scott contacted me and asked if I was still interested in pursuing such a project. He asked me to crunch numbers and explore the logistics it would take to make this idea a reality using homicide investigations conducted by the Dallas Police Department.

Soon after, current FLETC Assistant Director for the Glynco Training Directorate, Dominick Braccio, traveled to Dallas for a meeting to discuss what this potential project would entail. The FLETC and DPD agreed to partner in the development of a case-study and video based training tool using video-recorded interrogations, interviews of detectives who conducted those interrogations, and follow-up interviews of the now incarcerated suspects to examine criminal interrogation. Our brainstorm now had funding and a title; *A 360-Degree Look at Criminal Interrogation*. There was also a tremendous amount of work ahead.

After meeting with Dallas homicide detectives to talk about this project and potential cases that could be included, Scott and I selected 21 offenders with whom to speak. The video recorded interrogations of those offenders were assimilated, and the work began. That work included our travel to several Texas prisons to interview these offenders. We logged many miles as these offenders were housed in seven different Texas

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Callie Marshall, an inmate serving time for her role in a drug-related homicide, was interviewed in prison regarding her interrogation by Dallas Police Department Homicide Detectives Kenneth Penrod and Scott Sayers.

FULL CIRCLE PAGE 29

All “360” and “stand-alone” video segments included in the structured DVD training tool are also individually available to BSD and DPD instructors in a format that allows them to be incorporated into classroom presentations in support of interviewing lesson plans.

A 360-Degree Look at Criminal Interrogation has been used by the BSD to provide training to FLETC students completing both basic and advanced training courses. The BSD’s Advanced Interviewing for Law Enforcement Investigators Training Program includes a four-hour block designated to *A 360-Degree Look at Criminal Interrogation* co-presented by BSD and DPD. This training tool is very flexible, and instructors can present specific case studies to illustrate particular principles based on their training audience. They are able to navigate through the DVD menus to select video clips that best reinforce their instructional objectives or answer questions posed by trainees. The adaptable nature of *A 360-Degree Look at Criminal Interrogation* has allowed for tailored instruction to various FLETC partner organizations, as well as state and local law enforcement entities by both the BSD and DPD. The feedback BSD has received regarding this training has been overwhelmingly positive. Students find the insight provided by inmates and detectives invaluable and consistently emphasize their appreciation for the opportunity to view real interrogations and analyze the dynamic that influences a suspect’s decision-making process.

The FLETC BSD was fortunate to partner with DPD which provided the FLETC the ability to gain access to footage from critical homicide interrogations. The DPD videos on which *A 360-Degree Look at Criminal Interrogation* case



In August 2011, FLETC Director Connie Patrick presented Dallas Police Chief David Brown with the *A 360-Degree Look At Criminal Interrogation* training tool. She also presented plaques expressing appreciation to Detectives highlighted in the tool's five case studies.

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prisons, and those correctional facilities were spread across a 1,500 mile span. We were accompanied on this journey by professionals from the FLETC Media Support Division who ensured the important information the inmates provided was impeccably recorded. Wardens at the prisons were extremely helpful in accommodating our access to the inmates and placement of media equipment.

Five homicide investigations were eventually chosen as the focus of the case studies for this project with two of those cases including two offenders. The next step in development of this training tool was the interviews of Dallas Homicide Detectives who conducted the interrogations of the suspects associated with the case studies. These Detectives spent time explaining the particulars of these cases and providing their views on the interrogations they conducted of suspects in each investigation. They also shared their perspective on some key principles of interrogation and strategies when interacting with suspects. Again, the FLETC MSD was a critical part of the process as they recorded these interviews in top studio quality.

We now had the three components of our 360-degree look at interrogation, but the work did not stop there. Over the next several months, a number of subject matter experts from the FLETC BSD spent countless hours reviewing the interrogations, inmate interviews, and detective interviews. They identified and organized training points in each video that were subsequently edited and compiled by the FLETC MSD professionals into video segments included in this unique training tool.

Five years after the brainstorming session at our class reunion, the idea we two former fellow rookies envisioned is now a reality and a training tool I wish I had when I began my career as an investigator. I hope *A 360-Degree Look at Criminal Interrogation* enhances the interrogation training of criminal investigators for years to come. As society and law enforcement become increasingly dependent on science and technology, it is my strong belief that skillful

SEE PERSPECTIVE PAGE 32

studies are based consist of homicide suspect interrogations, however the training principles demonstrated in those recorded interrogations and reiterated in the words of the inmates and detectives apply universally. Homicide investigations were initially chosen to showcase verbal and non-verbal cues to deception when dealing with investigations in which the stakes are high for the offender. The interrogation skills instructed and reinforced via the use of this training tool can be applied to any interrogation regardless of the underlying crime or investigation being conducted.

The FLETC educates thousands of students each year who will go on to conduct federal, state, local, and administrative investigations. Whether they are questioning an individual in a tax matter or a homicide, when an investigator in any sort of case interrogates a suspect they seek to hear the truth from someone who must make a decision to speak it. There are a multitude of factors and actions on the part of an interrogator that can influence whether or not the truth eventually becomes known and incorporated in the resolution of an investigation. *A 360-Degree Look at Criminal Interrogation* provides law enforcement students and practitioners a first-hand look at interrogations taking place, the thoughts of detectives listening for the truth, and perception of suspects who eventually spoke the truth. Having this comprehensive “360” perspective and the ability to analyze the complex dynamics and strategy an interrogation entails provides investigators a valuable resource they can apply to the development of their own skills and utilize in their search for the truth.

interrogation is still one of the greatest resources in investigating and prosecuting criminal activity. Every juror wants to hear the suspect say they did the crime, and well-prepared interrogators make that happen.

WORDS FROM THE FIELD

A featured detective speaks about the value of A 360-Degree Look at Criminal Interrogation

JOHN PALMER

DETECTIVE, HOMICIDE UNIT
DALLAS POLICE DEPARTMENT

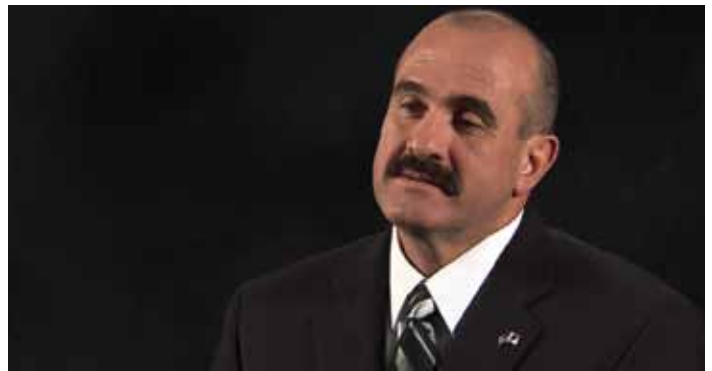
Law enforcement continues to change as a career choice. Degrees in Criminal Justice are a relatively new development in the world of academia. Technology has developed at a pace that is difficult to keep up with. Law enforcement has made a remarkable migration from what was once considered a “blue collar” career path to what is now considered a “profession.” All professions have one thing in common: training and education is essential for those working within the profession.

Investigative excellence at the Dallas Police Department can be traced back to Captain Will Fritz. He was known for his role in the investigation of President Kennedy’s assassination. Captain Fritz laid the foundation of investigative excellence at DPD and embraced technologies as they became available. However, Captain Fritz always placed a high value on interrogation skills. Today, the DPD Homicide Unit maintains that high regard for interrogations skills, and Detectives are expected to become good interrogators.

When I transferred into the DPD Homicide Unit, I had the good fortune to work with some gifted interrogators. I observed that those gifted interrogators shared some common traits (some of those traits could also be considered character flaws). During conversations they were all quick witted, and bull “manure” seemed to flow freely from them like a river. Many of them were hyper-sensitive and picked up on the slightest things during conversations. They were all willing to talk about ANYTHING with ANYONE.

My transfer into Homicide came with some formal training, and I worked hard to become a good interrogator; however I learned that interrogation skills are one of the most difficult skill sets to teach during formal training. I also realized that I was not one of those gifted interrogators.

DPD began video taping interviews and interrogations in 2005. This opened up opportunities for me to view interrogations in progress and later review recorded interrogations of other detectives



John Palmer

as well as my own. I began to mimic some of the methods and techniques of other detectives, and I began to improve as an interrogator. As I continued to watch the interrogations I continued to improve. Soon, we at DPD all got better at interrogating.

Kevin Navarro and Scott Donovan are both gifted interrogators and veteran investigators. They have been called upon by their agencies to fill the growing demand for training. Kevin and Scott recognized the potential training value of the DPD interrogation videos that had begun to accumulate, and that began the DPD and FLETC partnership.

The DPD and FLETC partnership then asked the question, “What was happening during these interviews that resulted in confessions?” To answer this question they went to the source. They traveled to Texas prisons and asked the convicted inmates why they confessed during interrogation. The inmate interviews were revealing, and again Kevin and Scott recognized another excellent source of training material from those interviews. The FLETC assembled a video production team, returned to the Texas prisons, and recorded the inmate interviews.

The partnership now had videos of interrogations, and recorded interviews from inmates. The circle was completed by turning the tables on the interrogators and videotaping interviews with them. The collaboration has been named *A 360-Degree Look at Criminal Interrogation*.

As with all new things within law enforcement, I had some doubts about the project. When I saw the inmate interviews though, I became curious, especially once I observed the FLETC’s ability to organize and present information. I was impressed, and my doubts turned into confidence. The FLETC has combined practical exercises, classroom instruction, and the video library into a training tool that is unique and powerful.

Interrogation skills will always be a difficult skill set to teach and there will always be those individuals that have “the gift.” *A 360-Degree Look at Criminal Interrogation* is an excellent tool to fill the growing demand for training within our profession for investigative interrogators.

Operation Warfighter



FLETC and Fort Stewart Partner with Warrior Internship Program

The Federal Law Enforcement Training Centers and the U.S. Army Fort Stewart hosted a joint luncheon/ceremony to recognize the first anniversary of their partnership in the Operation Warfighter Program and those individuals who were critical to its success at the FLETC in Glynco, Ga.

During the event, FLETC Director Connie Patrick and Fort Stewart's Warrior Transition Battalion Commander Lt. Col. William Reitemeyer gave brief remarks and presented Department of the Army Achievement Medals to five civilians and two soldiers.

These medals were presented in appreciation to those individuals who envisioned and implemented the OWF at the FLETC. The awardees are: (from the FLETC) Jim Bryant, human resources specialist; Ted Sparks, FLETC Cheltenham site director; Glenn Guy, instructor; Kirt Rothe, branch chief; and Matthew Joyner, instructor; (from the Fort Stewart Warrior Transition

Afghan Border Police Sgt. Khan Jan and Lance Cpl. Michael Medina, a machine gunner with the 3rd Marine Regiment secure a checkpoint in southern Garmish district, Afghanistan. Photo Courtesy: Cpl. Reese Lodder, U.S. Marine Corps.

SEE OWF PAGE 36

A Collaborative Effort

The 2011 FLETC Glynco Psychology Consortium was a vehicle for collaboration between the academic community and law enforcement.

JENNA SOLARI
SENIOR INSTRUCTOR, FLETC

On August 10-12, 2011, the Behavioral Science Division hosted a three day Psychology Consortium at the Federal Law Enforcement Training Centers' Glynco, Ga. site. The Psychology Consortium was conceived in 2009 as a vehicle for collaboration between the academic community and law enforcement practitioners. To foster these relationships, members of the BSD attend professional psychology and law conferences, read peer-reviewed journals, and correspond with experts to learn more about their behavioral science research. Once each year, experts are invited to present empirical studies relevant to behavioral science courses at FLETC such as critical incident stress, conflict mediation, and interviewing.

In August 2011, six academic experts in deception detection traveled to the FLETC to share their research with FLETC staff and Partner Organization representatives. The panel featured, among others, Dr. Aldert Vrij, a Professor of Applied Psychology at the University of Portsmouth, U.K., and a leading expert in deception detection studies; Dr. Christian Meissner, Program Director of the Law & Social Sciences Program at the National Science Foundation and a member of the President's High-Value Detainee Interrogation Group; and Dr. Maria Hartwig, a Professor of Psychology at John Jay College of Criminal Justice and a widely published

authority on methods of interrogation and behavioral analysis.

During the first day of the Consortium, the experts met with the BSD instructional staff to review the training curriculum and discuss emerging trends in interviewing research. Notably, FLETC's "factual presentation" method of suspect interrogation, which is taught in both basic and advanced criminal investigator programs, was well supported by results of Dr. Hartwig's studies of the Strategic Use of Evidence (SUE). SUE studies have examined whether early, late, or progressive disclosure of evidence is most effective in obtaining a confession, and reliable results have shown that asking case-related questions before disclosing evidence most often leads to success. In accordance with SUE research, the factual presentation method elicits a suspect's version of events and other relevant information before confronting the suspect with any incriminating information.

Following meetings with the BSD instructors, the experts delivered research presentations to an audience of FLETC staff and Partner Organization representatives. Topics included The Cognition of Lying, Pitfalls and Opportunities in Verbal and Nonverbal Lie Detection, Suspect Interviewing Strategies, Evidence-Based Approaches to Forensic Interviewing and Credibility Assessment, and Assessment Criteria Indicative of Deception. On the final day of the Consortium, audience



The author, center, and the participants of the 2011 FLETC Psychology Consortium.

members had the opportunity for a lunch and learn session with the experts to further discuss their research and its implications for law enforcement training and practice.

In addition to examining the current curriculum and presenting their research at the FLETC, the experts identified areas for future collaboration and development. With regard to indicators of deception, Dr. Vrij suggested moving away from traditional nonverbal signals like grooming gestures, manipulators, and shifts in body posture, which are signs of stress and nervousness in both guilty and innocent subjects. In place of the older methods, Dr. Vrij detailed several proactive techniques designed to increase cognitive demand in deceptive subjects while serving as memory enhancement tools for truth-tellers. Increasing cognitive demand by asking subjects to relate a story backwards, draw pictures of an event, or argue against an asserted opinion makes it easier for interviewers to separate those who are genuinely recalling an event from those who are reciting a “lie script.” While these methods have proven valid and reliable in a laboratory setting, Dr. Vrij is seeking opportunities to test his theories in law enforcement practice.

Dr. Meissner and other members of the High-Value Detainee Interrogation Group (HIG) proposed a joint research project designed to improve interviewing techniques to gather more information and better detect

deception. As part of the project, members of the BSD will receive intensive training in cognitive interviewing from Dr. Ronald Fisher, Professor of Psychology at Florida International University and co-creator of the cognitive interview method. Dr. Meissner’s research, which was presented at the Consortium, suggests that investigators could obtain as much as 100 percent more information by conducting cognitive interviews versus asking traditional open-ended questions. Upon certification by Dr. Fisher and his research team, BSD instructors will be able to instruct Cognitive Interviewing to the Partner Organizations and state and local entities. Members of the HIG will also monitor the Advanced Interviewing for Law Enforcement Investigators Training Program to learn more about how law enforcement officers plan and conduct investigative interviews. Their feedback will help BSD create an even stronger program by providing up-to-date research from the world’s leading academic experts.

Collaborative efforts like the Psychology Consortium ensure that FLETC’s law enforcement training remains relevant, reliable, and valid. If you have ideas for collaborative studies in the areas of interviewing and detecting deception, or if you would like to see a videotaped reproduction of one or more Consortium presentations, please contact the BSD at FLETC.

FLETC Director Connie Patrick with Staff Sgt. Tracy Smith and Lt. Col. William Reitemeyer during the Operation Warfighter award ceremony at the FLETC.



OWF PAGE 33

Battalion) Debra Dehart, occupational therapist; Master Sgt. Aaron Hoelzer and Staff Sgt. Tracy Smith.

According to Lt. Col. Reitemeyer, the actions of these awardees provided motivational and professional guidance to the Fort Stewart Warrior Interns assigned to the FLETC to ensure they received the best opportunity to learn the FLETC mission and prepare themselves for the transition to civilian life.

“The Fort Stewart Warrior Transition Battalion is the smallest in the U.S. Army and yet we have over 10 percent of the participants. This is an amazing testament to the commitment of the FLETC and U.S. Army to assist our wounded, injured and ill soldiers. It is the combination of soldier and mentor that creates the learning environment and bond that develops, the positive impact on mental and physical healing, and just overall well-being that can occur when we put the two of them together,” said Lt. Col. Reitemeyer.

The FLETC/Fort Stewart OWF pilot program began in November 2010 with three Warrior interns. Today there are 29 Warrior interns at the FLETC. In fact, veterans make up 40 percent of the permanent FLETC workforce. The FLETC’s commitment to

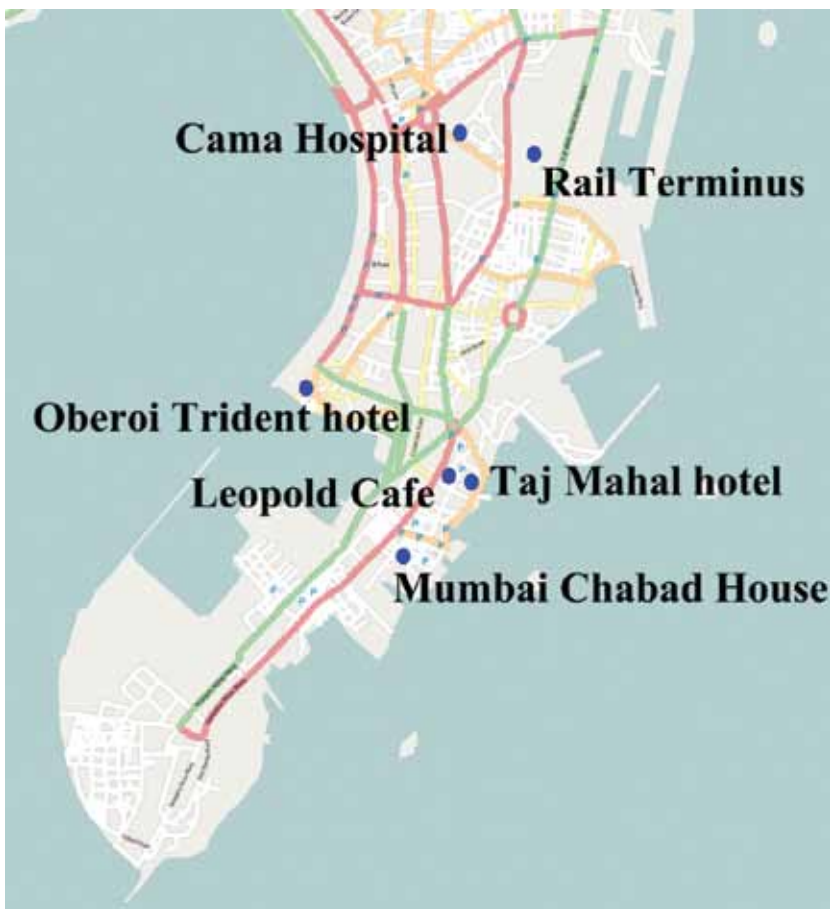
veterans is also evident through the more than \$10 million dollars of contracts it has with veteran-owned businesses, with more than \$8 million of that total going to service-disabled veteran-owned businesses.

“Through the Operation Warfighter Program, the FLETC empowers warriors with the tools essential to not just survive their injuries, but to thrive and achieve personal and professional success,” said Director Patrick.

The OWF Program, which was established in 2008, is a temporary assignment/internship program, developed by the Department of Defense, for service members who are convalescing at military treatment facilities -- initially in the National Capitol Region, but increasingly throughout the United States. The program provides recuperating service members with meaningful activity outside of the hospital environment and offers a formal means of transition back to the military or civilian workforce.

In remembrance of Veterans Day, Director Patrick said, “While we gather here to extend appreciation for those who established our Operation Warfighter Program, it is also a time to reflect on those who have made and continue to make extraordinary sacrifices in defense of our Nation.”

Today there are 29 Warrior interns at the FLETC. In fact, veterans make up 40 percent of the permanent FLETC workforce.



LEFT: An area map shows where the multiple terrorist attacks occurred. ABOVE: Boarded up windows can be seen where fire from the attack gutted the Taj hotel's Wasabi restaurant.

It can happen here

How law enforcement can prepare for a Mumbai-style attack

KYLE BARRINGTON
INSTRUCTOR, FLETC

While we must prepare for attacks that employ the most destructive weapons, we must also defend against the tactics that terrorists employ most frequently. Terrorists, both domestic and international, continue to use traditional methods of violence and destruction to inflict harm and spread fear. They have used knives, guns, and bombs to kill the innocent. They have taken hostages and spread propaganda. Given the low expense, ready availability of materials, and relatively high chance for successful execution, terrorists will continue to make use of conventional attacks (*The National Strategy for Homeland Security, 2002*).

On Nov. 26, 2008, Islamic extremists conducted terrorist attacks in Mumbai, India. Mumbai is the commercial and financial capital city of India, with a population of over 14 million. Starting on a Wednesday night, 10 moderately trained gunmen paralyzed India's largest city in a matter of minutes holding Mumbai in a siege that continued until Saturday afternoon.

The terrorists executed a multipronged attack on the city of Mumbai killing more than 170 and wounding in excess of 300 people. This event has become a critical turning point for American Law Enforcement. Few events and even fewer overseas events have caused such a radical shift in the thought and training mindset of American law enforcement agencies. Following the Mumbai attack, FBI Director Muller said that the terrorist attacks "reminds us that terrorists with large agendas and little money can use rudimentary weapons to maximize their impact" and "the simplest of weapons can be deadly when combined with capability and intent."

The main attack focused on less secure, highly-visible commercial facilities frequented by western citizens. Targets included five-star hotels catering to international businesses and tourists, a popular restaurant for backpackers and western travelers, a Jewish community center, and crowded transportation terminals. Other sites included a movie theater, police station, and hospital. Witness reports indicated the terrorists appeared to be familiar with layouts of the target sites. It is possible that targets were attacked in a deliberate sequence in order to draw security forces away from the primary targets which the terrorists planned to seize and hold. These attacks included a strike on key local Indian leaders responsible for orchestrating response to the attack, successfully delaying and disrupting Indian law enforcement response to the attack.

The raiders utilized a military-style operational planning cycle and followed established terrorist planning cycles. The operation was conducted following pre-mission planning and target selection, followed by an initial surveillance and information collection that identified preferred targets and the vulnerabilities associated with them. Security was tested while the terrorist organization acquired materials and finances to conduct the operation. In the final step terrorists put the operational cells in place by conducting a clandestine infiltration by sea that allowed for the transportation of AK series assault systems, explosives, and preconstructed improvised explosive devices to be used in diversionary operations along with backpacks and large ammunition supplies. The mission accomplished a primary goal of media exploitation and only lacked a successful withdrawal.

Is it conceivable that a Mumbai-style attack could

happen in Dallas, Miami, or a city near you? Yes it is! Are American law enforcement agencies and officers preparing for the inevitable? Are police departments other than New York, Los Angeles, and Las Vegas prepared for this unthinkable event? Are federal agencies prepared and able to assist our state and local law enforcement and emergency management partners in stopping and responding to a mass causality attack when it happens? The answer should be, and can be "yes," if we prepare now.

The uniformed federal officer holds a unique platform to gather information on suspicious activities; the act of detecting the initial surveillance of any terrorist operation will greatly aid in the prevention of an attack. It will put in place the measures for continual assessment and readiness to reduce the risk of threats and vulnerabilities. This action alone can intervene and stop an occurrence, or at a minimum mitigate the attack effects. The federal uniformed officer's primary responsibility of safeguarding the nation's critical infrastructure places the surveillance detection and information sharing mechanisms in position. Federal law enforcement officers should remain alert to potential indicators of preoperational surveillance and planning activities. In addition, the uniformed federal officer must continue to train and understand terrorist methodologies and work with state and local law enforcement through memorandums of agreement to support whenever possible. A Mumbai-style raid in the United States will manifest into an event that will fall into the purview of local law enforcement with elements from the federal and state authorities responding in support.

As a nation, we must ensure that we train our officers to respond effectively. To accomplish this we have to create an environment in which patrol officer training ensures they are prepared to meet the threat. The majority of officer training is focused on enabling single officers to do the business of street-level criminal interdiction. Current police training methodologies are not generally focused on putting multiple individual officers into teams and working in close tactical coordination. This has been the guarded venue of Special Weapons and Tactics, Special Operations Teams, Emergency Response Teams, and Hostage Rescue Teams. Law enforcement agencies and training organizations must ensure that the first responding officers are familiar with assault type weapons and basic small unit tactics.

Law enforcement officers in the United States are better trained and equipped than the Mumbai officers who initially dropped their weapons and fled, only to later regroup and mount a response. The question that must be answered by law enforcement agencies and those that train them is: Are our officers trained well enough to respond to a potential attack? What can we do to deter or stop it? Is it

possible for law enforcement to duplicate the quick reaction force concept, cease all non life-threatening operations, and converge on and contain this style attack? This is a concept that the United States military has very successfully implemented in nation building police operations.

An attack of this magnitude requires us to provide our officers with the equipment and training they will need to respond effectively. This is a fight that will be fought with rifles, so agencies need to address the issue of ensuring every patrol officer (or at least every squad car) has access to a patrol rifle. These weapons need lights and high-quality optics. This will prevent the necessity of searching for rifles as was required in the documented massive shootouts in Miami in 1986 and again in North Hollywood in 1997. In addition to soft body armor that all officers are issued, there will be a need to have a plate carrier and level-four ballistic plates to provide additional protection against rifle rounds.

The Mumbai attacks were a surprise. An assault against targets on United States soil should not be a surprise. It is very important for American law enforcement to understand the adversary. The antagonist has published his intent; he has published his principles and tactics. These are known and should be studied by every officer that may in the course of his or her duties engage members of a terrorist organization. The Manchester diaries, better known as the Al Qaeda handbook, clearly states in Lesson One of military operations general introductions that “the overthrow of the godless regimes and their replacement” should consist of: “gathering information about the enemy, the land, the installations, and the neighbors; assassinating enemy personnel as well as foreign tourists; blasting and destroying the places of amusement, immorality and sin; not a vital target; and blasting and destroying the embassies and attacking vital economic centers.”

Al Qaeda planners have studied the manuals, principles, tactics, and techniques of their enemy (the United States). This is a basic trademark of any successful terrorist organization. Student Handout 21-76, of the U.S. Army Ranger School and the reference of United States military infantry operations states that: “in the performance of a raid, the patrol initiates the raid no later than the time specified in the order, surprises the enemy, assaults the objective, and accomplishes its assigned mission within the commander’s intent. The patrol does not become decisively engaged. The patrol obtains all available Primary Information Requirements (PIR) from the raid objective and continues follow-on operations.” Should this look familiar? Did the terrorists that conducted the operation in Mumbai follow the century’s-old, established principles of a classic raid? There are multiple international and domestic threats that are capable of conducting this type of raid and this will require police agencies to become prepared.

American extremists have been lying low and allowing American law enforcement to concentrate on Al-Qaeda. American law enforcement must not ignore the domestic terrorist threat; left and right wing extremists still profess a suspicion of government and possess the capability and intent to carry out similar operations.

A wild card will be played in this oncoming storm. When the raiders launched their assault in Mumbai, British-style gun laws governed the citizenry. This incident has changed that. The Madras High Court ruled that authorities or police officials cannot refuse to issue arms licenses by citing the likelihood of a law and order problem as all citizens of the country are entitled to possess weapons, under license, for self-defense. This wild card in the United States will also be the conscientiously-armed citizen. The enemy will study the legal concealed carry density areas and this will manipulate preoperational planning. The possibility of the responsible armed citizen will influence the targets and target locations, as well as the freedom of movement that was granted to the raiders in Mumbai, will now be limited in the United States. Just as the Japanese Naval commander in World War II, Admiral Isoroku Yamamoto, said, “You cannot invade the mainland United States. There would be a rifle behind every blade of grass.”

Chief Jeff Chudwin of the Olympia Fields, Illinois Police Department, who also serves as the President of the Illinois Tactical Officers’ Association, a presenter at the ILEETA in 2011, has stated and believes that we have both the means and the capability to defeat an attack on our cities and towns. The only question is; ‘Do we have the will?’ American law enforcement must have the mindset to respond immediately “Above all,” Chudwin said, “this will be a fight of the patrol officer in the first minutes of the attack. This type of matter is going to be settled in the first 20 minutes and it’s going to be affected by patrol. The event may still be ongoing, but by responding well and quickly, the severity of the attack can be seriously mitigated.” There are four essential thoughts to remember about a potential attack: (1) there is likely to be no specific warning in advance; (2) failure to immediately and effectively fight will result in the slaughter of innocents; (3) lack of preparation and training ensures failure; and (4) lack of command and leadership inspires failure. (PoliceOne.com 2011)

We must remember that the threat of a terrorist attack against our country should not be taken lightly by law enforcement. The immediate deployment of police officers to a terrorist attack as first responders is inevitable, therefore, we should ensure they have the training and equipment to accomplish this mission. The training and tactics that they receive will dictate their ability to resolve, contain or mitigate the attack. History has demonstrated

SEE **MUMBAI** PAGE 41

of reasonable efforts (demonstrating proof that a family is non-cooperative) is filed.¹¹ Exceptions to this include incarceration of greater than one year or evidence that parents are not making sufficient progress on the case plan to satisfy the court that a child will be safe.

The tools needed to rescue a child are unique and require a top down, bottom up organizational approach. The time spent completing paperwork will be saved by the guilty pleas experienced when properly investigated, thoroughly documented cases are presented to the District Attorney. Recognize the need to update procedures and practices as they relate to child safety. Change lives and reduce repeat offenses by getting stronger consequences of intensive supervision or lengthier prison sentences with strict standards for parolees.

A proper DEC investigation identifies each of the environmental, physical, emotional and sexual ways in which a child may have been harmed. Each of these should be ruled out before placement with any relative or family friend is authorized.

In reference to the scenario at the beginning of the article, what could have been different if DEC investigation techniques had been employed? All the professional groups would have received training in DEC techniques and been able to ensure the protection and safety of the children, and can prevent further abuse of children.

FLETC offers a DEC training course for law enforcement that gives investigators the tools necessary to collect, preserve and present evidence to the prosecutor to prove the crime of felony child abuse and neglect. Further information on this course can be found at <http://www.fletc.gov/rpi/export/drug-endangered-children-investigation/> In addition, the Federal DEC Task Force has created a website (<http://www.whitehouse.gov/ondcp/dec-info>) that provides additional DEC resources and information.

1. Walsh, C., MacMillan, H.L. Jamieson E., (2003) The relationship between parental substance abuse and child maltreatment: findings from the Ontario Health Supplement Child Abuse & Neglect, 27 (1409-1425).

2. Ibid

3. DePanfilis, D, Zuravin, S.J. (2002) The effect of services on the recurrence of child maltreatment Child Abuse & Neglect 26 (187-205).

4. Program data, Drug Endangered Child Training Network, 2005, University of Kentucky.

5. Wilke, D.J., Kamata, A., Cash, S. J. (2005) Modeling treatment motivation in substance-using women with children Child Abuse & Neglect, 29 (1313-1323).

6. Schultz D., Tharp-Taylor S., Haviland A, Jaycox L, (2009) The relationship between protective factors and outcomes for children investigated for maltreatment Child Abuse & Neglect 33 (684-698).

7. Ibid

8. DePanfilis, D, Zuravin, S.J. (2002) The effect of services on the recurrence of child maltreatment Child Abuse & Neglect 26 (187-205).

9. Kendall-Tackett, K (2002) The health effects of childhood abuse: four pathways by which abuse can influence health Child Abuse & Neglect 26, (715-7290).

10. DePanfilis, D, Zuravin, S.J. (2002) The effect of services on the recurrence of child maltreatment Child Abuse & Neglect 26 (187-205).

11. http://www.acf.hhs.gov/programs/cb/laws_policies/cblaws/public_law/pl105_89/pl105_89.htm

NOTE: The National Drug Endangered Children Training and Advocacy Center, Inc., (NDEC-TAC) is a nationally recognized 501c3 (non-profit) organization that is committed to ensuring the safety of children through teaching proper investigative techniques. The proper execution of these skills requires appropriate knowledge of age appropriate risks, characteristics of addiction, and identifying at various levels the specific harm to children. NDEC-TAC offers training courses and technical assistance to law enforcement agencies, social services agencies, probation and parole, schools, mental health facilities, and hospital staff.

The National Drug Endangered Children Training and Advocacy Center, Inc., has participated as a guest lecturer for the FLETC DEC Trainings. NDEC-TAC only offers information that is field tested through trainers with no fewer than five-years of field experience working DEC cases.

Holly Dye (holly@ndec-tac.org), Sue Webber-Brown (sue@ndec-tac.org) and Vanessa Price (vanessa@ndec-tac.org) serve as founders and partners at NDEC-TAC. More information may be found at: www.ndec-tac.org.

would safely be going home later that evening.

For her actions that night, Ranger Alexandra Burke was awarded the prestigious “Top Cop” award from the National Association of Police Organizations. She was also honored as a recipient of the Bravery Award given by the Federal Law Enforcement Officers Association. In May 2011, Burke was greeted by President Obama in a Rose Garden ceremony which recognized the annual Top Cop recipients. In May 2012, Ranger Burke will return to Washington D.C. during Police Week and be honored once again. This time she will be recognized as the April 2012 officer of the month by the National Law Enforcement Officer’s Memorial Fund (NLEOMF) and be featured in their annual fundraising calendar.

Ranger Burke graduated from FLETC in February 2005. She was a member of the Natural Resources Police Training program class 501. The U.S. Bureau of Land Management Ranger credited much of her FLETC training for surviving the events of that fateful January night. She was quick to give credit to the other officers who were involved in the hunt for the fugitive, especially Border Patrol agent Phillip Wright, whose abilities and skill in backcountry tracking was described by Burke as “amazing.” Ranger Burke also gave praise to the FLETC staff that was instrumental in her training, especially those



Bureau of Land Management Ranger Alex Burke is greeted by President Barack Obama.

who instilled in her the “winning mindset” and a gave her the tools to survive such a perilous situation. Ranger Burke extended her gratitude to the FLETC staff and said “Thanks guys, for all of the training. If duty ever calls for me to do the same thing, I would do it all over again, knowing I’ve been trained by the best!”

engagement in an active-shooter incident requires resources and an immediate response by all available law enforcement. Special Operations Teams are limited in size and speed with which they will respond to an incident in progress. The first responders must be able to contain the attack. Sharing resources and training with neighboring jurisdictions is a necessity. The federal officer in the role of Critical Infrastructure protection is in the best place to interrupt the terrorist attack cycle. Of the phases of the “Terrorist Attack Cycle,” the surveillance phases allow the officer the best opportunity to detect or prevent an attack. Attacks by terrorist elements will be preceded by a period of surveillance. This period could last weeks, months, or years. Through the use of surveillance detection, the site of a possible terrorist attack can be predicted with a fair degree of accuracy. Vigilant officers detecting and reporting

surveillance or suspicious activity, therefore allowing the intended victim the opportunity to interrupt the attack cycle, makes avoiding such incidents possible.

We as a nation have the procedures in place to allow for interoperability of agencies. The National Response Framework and the National Incident Management System provides us with a unified command system to respond to such attacks as well as natural disasters. The NRF and NIMS also provides mechanisms to convey to the public critical information, such as areas to avoid during an incident or the potential for additional attacks in other areas or regions. We as professionals in the field must know our own doctrine, understand our principles, tactics and techniques, and study our enemy. This will allow the United States to augment planning, exercises, and coordination between the private sector and federal, state, and local law enforcement agencies. Only by doing this can we truly consider ourselves prepared.

Now FLETC's Online Training Available Countrywide to LEOs

NICK KOPCHO

INSTRUCTIONAL SYSTEMS SPECIALIST, FLETC

In April of 2010, the Federal Law Enforcement Training Centers launched the FLETC Electronic Learning Portal. The FLETC ELP is the first component of the FLETC Online Campus; an effort to “enhance and expand enterprise-wide training” as described in the FLETC Master Plan. The mission of the FLETC ELP is to support this goal through the use of a secure online training delivery point that is accessible by all properly vetted and authenticated law enforcement officers. The ELP is separate from, but seamlessly compliments and extends, FLETC’s residential instructor-led training. The ELP focuses on providing learning that is: career long, just-in-time, blended, and an asset for the professional development of law enforcement officers nationwide.

Initially, the ELP had only modest offerings; a few videos and some lessons developed with the expert assistance of instructors from the FLETC’s Legal Division. Since then the Training Innovation Division has continued working with subject matter experts from multiple training divisions across the FLETC enterprise-wide. As a result, the system has experienced some significant growth and is ready to stand as the premier source of law enforcement online training. Currently, the ELP has grown to include 20 videos and 79 courses in its catalog. Another 57 lessons are in various stages of development and will be added to the course catalog by the end of FY12, bringing the total content to 20 videos and 136 courses.

The ELP is available for all law enforcement officers across the country. Additionally, all FLETC employees with access to the FLETC Employee Development

System-Learning Management System have access to the entire ELP course catalog. The learning management system automatically populates all of the available courses to each individual’s to-do list, with new courses being added regularly. Individuals that don’t have a FEDS LMS account must be vetted as law enforcement officers through the Regional Information Sharing System that serves their region of the country. Instructions for obtaining a RISS account can be found at <http://www.fletc.gov/elp-splash/>.

Look over the offerings in the FLETC ELP. The courses are designed to meet the needs of law enforcement officers across the nation. Maybe a lesson on the Financial Aspects of a Criminal Investigation will help to hone your investigative skills. Perhaps the various lessons covering forensics topics will enhance your professional development. The FLETC ELP also contains several lessons dealing with Intelligence-Led Policing and Maritime Law Enforcement topics. There are numerous lessons dealing with Constitutional Law and interviewing techniques as well. Future offerings will include lessons dealing with communication skills and physical security.

The FLETC ELP exists to provide the law enforcement community with the training they need, when they need it. Courses continue to be added to the catalog on a regular basis. The law enforcement community has constantly changing training needs and the FLETC ELP aims to help you meet your needs by providing training that is accurate, current, and relevant. As the FLETC Online Campus matures, the ELP will continue to live up to the FLETC’s standard of providing fast, flexible, and focused training, when and where it is needed.

First Homeland Security Law Conference

DHS General Counsel
Discovers the FLETC

JOHN BESSELMAN
DIVISION CHIEF, LEGAL DIVISION, FLETC

The FLETC played an exciting role in serving as the host of the DHS Office of General Counsel's inaugural Homeland Security Law Conference. The conference, held in early August, 2011 at the Glynco site, was the culmination of DHS General Counsel Ivan Fong, Deputy General Counsel Joe Maher, and FLETC Chief Counsel Dave Brunjes' efforts to create a forum for the department's attorneys to consider the emerging field of homeland security law.

Every component of DHS, as well as several offices of the Office of General Counsel, was represented at the conference. Each presenter examined what homeland security law means to their agency or office. The attendees, numbering 24 for this initial conference, explored areas of mutual collaboration and understanding on security legal issues. They left the FLETC with a greater appreciation for the legal capabilities of their companion agencies and knowledge of the resources available to them through the Office of General Counsel.

The attendees also left the conference with a much better comprehension of how well their clients are trained by the FLETC. The conference schedule provided several opportunities to explore the FLETC and directly observe law enforcement training. Breaking into small groups, the attendees surveyed the Enforcement Operations Division and the Driver and Marine Division as they provided real-time training.



A traditional tour of the facility provided a view of the physical structure of the FLETC. Director Patrick and several senior members of the FLETC hosted the conference attendees at an informal luncheon. An event that many noted as a highlight of the conference included a Use of Force presentation by the Legal Division's Tim Miller, Physical Techniques Division's Kristen A. Yukness, and Enforcement Operations Division's Rick Edwards. The trio's presentation demonstrated the depth of tactical and legal knowledge of the instructional staff, the professional methodologies employed to train the students, and the devotion of our organization to the principles of our democracy.

As FLETC moves forward in providing platforms for government conferences, events such as the Homeland Security Law Conference allow staff to demonstrate the diverse value they add to our various missions. Most of the presenters and attendees at this conference had not experienced the occasion of visiting a FLETC site or observing the exhilaration of a FLETC training session. The flattering impression left on these DHS attorneys from across the spectrum can result in many dividends as FLETC continues to build its brand and burnish its image as a training destination for the federal government. Happily, General Counsel Fong has asked the FLETC to host the next Homeland Security Law Conference, scheduled for the Spring of 2012 in Charleston, S.C.



AN AIRPORT TO NOWHERE. The lines are real here too. That's the intent of the FLETC's innovative International Transportation Training Complex. The complex features scenario based training using real modes of transportation including planes, trains and buses. And, yes, there is a TSA checkpoint complete with scanners and detectors.

We train those who protect our homeland

Federal Law Enforcement Training Centers
U. S. Department of Homeland Security
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