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REMARKS BY THE HONORABLE JAMES K. STEWART  
DIRECTOR OF THE NATIONAL INSTITUTE OF JUSTICE  
TO THE  
TECHNOLOGY ASSESSMENT PROGRAM ADVISORY COUNCIL  
MAY 6, 1988  
HERNDON, VIRGINIA

NCJRS

OCT 14 1988

ACQUISITIONS

THANK YOU, (NOEL BUFE OR CHIEF STOVER OF ARLINGTON).

ACKNOWLEDGEMENTS:

O EMILY JOHNSON

I'D LIKE FIRST TO EXPRESS MY APPRECIATION FOR THE COUNCIL'S VALUABLE AID IN GUIDING THE TECHNOLOGY ASSESSMENT PROGRAM. THIS IS THE ONE OPPORTUNITY THAT OPERATIONS PEOPLE HAVE TO DECIDE WHAT SHOULD BE DONE TO IMPROVE THEIR TECHNOLOGICAL CAPABILITY. YOUR EXPERT GUIDANCE FOCUSES THIS PROGRAM ON OUR MOST CRITICAL EQUIPMENT NEEDS.

TODAY I'D LIKE TO ADD A FEW THOUGHTS TO THE TAIL-END OF YOUR DELIBERATIONS -- THOUGHTS THAT I HOPE YOU'LL CARRY WITH YOU AND MAKE A PART OF YOUR DISCUSSIONS AND DELIBERATIONS DURING THE COMING YEAR.

AS YOU KNOW, THE TECHNOLOGY ASSESSMENT PROGRAM HAS BEEN IN OPERATION SINCE 1971 THE LONGEST CONTINUOUS PROGRAM FUNDED BY NIJ -- HELPING LAW ENFORCEMENT AGENCIES SELECT THE MOST EFFECTIVE EQUIPMENT SO THAT OFFICERS, COMMAND STAFF, ADMINISTRATORS, AND CITIZENS KNOW THAT THEY'RE GETTING WHAT THEY'VE PAID FOR.

THIS YEAR, U.S. LAW ENFORCEMENT AGENCIES WILL SPEND MORE THAN \$1 BILLION ON EQUIPMENT. POLICE DEPARTMENTS MUST BE ABLE TO PROTECT THEMSELVES FROM FALSE ADVERTISING OR CORRUPT BUSINESS PRACTICES. AND OFFICERS MUST KNOW UNEQUIVOCALLY THAT THEIR EQUIPMENT FUNCTIONS PROPERLY -- AND THAT IT CAN BE RELIED ON IN A POTENTIALLY LIFE-THREATENING SITUATION.

NOBODY ELSE PROVIDES THIS ASSURANCE. TAPIC IS THE ONLY SOURCE IN THE COUNTRY FOR THIS INFORMATION. AND NIJ PAYS FOR IT ENTIRELY.

I THINK THE VALUE OF THE PROGRAM IS ABSOLUTELY UNQUESTIONABLE. IT'S EVIDENT IN THE EQUIPMENT TESTS THAT YOU'VE BEEN GETTING UPDATES ON AT THIS MEETING -- SUCH AS THE ANNUAL PATROL CAR TESTS BY THE MICHIGAN STATE POLICE, WHICH LT. CURTIS VANDENBERG DESCRIBED. I DON'T KNOW IF HE HAPPENED TO MENTION THAT EVERY YEAR, AS SOON AS THAT TEST REPORT IS OUT, NIJ GETS ABOUT 800 PHONE CALLS FROM POLICE DEPARTMENTS AROUND THE COUNTRY IN ADDITION TO OUR STANDARD MAILING.

ANOTHER PIECE OF CRITICALLY IMPORTANT EQUIPMENT WE TEST IS REVOLVERS. AS I'M SURE YOU KNOW, OUR STUDY DIDN'T FIND ONE REVOLVER THAT WAS READY FOR POLICE USE RIGHT OUT OF THE BOX. ONE POPULAR MODEL FIRES WHEN DROPPED ON ITS MUZZLE. NOT ONE OF THE 22 MODELS WE TESTED COMPLIED WITH EVERY REQUIREMENT OF NIJ'S PERFORMANCE STANDARD. MANY DID NOT EVEN COMPLY WITH THE MOST CRITICAL REQUIREMENTS, SUCH AS DROP SAFETY, HAMMER SAFETY, AND FIRING.

WE GOT SIMILAR RESULTS TESTING 12-GAUGE SHOTGUNS. ONLY ONE OF THE SEVEN SHOTGUN MODELS WE TESTED WAS RATED TOTALLY "COMBAT READY."

THESE ARE SOBERING FINDINGS. IT'S TRUE THAT THE NIJ STANDARDS ARE STRINGENT. BUT NOT MORE STRINGENT, I BELIEVE, THAN POLICE DEPARTMENTS AND OFFICERS WOULD WANT THEM TO BE.

AS CRITICAL AS THIS KIND OF EQUIPMENT TESTING IS, THERE'S MORE TO THE TECHNOLOGY ASSESSMENT PROGRAM THAN GUNS AND CARS. AND THAT IS REALLY WHAT I WANT TO FOCUS ON TODAY. TESTING

EQUIPMENT IN CURRENT USE IS OBVIOUSLY IMPORTANT. BUT THIS PROGRAM CAN ALSO HELP TO OPEN UP SOME NEW TECHNOLOGICAL FRONTIERS. IT CAN HELP TO SPRING US OUT OF OUR RUT -- THE GUNS-AND-CARS RUT. WE CAN KEEP USING AND REFINING THE SAME EQUIPMENT WE'VE ALWAYS USED. BUT THAT ISN'T ENOUGH FOR OUR PRESENT NEEDS. WE NEED NEW RESEARCH APPLICATIONS -- AND ALTHOUGH THAT MEANS AN INVESTMENT IN R & D, IT CAN MEAN FAR GREATER SAVINGS AS A RESULT.

I ALWAYS COME BACK TO THE EXAMPLE OF THE KEVLAR BULLET-RESISTANT VESTS. I THINK EVERYONE INVOLVED WITH THIS PROGRAM CAN BE PROUD AND GRATEFUL THAT IT WAS INSTRUMENTAL IN MAKING THAT TECHNOLOGY AVAILABLE TO POLICE OFFICERS. A THOUSAND OF THEM ARE ALIVE TODAY BECAUSE OF IT. BY A CONSERVATIVE ESTIMATE, KEVLAR SOFT BODY ARMOR HAS SAVED HALF A BILLION DOLLARS IN COMPENSATION THAT WOULD HAVE BEEN PAID IF THOSE OFFICERS HAD DIED. THOSE SAVINGS ALONE HAVE MORE THAN PAID BACK THE COSTS OF THE TECHNOLOGY ASSESSMENT PROGRAM (2 MILLION A YEAR).

IT'S HIGH TIME THAT WE TOOK ANOTHER STEP INTO NEW TERRAIN, TECHNOLOGICALLY SPEAKING. WE NEED TO MOVE BEYOND GUNS. WE NEED TO MOVE BEYOND BULLETS. WE NEED TO MOVE PAST THE POINT WHERE, IN AN EMERGENCY, THE POLICE OFFICER IS FORCED TO DELIVER A DEATH SENTENCE. OFFICERS NEED A WEAPON THAT CAN PUT PEOPLE DOWN, WHEN NECESSARY, WITHOUT KILLING THEM. IN MY EXPERIENCE ON THE POLICE FORCE, I'VE SEEN MANY CASES WHERE OFFICERS HAVE WISHED THAT THEY HAD A BULLET THAT COULD BE RECALLED.

YOU KNOW, THE REVOLVER HAS BEEN AROUND FOR ABOUT 150 YEARS. DURING A CENTURY AND HALF, THERE'S BEEN VERY LITTLE CHANGE. YOU HAVE THE GUN, SOME POWDER, AND A BULLET COMING OUT OF THE END -- THAT'S THE BASIC DESIGN. AND FOR MANY LAW-ENFORCEMENT PURPOSES, IT'S OBSOLETE AND DANGEROUS -- AS MUCH SO AS IF OFFICERS HAD TO DRIVE ANTIQUE CARS.

EVEN A PERFECT GUN IS NOT BY ITSELF A GOOD ENOUGH WEAPON FOR LAW ENFORCEMENT. IT BELONGS TO THE HORSE-AND-CARRIAGE AGE, NOT TO THE PRESENT. LOOK AT HOW OTHER TECHNOLOGIES HAVE CHANGED.

DOCTORS WHO USED TO TELL PATIENTS TO BITE THE BULLET CAN NOW TELL THEM TO INHALE THE ANESTHETIC. ENGINEERS DON'T HAVE TO FIDDLE WITH SLIDE-RULES ANYMORE, SINCE THE INVENTION OF CALCULATORS. EVEN BASKETBALL PLAYERS HAVE ADVANCED WITH THE INVENTION OF THE UNBREAKABLE BACKBOARD. WHY HAVEN'T THE POLICE? WHY DON'T WE HAVE AN ALTERNATIVE TO THE REVOLVER? WHY CAN'T WE USE FORCE THAT ISN'T DEADLY?

THE ANSWER IS SIMPLE. NOBODY'S DONE THE RESEARCH; NOBODY'S DONE THE TESTING. THE LAST TESTING OF LESS-THAN-LETHAL WEAPONS WAS DONE BACK IN 1974. BUT CONGRESS CUT OFF THE INVESTMENT IN HARDWARE TESTING BECAUSE A LOT OF PEOPLE CALLED SAYING IT WAS A BAD IDEA. CONGRESS NEVER HEARD FROM PEOPLE WHO TOLD THEM THE MERITS OF THIS WORK. SO UNTIL 1986, NOTHING MORE WAS DONE. THEN, AT THE REQUEST OF THE ATTORNEY GENERAL, NIJ HELD A CONFERENCE ON LESS THAN LETHAL WEAPONS. WE BROUGHT TOGETHER LAW ENFORCEMENT OFFICIALS AND SCIENTISTS AND TECHNICIANS.

SINCE THEN, NIJ HAS INVESTED \$55,000 IN EXPLORATORY

RESEARCH. WE NOW KNOW ABOUT SIX POTENTIALLY SUITABLE COMPOUNDS THAT MAY BE EFFECTIVE AND SAFE IN STOPPING HUMAN BEINGS RELATIVELY QUICKLY. BUT THE NEXT STAGE -- DOING THE TESTING -- WILL TAKE AN INVESTMENT UP TO \$10 MILLION DOLLARS. THAT'S HALF OF NIJ'S ENTIRE BUDGET. IT'S FAR MORE THAN OUR AGENCY CAN AFFORD TO SPEND ON LESS THAN LETHAL WEAPONS DEVELOPMENT.

MEANWHILE, WITH OUR HORSE-AND-CARRIAGE AGE WEAPONS, WE CONTINUE TO PAY A HIGH PRICE IN LIVES LOST, MONEY WASTED, AND CAREERS SPOILED.

THE RECENT RESIGNATION OF DALLAS POLICE CHIEF BILLY PRINCE IS A CASE IN POINT. WITH HIS DEPARTMENT SUFFERING FROM A RECORD-HIGH RATE OF POLICE SHOOTINGS, THE TURNING POINT CAME WHEN A 70 YEAR OLD WOMAN WAS FATALLY SHOT AFTER SHE HAD CALLED POLICE TO REPORT A BURGLARY.

DURING THE PAST 15 YEARS IN CITIES OF OVER A QUARTER-MILLION POPULATION, POLICE KILLED OVER 250 PEOPLE A YEAR (CRIME CONTROL INSTITUTE STUDY, FORTHCOMING). AND IN MANY MORE CASES,

NON-LETHAL INJURIES RESULTED FROM GUNS USED BY POLICE.

AS A RESULT, CIVIL LIABILITY SUITS ARE AN INCREASING THREAT TO MUNICIPALITIES. IN A RECENT CASE IN JOLIET, ILLINOIS, THE FATAL SHOOTING OF A YOUNG MAN LED TO A 1.6 MILLION DOLLAR AWARD AGAINST THE POLICE DEPARTMENT. IN A MICHIGAN SUBURB, WHEN AN OFFICER'S GUN ACCIDENTALLY DISCHARGED AGAINST A YOUNG MAN, THE VICTIM WAS LEFT A QUADRIPLÉGIC -- AND THE JURY AWARDED 2.25 MILLION DOLLARS IN DAMAGES AGAINST THE POLICE.

AS I SAID, WE'VE ESTIMATED THAT IT WOULD COST ABOUT \$10 MILLION TO DO THE NEXT STAGE OF R & D ON THESE WEAPONS. BUT NATIONALLY, POLICE DEPARTMENTS PAY OUT AT LEAST THAT MUCH EVERY YEAR BECAUSE OF "EXCESSIVE FORCE" COMPLAINTS.

TO BRING THIS ISSUE TO THE LEVEL OF NATIONAL PRIORITY TAKES A GROUP LIKE THIS ONE. UNLESS IT'S SEEN AS A TOP ISSUE BY PEOPLE IN YOUR POSITION, UNLESS YOU GO HOME AND TALK TO PEOPLE ABOUT IT, UNLESS WE CAN GENERATE INTEREST AMONG THOSE WHO ARE LESS AWARE -- IT'S NOT GOING TO HAPPEN.

BUT WHEN WE DO DEVELOP A LESS-THAN-LETHAL WEAPON, IT'S GOING TO BE A TREMENDOUS BOON. THE COST SAVINGS ALONE ARGUE IN FAVOR OF THIS RESEARCH.

WHAT I'M TALKING ABOUT IS PRIORITIES. YES, WE NEED TO TEST THE ACCURACY AND SAFETY OF SERVICE REVOLVERS IN USE. BUT OUR PARAMOUNT NEED IS TO RISE TO A NEW PLATEAU OF WEAPONS DEVELOPMENT.

THE SAME NEED TO RE-EVALUATE OUR PRIORITIES IS TRUE OF OUR WHOLE SOCIETY'S INVESTMENT IN RESEARCH. IN A SOCIETY WHERE HEALTH CARE RESEARCH FUNDS ARE SET AT \$36 PER CAPITA, THE PER CAPITA INVESTMENT FOR PUBLIC SAFETY RESEARCH IS ONLY EIGHT CENTS. JUSTICE RESEARCH IS THE SMALLEST COMMITMENT TO RESEARCH IN THE FEDERAL GOVERNMENT. THE FISCAL BUDGET FOR 1988 EARMARKED ONLY \$19 MILLION FOR RESEARCH ON CRIME AND JUSTICE. BUT \$144 MILLION HAS BEEN DESIGNATED FOR THE NATIONAL INSTITUTE OF DENTAL RESEARCH. TWENTY THOUSAND PEOPLE WERE MURDERED IN THIS COUNTRY LAST YEAR. HOW MANY PEOPLE DIED FROM TOOTH DECAY?

I DON'T MEAN TO KNOCK DENTAL RESEARCH. IT'S IMPORTANT WORK THAT CAN HELP EVERYBODY. BUT SURELY, SO IS CRIMINAL JUSTICE RESEARCH AND TECHNOLOGY. IMAGINE WHAT THE PENTAGON'S REACTION WOULD BE IF THE DEFENSE BUDGET DIDN'T INCLUDE FUNDS FOR RESEARCH AND DEVELOPMENT. YET THERE IS A MAJOR ANTI-DRUG BILL RIGHT NOW IN THE SENATE -- FOR 500 MILLION DOLLARS -- AND IT DOESN'T ALLOCATE A NICKEL FOR RESEARCH INTO (FOR EXAMPLE) THE KINDS OF TECHNOLOGIES THAT COULD ASSIST US IN DEALING WITH DRUG CARTELS.

THE TECHNOLOGY ASSESSMENT PROGRAM REPRESENTS THE BEST KIND OF FEDERAL INVESTMENT IN RESEARCH. AND YOU CAN SAY ONE THING ABOUT IT THAT YOU CAN'T SAY ABOUT MANY GOVERNMENT-FUNDED PROGRAMS. IT HAS SAVED MORE MONEY THAN IT COST. IN DOING SO, IT HAS SERVED THOUSANDS OF POLICE DEPARTMENTS AROUND THE COUNTRY, DEPARTMENTS RANGING IN SIZE FROM A TWO-OFFICER DEPARTMENT IN MONTANA TO THE NYPD. (IT IS HIGHLY IMPROBABLE THAT ANY STATE OR LOCAL PROGRAM COULD DO FOR LAW ENFORCEMENT WHAT TAPIC DOES AT THE FEDERAL LEVEL.)

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YOU, OF ALL PEOPLE, KNOW THE VALUE OF THIS PROGRAM. LET'S  
ENSURE THAT ITS GOOD WORK CONTINUES.

THANK YOU.