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Law Enforcement Bulletin

In This Issue:
The Serial Rapist
Video Surveillance
Check Forgery

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The Undercover Operative

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Law Enforcement Bulletin



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William S. Sessions, Director

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The Cover: *The importance of management's commitment to the undercover operative is the focus of an article on page 3. Cover photo by Ron Dunnivan.*

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Director's Message

Legalization of Drugs—No!

I strongly oppose the legalization of drugs. I say that immediately because I want everyone who reads what follows to know that I unequivocally abhor that idea. I'm surprised that there are those who advocate that we Americans should give up the fight to combat illegal drugs and the evils that accompany their importation, sale, or use. I see no societal benefits that will outweigh the widespread horrors that normally accompany the use of illegal drugs.

This country faced up to the problems caused by drugs early in this century. In 1914, Congress passed the Harrison Act to halt the alarming rate of addiction caused by then legally available drugs like cocaine and heroin. Our legislators realized then that drugs themselves, not drug laws, damage our society. Certainly, dangerous drugs continue to pose the same threats today as they did when they were outlawed in the early 1900's.

Drugs hurt people as individuals and they also injure entire societies. Officially sanctioning their use will only compound their destructive effects. To me, there is a simple equation: When more individuals use drugs, more lives will be thrown away. American society would bear the moral responsibility for the tragic waste of its citizens if drugs were legalized.

As a former Federal judge, and now as Director of the FBI, I have seen the direct, personal, and pitiable tragedy induced by drug taking. I have seen

families emotionally and financially destroyed. I have seen talent squandered. I have seen lives simply thrown away. The personal costs, in my estimation, are simply too high to allow legalization.

I have also seen brave men and women—police officers and Federal agents—die while trying to stop drug trafficking. I have seen their bereaved families trying to restructure their lives. Unfortunately, however, the violence that accompanies the drug trade and the cold-hearted killing that has claimed the lives of too many of our law enforcement officers will not disappear just because laws are changed.

Even in a decriminalized atmosphere, money will still be needed to support drug habits. Will those who are heavy users be able to hold down full-time, productive jobs? If they can't, where will they obtain money to buy drugs? I believe that the answers are obvious.

Taxpayer dollars already fund treatment centers and rehabilitation efforts. In 1987, the Federal Government spent over \$454 million in this area alone. Costs will rise even higher if we legalize drugs. Current figures on drug usage are already staggering. The National Institute on Drug Abuse (NIDA) estimates that 23 million people in this country are current drug users and one former head of NIDA has said that it is plausible to expect an *addicted*

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population of 10 million on cocaine alone, if legalization occurs. As that segment of our population grows, the expenditure of tax dollars will increase dramatically as the Government tries to treat the addict or perhaps even to sustain his habit and lifestyle.

Economics aside, I also oppose legalization because I believe that our law enforcement agencies *are* making progress in the war against drugs. Despite what some critics say, if you're involved in the drug trade now, you stand a better chance of going to jail for a long time than you did several years ago. I'm not talking about street-level pushers going to jail more frequently. I'm talking about drug bosses going to jail. I'm talking about leaders of major drug-trafficking organizations being sentenced to long Federal prison terms.

Certainly, the enormous profits which are reaped from this illegal trade are going to continue to tempt some people to risk arrest. But, when experienced drug traffickers are put in prison, the organizations for whom they work are hurt. It stands to reason that no organization—legal or illegal—can afford to lose trained, experienced leaders. Make no mistake about it. With the increased cooperation that is taking place between law enforcement agencies, with the improved intelligence information that is being gathered, and with the employment of more sophisticated investigative techniques, we will continue to arrest and convict top people from all of the criminal organizations involved in this evil trade.

Still, law enforcement agencies are not relying solely on attacking the supply of drugs. We know that we must also bolster our attempts to reduce the demand. State and local agencies, the FBI, and the DEA are reaching out to civic and service organizations across the country, enlisting their support in these demand reduction efforts. The vast majority of our citizens already know how dangerous and destructive drug usage is, and we are seeing a renewed public outcry against drug abuse. Now, we must mobilize that public opinion to create a society that won't tolerate it.

I don't believe that Americans want to send a message to our youth that drug use is fashionable, respectable, and safe. Realistically, the vast majority of Americans do not abuse drugs to be sociable, do not think that usage constitutes acceptable behavior, and recognize that illegal drugs can kill.

Finally, I firmly believe that our citizens believe as I do—that the cost of drug usage to society is simply too great. What we need to do now is to mobilize our citizens and our resources to reduce drug usage—not to legalize, sanction, and incorporate this inherently debilitating practice into the American way of life.



William S. Sessions
Director

Management's Commitment to the Undercover Operative

A Contemporary View

U.S. Department of Justice
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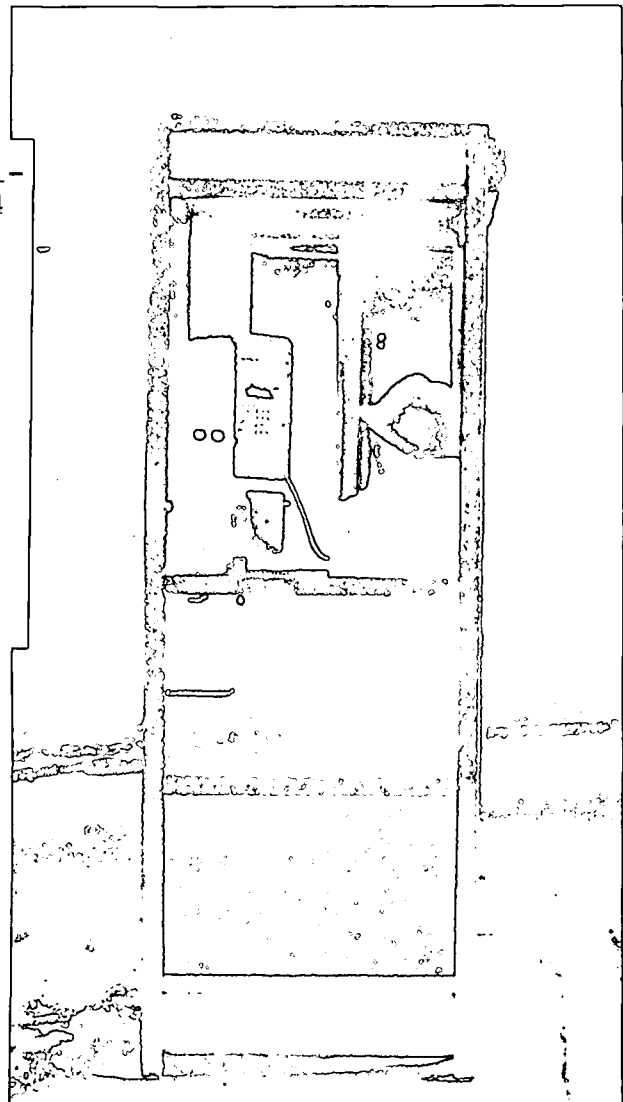
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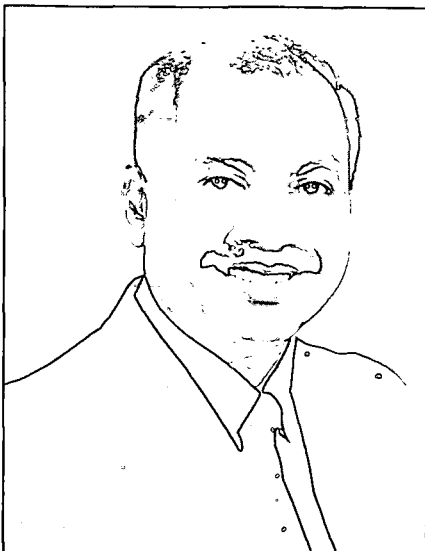
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By
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“The use of undercover investigative techniques requires a careful balance between meeting law enforcement objectives and the prevention of mental injury and emotional disturbances.”¹

Over the years, the news media have reported a great number of undercover investigations throughout the country. They have ranged from the typical “sting” (fencing operation) to the sophisticated penetration of organized criminal enterprises. In some instances, the ending has not been pleasant.

The law enforcement community must learn from its failures, as well as its successes. Societal demands and trends have caused dramatic changes in the services required and techniques used by the law enforcement community. Today’s manager must explore all resources available within the framework of the criminal justice system to get the job done. One such resource is the use of the undercover technique as a major investigative aid.

Law enforcement agencies have found the undercover operation to be an effective alternative, as well as a supplement, to traditional investigative approaches. Although the undercover operation has been used to a great extent over the years, it has only found its place within most agencies since the 1960’s. Agencies had commonly used such operations to investigate drug violations and for vice control. Today, undercover investigations are no longer as limited in scope nor confined to specific jurisdictional boundaries.

The nature and complexities of the criminal element have led law enforcement agencies to consider more innovative procedures. Carefully selected and trained undercover operatives are tasked with collecting information and evidence which would otherwise be totally unobtainable. Further, their testimony usually carries great weight because, unlike informants, they are “professionals” trained to work within the legal framework and without personal animosity toward any group or individual.

Management, however, must consider certain disadvantages of this technique. For instance, operatives working in this capacity are forced to make numerous personal and professional sacrifices, with unique and challenging stressors confronting them. Significant financial and personnel resources committed for an extended period of time tax the organization; yet, there is no assurance that pertinent information or evidence will be obtained.

For these reasons, management should consider an undercover operation only if the magnitude of the offense clearly warrants a major commitment of resources and all other approaches have either failed or proven impractical. If managers intend to use the undercover technique, then they must formulate and implement organizational guidelines and procedures to select, train, and monitor the activities of undercover operatives properly. Guidelines in each of these significant areas can help today’s law enforcement manager improve field operational capabilities.

Selecting Personnel

Once management approves an operation, it must focus on selecting an operational team which can work together closely for the duration of the project. Specific criteria established by the particular organization, such as commitment, experience, resourcefulness, and specialized skills, should determine those chosen for the team.

A candidate's work background is a critical element of selection. To be a good operative, one must first be a "good" law enforcement officer. Volunteers with experience as sworn officers make excellent candidates. At a minimum, this experience should entail 1 to 3 years, depending on several variables, such as personal and work background, department size, and nature of duties.

Some agencies are still selecting candidates for undercover assignments directly from recruit training ranks. Although there are advantages to this practice, the individual has no opportunity to experience any form of occupational challenge. Further, denying

what criteria should a selection process include? Before answering these questions, it is necessary to first differentiate between short- and long-term assignments. For the purpose of this article, a short-term undercover assignment is one which may last from a few days to several weeks, while a long-term assignment may last from months to several years. An agency may have numerous candidates qualified for short-term assignments, but few individuals who possess the necessary characteristics to assume a role for long periods of time.

Regardless of the length of an assignment, however, the manager must look for a number of traits in the candidate. Besides having served as a sworn officer and being a volunteer, he or she must be resourceful and manipulative. Excellent work habits and other personal characteristics, such as maturity, stability, and general attitude, are other important selection factors which should have been assessed in previous employment probationary period evaluations. In addition, an operative

Many of the same psychological or other adjustment problems encountered in long-term assignments affect individuals who participate in repeated short-term undercover operations. Not everyone can function in an undercover capacity, regardless of the assignment's nature or duration. Consequently, today's manager should use a screening system to identify those who are most likely to succeed in an undercover capacity and eliminate those who are not.

One screening method is the use of standardized personality assessment instruments. The resulting data can provide a profile of the candidate's personality, making it possible to predict, with some degree of accuracy, future performance in a specific undercover role. Structured interviews by subject matter experts (SME's) from one's own agency can augment this approach. A former undercover operative will most likely recognize a candidate with potential, as well as the one without the necessary skills. Psychological testing and interview evaluation will generate information that will aid in:

- 1) Identifying candidates not psychologically prepared to cope with the commonly encountered undercover stressors,
- 2) Confirming the selection of the best type of undercover assignment for an individual,
- 3) Establishing a time frame for an individual in a particular undercover assignment,
- 4) Determining the most appropriate degree of cover (deep vs. light),

"... today's manager should use a screening system to identify those who are most likely to succeed in an undercover capacity and eliminate those who are not."

a recruit the experience of on-the-job training and subsequent evaluation can only limit his or her future work potential.

Who within the ranks makes the best undercover operative, and

should not accept an assignment too dissimilar from his or her personality. For example, merely belonging to a certain ethnic or minority group, by itself, does not guarantee successful performance among these similar groups.

- 5) Identifying the work environment most suited to an individual's personality characteristics,
- 6) Identifying problems a particular individual is likely to experience in the assignment, and
- 7) Assessing potential problems the individual may encounter in establishing or maintaining relationships with informants or other sources of information.

Another effective selection technique is the use of a screening or assessment board that resembles the boards currently used to select drug investigators, SWAT team members, and other specialized personnel. Those appointed to serve on a selection board should possess practical knowledge of organizational resources and overall jurisdictional responsibilities associated with undercover operations, as well as the personal sacrifices and critical logistics. During selection deliberations, they should fully address and resolve the numerous critical questions which may arise on the following points:

- Assurance that the individual is voluntarily applying for the assignment.
- What promises, if any, are made to recruit the individual for an undercover assignment? What are the repercussions of not honoring these promises in the future?
- What particular talents or background are required to work a particular assignment successfully?
- The individual's current family situation and what effects

an assignment may have on them.

- Policy or accepted practices the organization has with regard to promotion, transfer, and specialized training for the operative upon completion of an assignment.

Any misunderstanding or lack of concern here may pose significant problems for management, the investigation, or the operative at a later time.

Regardless of what technique is used, management should focus clearly on the reason(s) why an individual applies to be an undercover operative. Ideally, he or she is "deeply motivated," believes to

"A candidate's work background is a critical element of selection."

be qualified, or simply functions best in challenging assignments. Unfortunately, many candidates want to participate in such an assignment for all the wrong reasons. They may have fantasies derived from the movie and entertainment industry, or the assignment appears to offer a "romantic" or "adventuresome" setting. In such cases, a manager must further investigate the motives, consider other available candidates, or re-evaluate other options. If an agency selects the "wrong individual" for an undercover assignment, management should replace the operative without delay and conduct a comprehensive assessment of the entire situation.

Today's manager must explore all organizational resources in order to develop a selection method responsive to existing needs. The challenge to use the undercover operative exists at all levels of law enforcement. However, only the "most qualified" should function in this capacity. In addition, not everyone can do undercover work, and undercover work may not be advisable even for qualified applicants at certain stages in their personal lives or professional careers.

Training

After selecting an individual to function in an undercover capacity, management's next step is to prepare him or her for the assignment through specialized training. A definitive curriculum to serve the training needs across all jurisdictions is difficult to design; however, the following core agenda is suggested:

- Legal training with an emphasis on elements of specific violations, rules of evidence, entrapment implications, and effective court testimony;
- Reports and documentation of information or intelligence;
- Stress management;
- Ethics in law enforcement;
- Undercover concepts;
- Terms or language associated with particular violations or target groups; and
- Role-play scenarios.

Classroom instruction is only one segment of the training program. Undercover case experiences and briefings supplement the classroom training by relating the

successes, failures, methods, and problems of past operations. Potential operatives should examine these operations for strategies, tactics, and the different perspectives various personnel may have of each case. Further, former operatives can add firsthand knowledge and recommendations about assuming an undercover role and identifying with a specific target group. Past experience provides a knowledge base from which operatives may draw in the future and assist in mentally preparing themselves to meld their personalities with strategies that have proven successful in the past.

In addition, management should provide training related to the particular assignment or target group. For example, if the operation is to focus on the clandestine activity involving a distinct ethnic or subversive group, training should then encompass the cultural characteristics, modus operandi, and other idiosyncrasies unique to that group. This training gives the candidates an opportunity to develop the confidence needed to prevent day-to-day problems, and it enables the operative to function more effectively against the target. The unusual and isolated nature of undercover work makes this training particularly valuable from a problem-prevention standpoint.

After the classroom training and briefings, the potential operatives should participate in role-play scenarios. This last phase of training allows the candidates to experiment with various techniques and to test their ability to operate in an undercover capacity. If possible, experienced undercover operatives should videotape

and critique the scenario. Role playing allows the individual to make mistakes in a controlled environment and to gain confidence from experience.

Although training will not prevent all problems, unexpected circumstances are less likely to throw the operative off balance. Instead, the individual will more easily and constructively identify and deal with the circumstances.

Monitoring

The term "monitoring" suggests that someone or something is going to be watched, observed, or checked with a special purpose in mind. For years, managers have monitored undercover investigators from an operational point of view; however, managers have not always given this same consideration to the psychological health of undercover operatives. From an operational standpoint, management uses standard operating pro-

cedures to assess new information, focus the investigation, and gather evidence, etc., within the rules and regulations of the department and the laws governing the jurisdiction. These procedures assist the operational or investigative team in organizing the investigation, avoiding pitfalls, and increasing the chance of success. Establishing a program to monitor the psychological health of long-term (or repeated short-term) undercover operatives can provide similar benefits.

The monitoring program examines the stressors associated with undercover work, while an operative is in place or re-entering traditional assignments. In addition, it assists in identifying, avoiding, or minimizing problems and thereby increases the operative's and the operation's chance of success. Psychological monitoring of an undercover operative throughout an operation involves

Table 1	
Undercover Operative:	Individual who functions in an undercover capacity directed toward a target.
Contact Officer:	Individual who has the most official contact with the undercover operative, usually someone with the same rank as the undercover operative and not in a supervisory or management position.
Investigator:	Person responsible for the undercover operation; may also be the contact officer; usually has a title of detective, investigator, special agent, etc.
First-Line Supervisor:	Management official directly over the undercover operation; usually has a title of sergeant, lieutenant, supervisor, etc.
Top Management Representative:	Individual who reports directly to department head; has the power and authority to make managerial decisions; usually has a title of deputy chief, commander, inspector, etc.

meeting with the individual to discuss problems or issues that have surfaced. These problems or issues may have evolved from the operation or from the operative's personal life and are often due to the role he or she has had to assume or the nature of the operation.

The department's administrators create an atmosphere that can play a valuable role in the acceptance and success of a monitoring program. The administration must believe in the program and place the operative's psychological well-being above the operation's success. The department has to recognize that no operation is worth "losing" an officer.

The operative must trust the individual(s) tasked with directing this program. The dialog between the operative and the individual monitoring the program should be honest and direct, with the emphasis not on the operation but on the operative's ability to function within the undercover role and to return as a productive member of the department.

Depending on the type and magnitude of the undercover investigation and the structure of the department or agency, the undercover operation may involve a number of different individuals. (See table 1.) The emphasis should not be on the titles of these individuals but on the role each plays in monitoring the undercover operative's psychological health.

The Contact Officer

An investigation which precludes an undercover operative from appearing at the office or department mandates carefully selecting an individual to serve as the operative's point of contact.

This individual, the contact officer, is described by many undercover operatives in deep cover roles as their lifeline—their link with the organization.

When selecting a contact officer, the supervisor should consider both personal and professional restrictions. He or she should have many of the same attributes as the operative, such as commitment, dedication, commonsense, maturity, experience,

“ . . . management should focus clearly on the reason(s) why an individual applies to be an undercover operative.”

and the ability to work behind the scenes. The contact officer and the operative should have not only compatible personalities but should complement each other's work product. Ideally, a contact officer and the operative will have a proven relationship built on mutual professional respect and trust. The more covert the operation, the more important the role of the contact officer.

The responsibilities of the contact officer are numerous. The contact officer should communicate frequently with the undercover operative. Ideally, this should occur at least once each tour of duty. The contact officer should respond to the undercover operative's requests and recommendations and promptly inform the undercover operative of any changes in the focus or scope of the investigation. To reinforce the undercover operative's traditional identity as a law enforcement

officer, the contact officer also should make every effort to inform the operative of current office or department news and information. Throughout the investigation, the contact officer should continuously monitor the undercover operative. Yet, the prime responsibility of the contact officer is to remain alert for any unhealthy changes in the operative's behavior or habits. Although the contact officer cannot be expected to diagnose causes of stress, he or she may recognize some of the more common stress symptoms listed in table 2.

Usually, informal conversations will reveal whether the operative is functioning to the best of his or her abilities. During such discussions, the operative can often identify any coping problems, and depending on the nature, extent, or severity, may initiate corrective action or request replacement. Most undercover operatives cope well and will need only understanding, support, and an avenue through which to vent their concerns and frustrations. Contact officers are not responsible for "treating" an undercover operative; rather, they should refer any operative needing psychological assistance to the appropriate professional. All individuals involved in monitoring an undercover operative should know:

- The type of psychological assistance available through the department or the department's health plan,
- Whether the health professional has a law enforcement background or understands the unique stressors associated with police work or undercover work,

- The names, addresses, and telephone numbers of psychologists or psychiatrists who are available, and
- The confidentiality afforded an officer should he or she be administratively, informally, or self-referred.

The emphasis should focus on assisting the operative without damaging his or her career or reputation.

The Investigator

The investigator is the individual within the department who is responsible for the undercover operation, the one who coordinates all aspects of the investigation to ensure a successful outcome. The investigator meets with the operative as necessary to discuss operational details. This contact offers further input about the operative's handling of stressors in

the assignment. Generally, the investigator and the contact officer are the same individual, except where the magnitude of the case dictates otherwise.

The First-Line Supervisor

In addition to meeting with the investigator to coordinate the undercover operation, the supervisor should also meet regularly with the undercover operative. Discussion of strategy, past successes or failures, and future objectives are important to the operative. He or she must be included as much as possible in the planning process of any decisions affecting the operation. These discussions serve to "punctuate" the case into a series of definable objectives that the operative can deal with more easily than one long-range goal. This process is especially important if the project must terminate suddenly, since it can clarify that certain intermediate goals have been met. The supervisor can also observe behavioral changes in the undercover operative's life or work habits.

The Top Management Representative

As an additional safeguard, a designated individual removed from the investigation and knowledgeable of undercover operations should meet and talk with the operative at least semiannually. This individual, a top management representative, should possess the authority to make departmental decisions. For most investigations, management uses this approach only if the operation exceeds 6 months. The purpose of these semiannual interviews is to focus

TABLE 2
COMMON STRESS SYMPTOMS

- | | |
|--|---|
| <ul style="list-style-type: none"> ○ Physical illnesses—constant or persistent headaches, indigestion, weight gain or loss, or other physiological symptoms with no apparent cause. ○ Changes in attitude toward health, hygiene, physical conditioning, diet, etc. ○ Significant increase in alcohol consumption. ○ Increased use of prescription drugs or any use of an illegal drug. ○ Dramatic increase in feelings of exhaustion, going more than 2 days without sleep or with less than 4 hours per night over an extended period or sleeping all the time. ○ Helpless, hopeless or "beaten" feelings, loss of sense of humor. ○ Unrealistic feeling of isolation or preference to be alone. ○ Increased risk-taking behavior or an inappropriate carefree feeling. | <ul style="list-style-type: none"> ○ Development of a "short fuse" or uncharacteristic anger and resentment. ○ Demands which appear to be unreasonable or beyond management's capability of meeting. ○ Loss of interest in office or department activities. ○ Changes in attitude toward the violation or individuals being investigated. ○ Preference to be with the target group more than colleagues or family. ○ Inability to imagine or look forward to the end of the operation. ○ Identification with the undercover role as an end in itself rather than as a means for gathering evidence. ○ Initiation of a romantic or sexual relationship with an informant or member of the target group. ○ Urges or behavior leading to illegal activities (e.g., shoplifting or misuse of funds). |
|--|---|

on the operative to determine how he or she is coping with the stressors of the assignment. The interview also presents an opportunity to demonstrate that the department is concerned with the operative's well-being and that the department appreciates and recognizes the personal sacrifices of the operative and his or her family.

Prior to meeting with the operative, the top management representative should be briefed on the undercover operative's role in the operation, the current status and accomplishments to date of

the investigation, the future direction of the investigation, and the nature and source of any problems. In addition, this individual should determine from the investigator, contact officer, and supervisor the frequency of the contacts made with the undercover operative and any observed changes in the operative's personal life or work habits. The top management representative should obtain information concerning the areas cited in table 3. To a lesser degree, the contact officer, investigator, or supervisor should consider dis-

cussing these same concerns when they meet with the undercover operative.

Management should give high priority to the face-to-face meetings with the undercover operative and should allow adequate time for these interviews. Sometimes in the rush of work, management tends to delay contacts of this type, which the undercover operative can misinterpret as a lack of concern by the department.

The top management representative should discuss with the operative the areas of potential concern that the representative discussed previously with the investigator, contact officer, and supervisor. The representative and the operative should explore in greater detail any questionable areas. Table 4 lists some additional areas of concern and models a number of questions the representative may ask the operative at this semi-annual meeting. The top management representative should approach this meeting with a style that suits his or her personality and reflects a genuine interest in the operative. An effort should be made to avoid a "shopping list" approach to cover these areas of concern.

During this interview, the undercover operative may request professional psychological assistance or exhibit obvious coping difficulties. At this time he or she should be encouraged to contact the professionals available through the department or the department's health plan. Advising the undercover operative of the confidentiality that accompanies this referral is essential.

TABLE 3

MONITORING CONCERNS

- | | |
|---|--|
| <ul style="list-style-type: none"> ● Complaints made about physical problems or specific stressors. ● Changes in eating, drinking, or smoking habits. ● Changes in attitude toward health, physical conditioning, etc. ● Uncharacteristic changes in dress or overall appearance. ● Tendency to role play or to be unusually flippant. ● Tendency to use his or her undercover identity when not on the assignment. ● Increased tendency to be careless about where and when meetings are scheduled. | <ul style="list-style-type: none"> ○ Increased tendency to be politely formal and impersonal when meeting with the departmental representatives. ○ Increased lack of interest in the office or department activities. ○ Changes in attitude toward the investigation. ○ Problems in handling personal responsibilities outside the undercover operation. ○ Comments suggesting a desire to try drugs or commit minor offenses. ○ Unreasonable demands. |
|---|--|

Officers should trust their instincts and use common sense when monitoring an undercover operative. Past experience has shown that after an operative was "lost" (went bad), a review of the operation yielded a number of warning signs. Too often, the time constraints or stressors in the lives of those responsible for the operative or operation hindered better judgment. Identifying, avoiding, eliminating, resolving, and minimizing problems throughout the operation will help ensure the psychological health of the undercover operative and increase the chance for success of the operation.

A comprehensive monitoring program can benefit both the undercover operative and the undercover operation; therefore, managers must ensure that their departments properly administer the program pursuant to established guidelines.

Termination and Re-Entry

Because termination and re-entry involve information from a number of sources, it is difficult to decide precisely when to conclude a long-term undercover operation. When possible, management should include the undercover operative in planning this final process, since the termination of an undercover assignment represents a major life change for the operative. Decision or indecision by management may have long-lasting implications not only on the personal and professional future of the operative but also on the judicial outcome of the entire investigation. Among the many considerations are:

- To what extent does management control or monitor the termination and re-entry process of the operative?
- How can management show its support to the operative once the investigation has concluded?
- What type of assignment does the operative now need to ensure a gradual and uneventful transition back to the rank and file?

The degree of assistance necessary to ensure the operative's smooth transition will depend on the type, duration, and working environment of the undercover assignment. Management should treat the operative the same, whether the investigation was considered a success or not. Generally, the same amount of self-

sacrifice and stress occurs in these assignments, regardless of the operation's outcome.

Manpower is always a management concern; however, when possible, management should grant the operative time off as necessary for gradual re-entry. An officer sporting a beard and jeans has difficulty concluding an assignment on a Friday and reporting for duty clean-shaven and in uniform on Monday morning. The officer needs time to "readjust" as he makes the transition from operative to that of a traditional police officer. Management may also schedule a re-orientation training course to review topics that may affect the officer's new assignment. Topics should be selected based on the needs of the individual, such as departmental

TABLE 4
SAMPLE QUESTIONS
TO ASK OPERATIVES SEMIANNUALLY

- | | |
|---|--|
| <ul style="list-style-type: none"> ○ Are the meetings with the contact officer productive, helpful, and frequent enough? How could they be improved? ○ Does the undercover operative have sufficient resources (personnel—support, equipment, money) for the project? ○ How is the undercover operative spending his or her time when not engaged in the assigned undercover role? | <ul style="list-style-type: none"> ○ What personal adjustments and changes have been the most difficult for the undercover operative? ○ What problems about the operation or the undercover operative's role have developed? ○ How has the undercover operative prepared for the end of the project? ○ Has the undercover operative considered what he or she will do after the project is over? |
|---|--|

procedural changes, recent judicial decisions, defensive tactics, and firearms training.

Re-entry is an extremely sensitive period for the operative. Peer attitudes and expressions of support play a significant role during this transition. Management can assist further by taking precautionary steps to minimize misinformation or rumors circulated or perceived by co-workers toward the operative. Timely briefings and dissemination of the official version of circumstances surrounding the reassignment and re-entry of an undercover operative can effectively counter misinformation.

At the end of an assignment, an operative may experience a type of mental letdown which can lead to a state of increased defensiveness, irritability, and a tendency to "tell it like it is." As a result, the operative may have much to say and should be allowed ample opportunity to discuss his or her feelings and observations. The operative may take several weeks, or even months, to completely express these feelings and arrive at a sense of completion, perspective, and peace of mind.

Management may also consider a professional assessment of the operative's psychological health by arranging for counseling similar to that offered to officers who have been involved in a shooting incident. In fact, such counseling may become mandatory if incorporated into departmental policy. By implementing this type of policy properly, management informs the officer that professional assistance is available, offers an opportunity for the officer to obtain professional help

now or at a future date, and reduces the officer's reluctance or embarrassment to seek professional assistance.

The re-entry period presents an excellent opportunity for an organization to show its appreciation for the hard work and sacrifices on the part of the operative and his or her family. Timely, official recognition in the form of a commendation or award should be presented not only to the operative but also to the entire team and support group.

Management's failure to assist an operative at this final stage of an undercover assignment may have a prolonged negative

"... management should provide training related to the particular assignment or target group."

impact on the organization. No undercover operation is worth "losing" an officer. If he or she comes to believe that the sacrifices and stress of the assignment were of little value or were unappreciated by management, feelings of guilt, anger, and resentment may set in. This can reduce morale within the organization, particularly if the operative's peer group and associates now sense that he or she has been "used" and "discarded."

Management should not immediately "recycle" operatives into another undercover operation, even if the operative requests such an assignment and the previous project has gone well. Instead, management should use its exper-

tise and experience in other capacities related to undercover investigations but with considerably lower psychological risks. Contemporary management must sensitively respond to individual needs, particularly during the termination and re-entry process.

Conclusion

By using these guidelines, today's manager can enhance an existing program or develop a new one to effectively select, train, and monitor officers in undercover assignments. When used properly, such a program can improve the field operational capabilities of a department.

Management must use departmental manpower to its utmost potential. However, it must also minimize practices or procedures which are counterproductive or which the department may interpret as insensitive. Hesitating to preserve the psychological health of undercover operatives before, during, and after covert assignments poses a threat to departmental morale and efficiency. Unprotected former undercover operatives may alienate future volunteers who possess the necessary background, personality characteristics, and willingness to get the job done.

Through diligent planning and innovative development in these areas, today's management is safeguarding one of law enforcement's most valuable investigative assets—the undercover operative. **FBI**

Footnote

Michel Girodo, "Health and Legal Issues in Undercover Narcotics Investigations: Misrepresented Evidence," *Behavioral Science and the Law*, vol. 3, No. 3, 1985.



New President of the National Academy Associates

Congratulations are in order for Pat G. Minetti, Chief of Police of the Hampton, VA, Police Department. Chief Minetti was sworn in as President of the National Academy (NA) Associates by FBI Director William S. Sessions. As President of the NA Associates, Chief Minetti will lead a body of almost 22,000 State and local law enforcement officers who have also graduated from the FBI National Academy.

Chief Minetti, prior to signing on as a police patrolman with the Hampton Police Department in 1954, had worked in the steel mills and as a lumberjack outside Pittsburgh, PA. And, throughout his law enforcement career, Chief Minetti worked his way up the ranks of the Hampton Police Department until he was appointed Chief of Police in February 1972. As Chief of Police, he has authority for 200 officers, 60 civilian employees, and over 90 part-time employees and volunteers.

Throughout his career, one of Chief Minetti's basic philosophies has been that "higher education serves principally to make a good cop better." For him, these words could not ring more true. In March 1973, he graduated from the 92d Session of the FBI National Academy and received the J. Edgar Hoover Award for Scholastic Excellence while at the Academy.

In addition to graduating from the NA, Chief Minetti also earned a B.A. degree in Political Science in August 1977, from Christopher Newport College in Newport News, VA. In June 1980, he received a Master of Public Administration degree from the John F. Kennedy School of Government at Harvard University, and in June 1981, he earned a Master of Public Administration in Manpower Management from Golden Gate University in San Francisco, CA.

Chief Minetti, a life-long member of numerous professional and civic organizations, has been the recipient of numerous awards. He was the first to receive the National Business Leader of the Year Award of the Institute of Industrial and Commercial Ministries, Inc. And, he was the only Chief of Police in Virginia to receive the T. Edward Temple Award for Distinguished Service as a Public Administrator. Most importantly for Chief Minetti, the Hampton Police Department received its accreditation from the Commission on Law Enforcement Accreditation in November 1988. This is a tremendous achievement considering that the Hampton Police Department was 1 of only 14 law enforcement agencies, nationwide, considered for this professional accreditation.

FBI

Investigative Techniques

dlco

LPG LP

CHECK PRINT

By
DET. JIM SELENO
Forgery/Fraud Investigations
Police Department
Santa Ana, CA

Agreement District

WA

Forgery and check-related crimes have always presented unique investigative problems to law enforcement. These problems continue to increase as our society moves further away from a cash economy and embraces more and more a credit or paper economy. With this comes the inability of many law enforcement agencies to devote sufficient manhours to the investigation of such crimes.

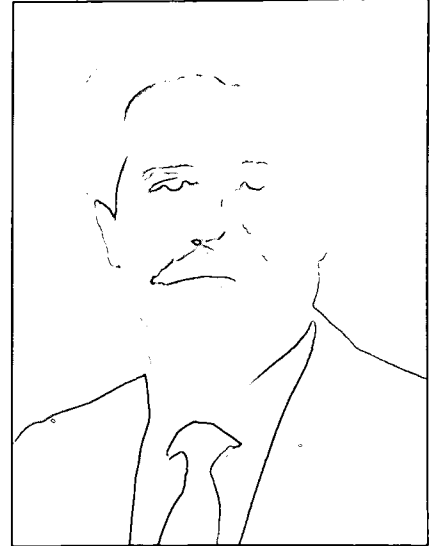
In 1987, the City of Santa Ana, CA, experienced an alarming increase in the number of counterfeit and stolen checks being passed in local businesses. Intelligence information indicated that organized groups of criminals operating in the western United States were responsible for a large percentage of the losses.

Using different false identification in each area, these groups targeted small family businesses and check-cashing establishments, those that could least afford to take losses estimated to be in excess of \$500,000 annually. These businesses would cash weekly paychecks for customers and friends, catering basically to the local population. Many times, however, this population included undocumented workers, as well as legal residents.

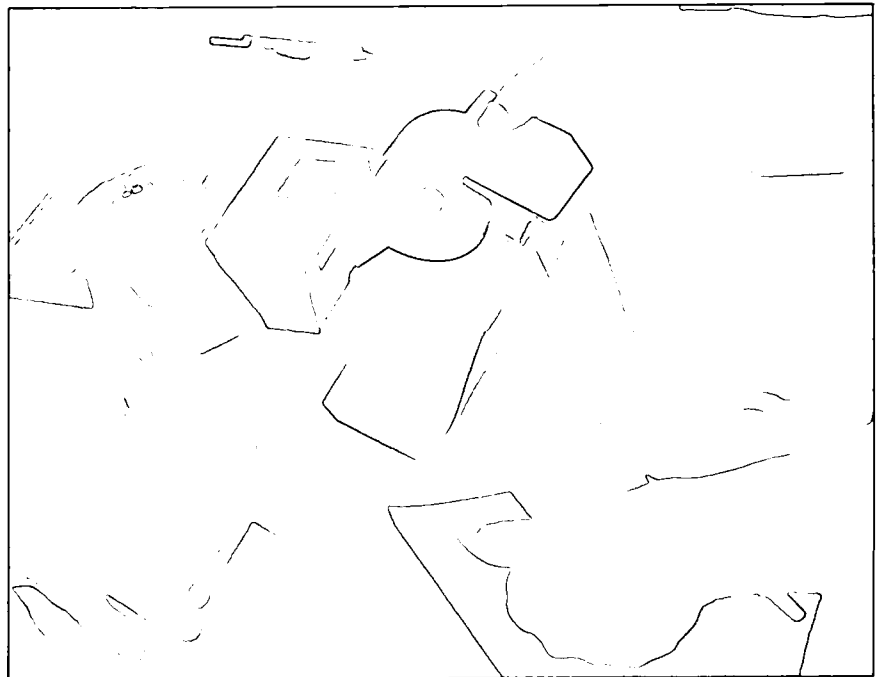
When an organized criminal group entered Santa Ana, members would locate these establish-

ments and pose as legitimate customers to pass their counterfeit and stolen checks. Once this was done, they would move on quickly to a different area, leaving the owners with worthless documents, fictitious identification, and substantial monetary losses.

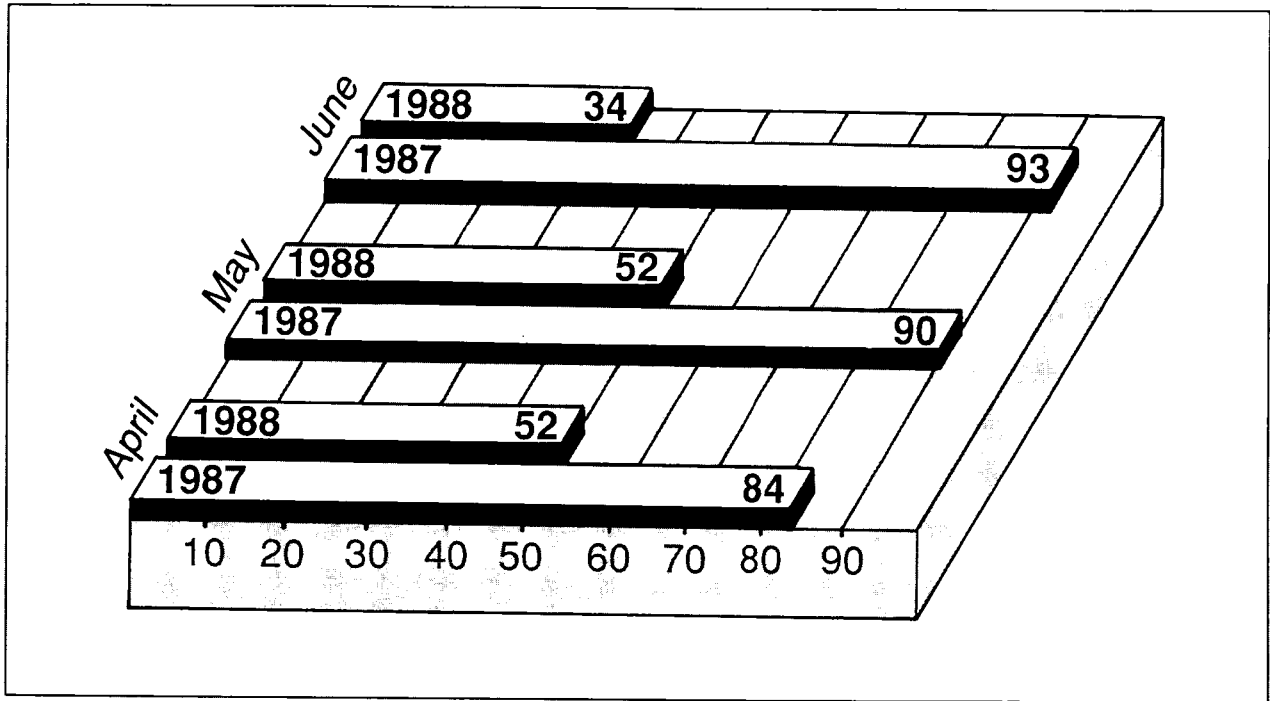
The business community turned to the police department for help. Unfortunately, investigators had little to go on in establishing the true identities of the suspects, since all they left behind was a trail of false identification. Yet, it was believed that if the criminals knew it was extremely likely they would be identified, they could be deterred from bringing their business to Santa Ana.



Detective Seleno



Reported Forgeries
2nd Quarter 1987 & 1988



Implementation of the CAL ID computer system provided the resource to help deter them. If a fingerprint could be obtained when the check was negotiated, it could later be submitted to the crime lab by the assigned detective and matched to a suspect via the CAL ID computer. This system could provide rapid identification, along with storage capabilities for future identification.

However, there were drawbacks to consider. People hesitated to cash checks because they were

required to be fingerprinted, which left them with ink-stained fingers.

“The CHECK PRINT program has had a positive impact on the forgery-counterfeiting epidemic....”

Business owners feared this would drive away legitimate customers.

To solve this problem, the forgery detail contacted a manufacturer of inkless fingerprint pads. Samples were tested for compatibility with the CAL ID system, along with durability and ease of use.

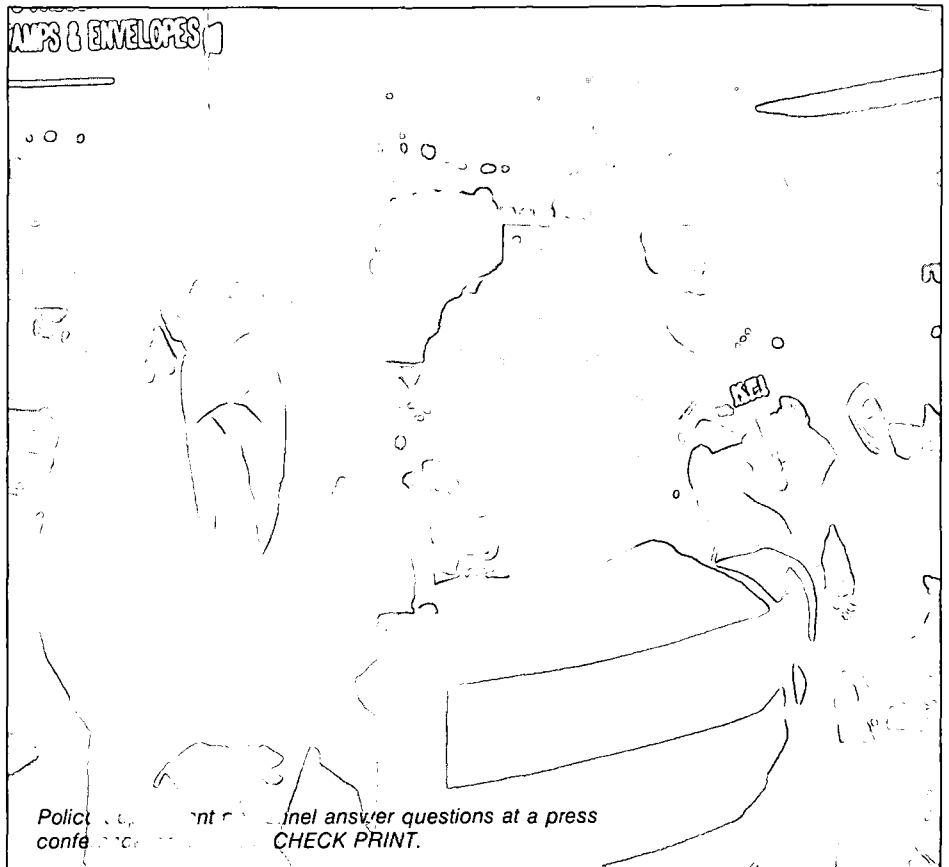
At the same time, investigators began contacting local business establishments to explain the benefits of fingerprint identification. A great number appeared interested in the system that would reduce losses and aid in the apprehension of these criminals.

Banking establishments and some larger food store chains chose not to participate in this program because of what they believed to be adverse publicity. They indicated they were willing to absorb the loss so as not to inconvenience their customers.

The CHECK PRINT program officially started with the police department distributing inkless fingerprint pads at no cost to approximately 70 targeted businesses, along with window decals and placards explaining the program. Each business was asked to obtain a thumb print from the endorser of payroll and government checks before cashing the check so that the print could be entered into the CAL ID system.

Prior to implementation, a test case was conducted at a local market. The print obtained on a stolen check was entered into CAL ID by the police criminalist, and a match was made within minutes. The true identity of the suspect was obtained from prior arrest files and an arrest warrant was issued. If the thumb print had not been entered, this case would have joined the several others which remain unsolved because the suspect used a fictitious name and false identification.

On April 8, 1988, the CHECK PRINT program was officially put into operation. Present at the press conference, held at the market where the system test took place, were members of the Latin and English news media and police department personnel, who explained the program.



Within days, other businesses inquired about participating in the program. A forgery investigator personally contacted each business selected for participation to train the owner and other clerks on the use of the hardware.

Since the program has been in effect, the police department has received numerous reports on attempted forgeries that were aborted when the endorser was requested to submit a thumb print. Some of the would-be forgers literally ran from the store, leaving the check and fictitious identification behind.

Since the program has been

in operation, there has been a decrease in reported forgeries of 48 percent and a decrease in the dollar loss to participating businesses of 68 percent.

In a survey conducted by the forgery detail, participating merchants indicated they were satisfied with the CHECK PRINT program. They have experienced minimal resistance from customers and believe their dollar loss due to forgery has been reduced.

The CHECK PRINT program has had a positive impact on the forgery/counterfeiting epidemic in terms of prevention, identification, apprehension, and prosecution.

FBI

Research

The Serial Rapist

His Characteristics and Victims

(Conclusion)

BY
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Part I of this article discussed in detail the demographics of the serial rapist. This part of the article will identify the developmental characteristics of the 41 serial rapists interviewed. It will also provide an account of the victims selected by these rapists and conclude with a summary of the findings based on the data collected.

DEVELOPMENTAL CHARACTERISTICS

Socioeconomics

Table I summarizes various aspects of the rapists' family structure. As indicated, slightly over one-half grew up in homes that were socioeconomically average (37%) or advantaged (17%). Approximately one-quarter (27%) were raised in marginal but self-sufficient homes, while 20% were raised in submarginal homes and were, at times, on welfare.

The significance of these findings is that 54% of the serial rapists were brought up in average or above-average socioeconomic environments. While it is recognized that the results of this research cannot be generalized to the undifferentiated rapist population, these findings would seem to contradict long-held beliefs and theories that the majority of such individuals emanate from submarginal beginnings.

Parental Relationships

The rapists were asked questions pertaining to their relationship with their parents. (See table I.) When asked who was the dominant parental figure, 20 (50%) reported the mother, 16 (40%) the father, and 4 (10%) some "other" adult figure.

"Kenny" provides the reader with an example of a young man

who was raised in an unusual interpersonal environment.

Case 5:

When Kenny was 8 years old, his mother was convicted of murder, and he was sent to live with an aunt who had

recently been released from prison for stabbing a man to death. The aunt was an alcoholic and chronic gambler and all of the family's money went to support these activities. At the age of 14, he ran away

TABLE I
FAMILY STRUCTURE OF SERIAL RAPISTS

Assessment of Socioeconomic Level of Subject's Preadult Home (N = 41)	N	Percent
Advantaged	7	17%
Comfortable, average	15	37%
Marginal, self-sufficient	11	27%
Submarginal	8	20%
Variable	—	—
Dominant Parental Figures (N = 40)		
Mother	20	50%
Father	16	40%
Other	4	10%
Quality of Relationship to Mother or Dominant Female Caretaker (N = 39)		
Warm, close	14	36%
Variable	12	31%
Cold, distant	2	5%
Uncaring, indifferent	4	10%
Hostile, aggressive	7	18%
Quality of Relationship to Father or Dominant Male Caretaker (N = 39)		
Warm, close	7	18%
Variable	10	26%
Cold, distant	12	31%
Uncaring, indifferent	3	8%
Hostile, aggressive	7	18%
Evidence that Subject was Physically Abused by Parents/Caretakers (N = 40)		
yes	15	38%
no	25	62%
Evidence that Subject was Psychologically Abused by Parents/Caretakers (N = 41)		
yes	30	73%
no	11	27%
Evidence that Subject was Sexually Abused (N = 41)		
yes	31	76%
no	10	24%



Special Agent Hazelwood

from home and was taken in by a pimp. The pimp was in his mid-twenties and a college graduate. The man allowed Kenny to assist in his "business" by collecting monies from the female prostitutes in his "stable." Of interest is the fact that the pimp insisted that Kenny continue his education and not "run the streets." The pimp stressed the value of education and advised that when he could no longer "work the girls," he could always fall back on his college degree. Kenny advised that while he was with the pimp, he never got into trouble with the law. Eventually, the man was arrested and sentenced to a long prison term, and unfortunately, Kenny returned to the streets.

Within the sample, only 14 (36%) of the men described their relationship with their mothers as "warm/close." Twelve (31%) stated that it was a "variable" relationship, 7 (18%) said it was "hostile/aggressive," 4 (10%) that it was "uncaring, indifferent," and 2 (5%) described it as being "cold/distant." (See table I.)

Even fewer of the men (7 or 18%) described the relationship

as "uncaring/indifferent." (See table I.)

Childhood Abuse

Abusive behavior in the families of the serial rapists was well-documented. As noted in table I, 15 (30%) of the rapists reported being physically abused. One man advised that his mother would "hit me with anything that was handy, a belt, a broomhandle, iron, whatever." Scars on his back were evidence to the truthfulness of his statement. Another rapist explained that his mother caught him fondling his penis through his pants and reported it to his father. The father made the boy put his penis over the back of a chair and whipped it with a belt.

Thirty (73%) of the subjects described psychological abuse. However, obtaining this information was not always easy. One man, when asked if he had been emotionally abused as a child, replied negatively. Later however, when asked what his mother said to him when she was angry, he replied, "She would call me a bastard, son-of-a-bitch, asshole. Things like that."

In a separate analysis of the same 41 rapists, Burgess et. al.⁷ found that 31 (76%) of the 41 rap-

"... 54% of the serial rapists [interviewed] were brought up in average or above average socioeconomic environments."

with their fathers as "warm/close." Twelve of the respondents (31%) indicated that it was "cold/distant," 10 (26%) reported it to be "variable," 7 (18%) as "hostile/aggressive," and 3 (8%)

ists reported experiencing some type of unusual sexual experience either in childhood or during their teen years. Eight (26%) of 31 subjects described being forced to witness disturbing sexual occurrences. Seven (22%) stated that

they were fondled or were involved in the fondling of another, and 16 (52%) recalled being forced to submit to penetration of their body.⁸

"Ray," a progressively violent offender, was repeatedly raped by his father and later initiated into raping women by him.

Case 6:

Ray described his father as being cold and distant, until he began anally raping him at the age of 9. From that stage of his life to the present, Ray described his father as being hostile and aggressive. Ray's father raped him until the age of 12, and as his age increased, so did the aggressiveness of the assaults. He advised that when he reached 11 years of age, his father began taking him to bars where he would pick up women, take them to an isolated area, sadistically beat and rape them, and then force them to the back seat with Ray and tell them to "take care of my son." Ray would be told by his father what part of the victim's body he was to hit, bite, pinch, or pull. He stated that at the age of 12, he began anticipating his father being finished with the woman, so that he could gain access to her. Ray maintained that until the age of 14, he believed that this was the way men and women had sex. He continued to rape with his father until, at the age of 16, his father raped Ray's girlfriend.

Sexual Development

Table II summarizes aspects of the rapists' sexual development, as well as various components of their current sexual adaptation. Of

etiological significance is the fact, noted above, that 76% of the men reported either observing disturbing sexual acts or being sexually abused. This is alarmingly high when compared to percentages associated with the general population.⁹ Interestingly, while being interviewed, many of the rapists failed to define their sexual experience as abuse, initially indicating that they had not been sexually abused. However, when they were subsequently asked at what age and with whom they had their first sexual encounter with another person, evidence of sexual abuse became evident.

Cases 7 and 8:

"Fred," one of the rapists who initially denied being sexually abused, advised that when he was 7 years old, he went to a movie and a man sat next to him and attempted to fondle him. He moved to another part of the theater and the man followed him and offered him \$2 to allow the activity. The boy agreed and continued to meet the man each weekend for a full year. The initial encounter bothered the boy enough to cause him to change seats, but as an adult, he rationalized it as a way of making money.

Table II

SERIAL RAPISTS SEXUAL HISTORY AND CURRENT SEXUAL BEHAVIORS

<i>Childhood or Adolescent Sexual Trauma</i>	<i>N</i>	<i>Percent</i>	<i>Total/N</i>
Witnessing sexual violence of others	8	25%	32
Witnessing disturbing sexual activity on part of parents	17	44%	39
Witnessing disturbing sexual activity on part of other family members or friends	9	25%	36
Physical injury to sexual organs; venereal disease ..	5	14%	36
Multiple sexual assault	11	31%	35
Sex stress situations (e.g., punitive parental reaction to masturbation, etc.)	17	46%	37
<i>Adult Sexual Behavior</i>			
Marked inhibition or aversion to sexual activity	4	10%	40
Compulsive masturbation	21	54%	39
Exhibitionism	12	29%	41
Voyeurism (peeping)	27	68%	40
Fetishism	16	41%	39
Cross-dressing	9	23%	39
Obscene phone calls	15	38%	40
Prostitution (as prostitute or pimp)	6	15%	41
Sexual bondage	10	26%	39
Collects detective magazines	11	28%	39
Collects pornography	13	33%	39

Another rapist explained that at age 8, his parents hired a 17-year-old female to babysit him and she "taught me how to go down on women." As an 8 year old, the experience had to be frightening, but as an adult, he considered it a "score."

This inconsistency in reporting reflects certain cultural biases in defining the sexual abuse of young males by older females. The detrimental effect of this type of experience, however, has been discussed by Katan,¹⁰ who suggests that these early sexual experiences lead to an over-stimulation of the child's coping abilities and predispose him to interpret the acts as aggressive rather than sexual. Burgess et. al.¹¹ discuss these dynamics in terms of Freud's conceptualization of the repetition compulsion. They suggest that the abused child begins to fantasize and then re-enact the sexual aggression as the perpetrator rather than the victim in an attempt to "master" the earlier trauma.

Earlier studies suggest that many rapists practice a variety of sexual perversions. When the serial rapists were asked about their past or present sexual behavior, 27 (68%) reported that they began with window peeping while in childhood or adolescence. (See table II.) Most of the literature report peeping as a "nuisance" sexual offense and generalize that "peeping toms" are non-dangerous. It is not the authors' intent to state that all window peepers will become serial rapists, but rather to acquaint the reader with the facts that 68% of the subjects in this study began with such activities.

"Troy" began his peeping as an adolescent, an activity that unexpectedly escalated into rape and murder 3 years later.

Case 9:

Troy, one of the interviewees, began window peeping at the age of 14. At 17 years of age, he spied on a 24-year-old woman and found her especially appealing to him. He began to focus his voyeuristic activities on her and eventually observed her making love to her boyfriend. This so enraged him that he made the decision to rape the woman. After she had gone to sleep one evening, he entered through an unlocked

"... 76% of the men reported either observing disturbing sexual acts or being sexually abused."

window and jumped on her. She awoke and began screaming. In a panic, he grabbed a handful of tissues from a bedside table, pushed them into her mouth, and accidentally suffocated her. Five days later, he was arrested for voyeurism in the same neighborhood. He was not questioned about the death because he was "just a peeper." Seven years later, he confessed to the unsolved crime, but was not believed until he provided information about the death scene that only the killer could have known.

Sixteen (41%) of the serial rapists reported fetishism, and 15 (38%) had made obscene phone

calls. Thirteen (33%) collected pornography, 11 (28%) collected detective magazines, 10 (26%) were involved in sexual bondage, 9 (23%) had cross-dressed, and 6 (15%) had engaged in prostitution as either a prostitute or pimp.

The investigative value of such information is in the development of questions about suspects when interviewing former wives or girlfriends about the offender's sexual behavior. It will also prove useful when preparing search warrants for a suspect's residence, workplace, or automobile in that a significant proportion of the men collected pornography or detective magazines.

The information received on questions of dominant sexual preference proved to be somewhat confusing. When asked if females were their dominant sexual preference, all of the men replied positively. However, 8% of the respondents also reported that males were their dominant sexual preference, and 14% that both males and females were their dominant sexual preference. This would suggest that 78% of the sample was exclusively heterosexual, while approximately 22% were bisexual in their sexual orientation. When asked about the age group of their sexual interest, 92% indicated that they were sexually interested in people of the same age, 33% in significantly younger individuals, 9% in significantly older individuals, and 15% in people of any age (i.e., no preference).

Chronic Behavior Patterns

The rapists were questioned about certain chronic behavior patterns that might have characterized their behavior either as children or

adolescents. A variety of delinquent behaviors were reported by more than one-half of the rapists.

Stealing and shoplifting were reported by 27 (71%) out of 38 who responded. Many rapists advised that a great deal of their

thefts occurred through break-ins of homes within close proximity to their own residence. This early experience may account for why they were so adept at entering the homes of rape victims.

Temper tantrums/hyperac-

tivity and alcohol abuse also had a high occurrence rate, with 63% of the sample reporting each behavior. Isolation/withdrawal occurred in 24 (62%) out of 39 of the cases and 22 (55%) out of 40 of the respondents advised that they were assaultive to adults. One rapist recalled attempting to hit his female teacher over the head with a chair in the third grade. Chronic lying was reported by 20 (54%) out of 37 of the subjects.

These findings are in keeping with earlier studies. Rada¹² found that when he asked 20 incarcerated rapists whether their parents considered them to be a disciplinary or behavior problem—65% responded in the affirmative, 75% admitted to stealing, 55% to temper tantrums, 50% to frequent fighting, and 40% to truancy and suspension from school.

Hellman and Blackman¹³ discuss the oft-cited hypothesis that enuresis, fire setting, and cruelty to animals are the triad of behavior patterns in childhood or adolescence which may be useful in predicting violent behavior in adulthood. In the current study, these behaviors were reported by 32%, 24%, and 19% of the respondents, respectively.

In terms of pre-adult institutionalization, 15% of the rapists reported residing in an orphanage, 41% in a detention center, 8% in a foster home, 26% in some sort of mental health facility, and 4% in a boarding or military school. These findings suggest that a significant number of serial rapists were identified at an early age as being either delinquent or emotionally disturbed.

TABLE III

VICTIM CHARACTERISTICS AND REASONS FOR VICTIM SELECTION

Why subject selected victim	Yes	No
Availability	98%	2%
Gender	95%	5%
Age	66%	34%
Location	66%	34%
Race	63%	37%
Physical characteristics	39%	61%
Other specific reasons	31%	69%
No special reasons	25%	75%
Clothing	15%	85%
Vocation	7%	93%

	First Rape		Middle Rape		Last Rape	
	N	%	N	%	N	%
Relationship to victim						
Stranger	33	80%	35	85%	36	88%
Acquaintance	3	7%	5	12%	2	5%
Other	2	5%	—	—	1	2%
Date	1	2%	—	—	—	—
Friend	1	2%	—	—	—	—
Neighbor	1	2%	1	2%	2	5%
Subordinate on job	—	—	—	—	—	—

Scene of Sexual Assault	First Rape		Middle Rape		Last Rape	
	N	%	N	%	N	%
Victim's residence	21	52%	20	53%	18	45%
Street/alleyway	4	10%	1	3%	2	5%
Other	11	28%	10	26%	15	38%
Parking lot	1	2%	1	3%	1	2%
Subject's residence	2	5%	3	8%	1	2%
Public facilities	1	2%	—	—	1	2%
Victim's place of work	—	—	—	—	—	—
Subject's place of work	—	—	1	3%	—	—
Highway	—	—	2	5%	2	5%

VICTIMS OF THE SERIAL RAPIST

Demographics

The serial rapists were asked a variety of questions about the 123 victims of their first, middle, and last sexual assaults. As summarized in table III, the majority of victims were strangers to the offender. In only 10 (8%) instances, the rapists reported raping an acquaintance, 4 (3%) a neighbor, and 2 (2%) either a friend or date.

The rapists included in this study were selected because of their success in committing a large number of crimes over time. It is the authors' opinion that one of the primary reasons they were so successful is that they generally selected strangers as their victims. Combining the victims' fear with the fact that their attacker is a complete stranger is a strong impediment to providing necessary identification to the investigator.

The average age of the victim for the first, middle, and last attack was 22.8, 26.1, and 24.4 years, respectively. (See table IV.) The victims of the serial rapist were predominantly white; of the 123 victims, 113 were white, 6 black, 1 Hispanic, 2 Asian, and 1 Native American. In this study, white rapists did not cross the racial line in their crimes against women, whereas the black offenders raped white and black women. The youngest victim in this study was 5 years old and the oldest victim was 65.

While the overwhelming majority of victims were adult females, there were a significant minority of child (19%) and same-sex victims (2%). One example of

same-sex rape occurred in a prison environment.

Case 10:

"Tony," a white male, was serving time for raping a woman, and upon entering prison, became the lover of an older white inmate. The older man ordered him to rape a young black male and was told that if he failed to do so he would be given to other inmates sexually. On two separate occasions, Tony was used in this manner.

Children were the victims of the serial rapists in 22 (18%) instances. In some cases, they were the children or step-children of the offender; in other cases, neighbor children; and in other instances, total strangers.

Isolation of the Victim

The majority of victims (87 or 79%) were alone at the time of the assault. Of the 23 victims who were not, 4 (13%) were with their children, 2 (2%) with a female friend, 2 (2%) with a parent, 2 (2%) with a spouse, and 3 (3%) with some other individual. In only 7 cases were there co-victims, 4 females, 2 males, and one incident with co-victims of each sex.

The scene of the sexual assault was relatively consistent. In 59 assaults (50%), the rapists reported that the assault occurred in the victim's home. In 7 assaults (6%), the offense occurred in a street or alleyway, while in 7 (6%) instances, it occurred either in a parking lot or on a highway. Less

TABLE IV

DEMOGRAPHIC CHARACTERISTICS OF THE VICTIMS

	First Rape	Middle Rape	Last Rape
Age			
0-10	0 (0%)	0 (0%)	5 (12%)
10-17	7 (17%)	6 (15%)	4 (10%)
18-25	15 (37%)	15 (38%)	13 (32%)
26-33	14 (34%)	14 (35%)	11 (27%)
34-41	4 (10%)	4 (10%)	7 (17%)
41+	1 (2%)	1 (2%)	1 (2%)
Race			
Caucasian	36 (88%)	39 (95%)	38 (93%)
Black	3 (7%)	2 (5%)	1 (2%)
Hispanic	— (—%)	—	1 (2%)
Asian	1 (2%)	—	1 (2%)
Native American	1 (2%)	—	—
Sex			
Female	40 (98%)	41 (100%)	40 (98%)
Male	1 (2%)	—	1 (2%)

often, the assaults occurred at the subject's residence, public facilities, or at the victim's place of work. (See table III.)

As noted, the victim's residence was the scene of the assault in half of the rapes (50%). As mentioned earlier, 71% of the men had been involved in stealing as children and adolescents and many of them had done so by

Information concerning what specific characteristics of the victims did result in their being singled out for rape indicated that the victim's gender was the primary criteria cited by 39 (95%) of the men. Victims' ages were cited in 27 (66%) cases and race in 26 (63%) instances. Physical characteristics of the victim were reported as being significant by 16

est pathology is reflected in the serial rapists' developmental history. Few of the men described close relationships with either their mother or their father, a significant number of them had been institutionalized at some point in their adolescence, and an exceedingly high proportion reported sexual abuse as children or adolescents.

"While the overwhelming majority of victims were adult females, there were a significant minority of child ... and same-sex victims...."

breaking into homes. Having this experience, they, no doubt, felt more comfortable in gaining access to residences. Many of the rapists selected their victims through peeping activities or following intended victims to their homes. Consequently, the offender learned the habits of the victim in her home (i.e., visitors, phone calls, sleeping hours, hours away from home). In several instances, the rapist entered the victim's home while she was absent and familiarized himself with the residence.

Selection Criteria

A variety of reasons were cited by the rapists for selecting their victims, as indicated in table III. Forty (98%) out of 41 men emphasized the "availability" of the victim, while 27 (66%) cited the importance of "location." Both of these reasons are closely related and signify that the victim was chosen more for her vulnerability than any particular, personal characteristic.

(39%) of the rapists and clothing (or dress) by 6 (15%) of the respondents. Rather disconcertingly, 10 (25%) of the rapists advised that there was "no special reason" for the person being targeted for attack.

According to these data, the serial rapist apparently does not engage in specific or symbolic consideration in selecting his victims. The various accounts suggest that the victims were not selected because they reminded the offender of a significant other in his life; rather, the victim's availability, gender, age, location, and race were cited as the determining factors.

SUMMARY

Many characteristics of the rapist appear relatively "normal." Rather than being an isolated, ineffectual individual, the serial rapist more often than not comes from an average or advantaged home, and as an adult, is a well-groomed, intelligent, employed individual who is living with others in a family context. The great-

Interestingly, the majority of victims were strangers, and in almost one-half of the cases, were assaulted in their own homes. This, as well as the rapists' recognition of "availability" as an important factor in victim selection, highlights the potential significance of prevention programs. Most serial rapists are not carefully stalking particular women. Rather, their choice of victim seems to have depended on general proximity, the availability of the woman, and access to her residence. FBI

Footnotes

⁷A. W. Burgess, et. al., "Serial Rapists and Their Victims: Reenactment and Repetition," in *Human Sexual Aggression: Current Perspectives*, eds. R. Prentky and V. Quinsey, Academy of Sciences Annals, vol. 528, (in press), pp. 277-295.

⁸Ibid.

⁹L. I. Risin and M. P. Koss, "The Sexual Abuse of Boys: Frequency and Descriptive Characteristics of the Childhood Victimization," in A. W. Burgess, *Traumatization of Children* (New York: Garland Press, forthcoming).

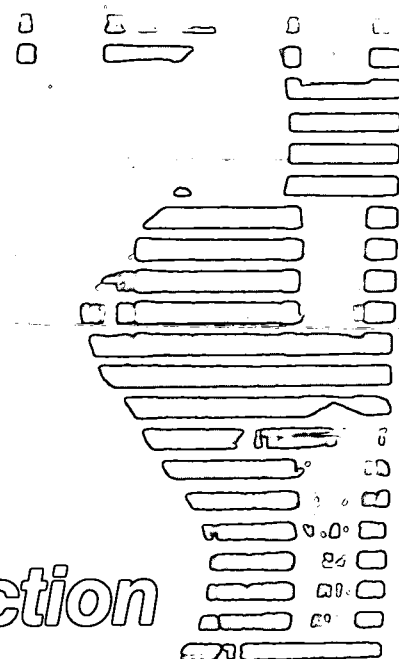
¹⁰A. Katan, "Children Who Were Raped," in *The Psychoanalytic Study of the Child*, eds. R. S. Eissler, et. al. (New Haven: Yale University Press, 1973), pp. 208-224.

¹¹Supra note 7.

¹²Supra note 6.

¹³D. S. Hellman and N. Blackman, "Enuresis, fire setting and cruelty to animals: A triad predictive of adult crime," *American Journal of Psychiatry*, vol. 122, 1966, pp. 1431-1435.

Legal Digest



Lights, Camera, Action

116 054

Video Surveillance and the Fourth Amendment (Conclusion)

By
ROBERT A. FIATAL, J.D.
Special Agent
Legal Counsel Division
FBI Academy
Quantico, VA

Law enforcement officers of other than Federal jurisdiction who are interested in any legal issue discussed in this article should consult their legal adviser. Some police procedures ruled permissible under Federal constitutional law are of questionable legality under State law or are not permitted at all.

Part one of this article discussed the constitutional implications of video surveillance of publicly accessible and viewable areas and in situations where a party to the observed activity consents to the surveillance, and concluded that in most such instances a search warrant is not required because the surveillance has not invaded a constitutionally protected right to privacy. Part II addresses various types of video surveillance that do invade a reasonable expectation of privacy and

discusses the procedures officers must follow when obtaining and executing video surveillance warrants. For example, if officers desire to enter a drug dealer's premises to install a concealed television camera to monitor that suspect's illegal activities, they must obtain judicial authority in the form of a warrant prior to both the entry and the television monitoring. This part discusses the constitutional issues investigators should consider when conducting such video surveillances.

Video Surveillance and the Warrant Process

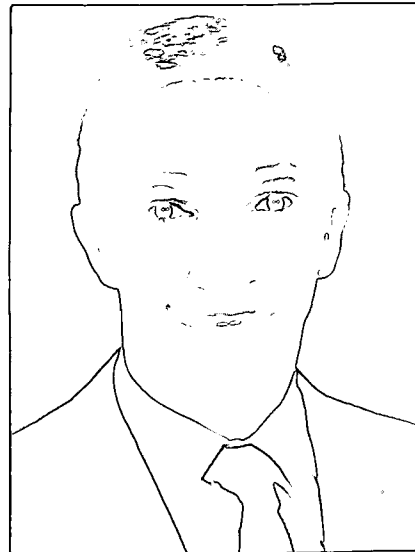
When obtaining a search warrant authorizing nonconsensual surreptitious video surveillance, officers must of course comply with basic fourth amendment requirements. They must support their application for the warrant with facts evidencing probable cause that criminal activity is occurring within the area or facilities to be observed. They must also obtain the warrant under oath and particularly describe the area or place to be observed or searched, as well as the type of activity to be observed and recorded. Once the officers have obtained the warrant, they must also execute it properly, staying within the scope or prescribed limitations of the warrant.

Moreover, since 1980, numerous courts which have considered the propriety of court-ordered video surveillance have gone beyond the application of traditional fourth amendment warrant requirements. Recognizing the highly intrusive nature of nonconsensual video monitoring, these courts have fashioned additional requirements in both acquiring and executing a search warrant authorizing television-assisted surveillance.

In 1980, a Federal district court assessed the validity of a judicial order authorizing Federal agents to view and record activities occurring within a private dwelling through nonconsensual surreptitious video surveillance. In *In Re Application of the United States*,²⁸ agents applying for a court order demonstrated that drug violations were probably occurring within the subject premises and that its occupants were probably

participating in those criminal offenses. They also certified in the applications that they had attempted numerous investigative techniques and procedures which had failed to reveal all the participants in the illicit drug conspiracy and the extent and nature of their participation in the conspiracy. This allowed the officers to assert in the applications that they could only determine the true nature of the criminal organization through video and audio surveillance. The order permitted agents to only monitor those illegal activities which were within the scope of the investigation and required that the executing agents minimize their observation of innocent or nonpertinent activities.

In reviewing the constitutionality of the order that allowed the agents to observe the interior of the dwelling by hidden television cameras, the district court initially recognized that the Federal electronic surveillance statute, Title III of the Omnibus Crime Control and Safe Streets Act of 1968 (hereinafter title III),²⁹ did not explicitly refer to video surveillance. Instead, that statute, as well as its State counterparts which must be at least as restrictive as the Federal standards, only governs law enforcement's ability to intercept wire communications or oral communications where the individuals engaged in that oral communication have a reasonable expectation of privacy in their conversation.³⁰ Therefore, the district court determined that law enforcement officers were not prohibited by that statute from obtaining court orders authorizing video surveillance or required to follow the full panoply of conditions normally necessary to obtain a wiretap-type order.



Special Agent Fiala

Nonetheless, the district court found nonconsensual video monitoring of private areas to be so extraordinarily intrusive as to require law enforcement officers who plan to engage in such conduct to follow special procedures that exceed those traditionally required by the fourth amendment. In constructing these extraordinary guidelines, the court concluded that it should "fashion answers . . . in light of whatever guidance is available in the constitution, in law, and in judicial decisions."³¹

Recognizing that the framers of the Federal wiretap statute considered oral interceptions accomplished by electronic surveillance to be extremely intrusive, the court opined:

"Video surveillance, then less well known and less used, has become increasingly significant during intervening years. Most observers would regard it, standing alone, as even more intrusive than interception of oral communications. Clearly, the combination of oral interception and video surveillance

is more intrusive than oral interception alone. In these circumstances, judicial deference to aims, policies and principles manifestly underlying Title III's strictures in relation to interception of oral communications should lead to strictures no less severe in relation to video surveillance."³²

which housed the subject offices to install the camera and microphone.

Like the district court in *In Re Application*, the court of appeals found that nonconsensual surreptitious television surveillance could be judicially authorized under appropriate circumstances. The court relied on the

and Circuit deemed it necessary to consider those same title III standards when assessing the validity of court-ordered video surveillance because that type of activity is at least as intrusive as electronically assisted audio surveillance. In this manner, the *Biasucci* court identified the following four provisions of the Federal wiretap statute that reflect the Supreme Court's minimization concerns in *Berger*:

"... when executing a video surveillance order, [officers should] follow strict minimization procedures so as to prevent observation of innocent criminal activity."

1) That the judicial official approving the electronic surveillance order certify that "... normal investigative procedures have been tried and have failed or reasonably appear to be unlikely to succeed if tried or to be too dangerous;"³⁷

2) That the electronic surveillance warrant contain "a particular description of the type of communication sought to be intercepted, and a statement of the particular offense to which it relates;"³⁸

3) That the period of the electronic surveillance be no "longer than is necessary to achieve the objective of the authorization, nor in any event longer than thirty days;"³⁹ and

4) That the interceptions need "be conducted in such a way as to minimize the interception of communications not otherwise subject to interception."⁴⁰

Using the Federal wiretap statute as a guide, the court upheld the video surveillance because the agents had followed safeguards that were at least as rigorous and restrictive as those required by that statute when they obtained and executed the video surveillance order.

Other State and Federal courts have drawn similar albeit more definitive conclusions. For example, in *United States v. Biasucci*,³³ the U.S. Court of Appeals for the Second Circuit borrowed certain standards found in the Federal wiretap statute when fashioning procedural requirements for nonconsensual surreptitious video surveillance which invades a reasonable expectation of privacy. In that case, Federal law enforcement officers investigating a loansharking operation obtained judicial approval to monitor by a hidden camera activities within certain business offices in conjunction with audio surveillance. This same order also allowed them to make surreptitious entry into the building

constitutional standards the Supreme Court had previously announced in the context of surreptitious audio electronic surveillance in the decisions of *Katz v. United States*³⁴ and *Berger v. New York*.³⁵ It made particular reference to the Supreme Court's determination in *Berger* that any warrant authorizing the electronic interception of oral communications must be structured in such a way as to minimize the interceptions of innocent conversations. The Supreme Court decided in *Berger* that to assure proper minimization³⁶ of noncriminal conversations, audio electronic surveillance orders must only be effective for a specific period of time and must particularly describe the people and type of criminal conversations to be overheard, as well as where the interceptions are to take place.

Recognizing that Congress had attempted to follow these *Berger* guidelines when fashioning certain portions of title III, the U.S. Court of Appeals for the Sec-

Those concerns led the court to conclude as follows:

"We believe that these standards, borrowed from Title III, together with the more general constitutional requirements, form a sufficient outline of the showing the government must make before a warrant should issue authorizing video surveillance."⁴¹

Although the court of appeals felt constitutionally obligated to adopt these strict standards from the wiretap statute when assessing the warrant procedure for video surveillance, it did note that "applications for video surveillance should not be strictly judged by all of the other procedures and requisites of Title III."⁴²

Other State and Federal courts have applied the same guidelines as the *Biasucci* court when judging the validity of a video surveillance order.⁴³ In light of the growing number of jurisdictions that have adopted this extraordinary warrant procedure, officers should comply with the following guidelines whenever they seek judicial approval to conduct nonconsensual television surveillance.

State probable cause in the application

Officers should make certain they include a sufficient recitation of facts in the application for the video surveillance order to indicate a fair probability that certain people are committing, have committed, or are about to commit criminal activity; that the place to be viewed is being used or is about to be used by those people to conduct or plan that illegal activity; and that activity related to the commission of those crimes will be observed through the use of television surveillance.

Set forth particular descriptions in the application and proposed order

Officers should also ensure they describe the people and place to be observed, as well as the type

of activity to be viewed, with sufficient particularity in the video surveillance application and proposed order. The purpose of this requirement is to assure that the officers who execute the surveillance order are not left to their own discretion when executing it. These descriptions should be sufficiently detailed to allow the executing officers to know exactly what they are authorized to observe. For example, if the officers seeking the order are aware of the names and descriptions of the people to be observed, they should articulate those names and descriptions in both the application and order.

Articulate the necessity for video surveillance in the application

Officers should ensure that the application for the video surveillance order contains sufficient information to convince the reviewing judicial official that other normal less intrusive types of investigative techniques have been unavailing in the investigation, such as (1) the inability of under-

mining the extent of the investigated activity, such as in investigations involving the illicit distribution of drugs where it is necessary to determine not only the narcotics dealers but also the suppliers, customers, and money launderers.

Restrict the length of the surveillance order

Officers should also ensure that the authorized time period in the order to conduct the television surveillance does not exceed the time necessary to collect the evidence needed in the investigation, and in any event, does not exceed the time prescribed by the applicable Federal or State wiretap standards. If the State has no such wiretap statute, this time limitation should not exceed 30 days.⁴⁴ If officers plan to continue a video surveillance beyond the time limitation of the order, they should obtain, prior to the expiration of the original order, an appropriate judicially authorized extension,⁴⁵ the time limits of which do not exceed any statutory wiretap standards.

"... the emergency video surveillance should only continue for that time necessary to eliminate the life-endangering situation...."

cover officers to infiltrate the insulated criminal organization being investigated; (2) the refusal of informants and witnesses to testify due to fear for their safety; and (3) the ineffectiveness of search warrants, grants of immunity, and normal physical surveillance. The application should also refer to difficulties encountered in deter-

Minimize observations of nonpertinent activity

Law enforcement officers should guarantee that when executing a video surveillance order, they follow strict minimization procedures so as to prevent observation of innocent noncriminal activity. To satisfy this requirement, the executing officers

should basically follow the same minimization efforts as they would when monitoring the interception of oral communications by the use of a hidden microphone and transmitting device. They should only operate the video surveillance equipment when one of the individuals described in the surveillance order is in the area to be observed. If they observe activity totally unrelated to the commission of crime, they should turn off the television camera and recorder. Similarly, if they observe privileged activity, like the legitimate and noncriminal meetings between an attorney and client or husband and wife, they should discontinue their video surveillance. However, even where officers determine that observed activity is nonpertinent and accordingly discontinue video surveillance, they might consider spot-monitoring for short periods to assure that those observed have not changed their activity to that which is criminal in nature. If officers observe criminal activity occurring during spot-monitoring,

tion, and the necessary procedures for proper minimization.

Properly preserve and store videotapes

Once police officers have completed the execution of any court-ordered television surveillance, they should take proper measures to ensure the subsequent admission in court of the videotapes evidencing their observations. Although Federal and State wiretapping standards require that tapes of court-ordered audio surveillance be judicially sealed to guarantee their integrity and later admission at trial, courts have deemed that this same sealing provision is not applicable to court-ordered video surveillance.⁴⁶ Therefore, officers need not seek a sealing order for the tapes reflecting their video surveillance efforts. However, they should nonetheless undertake proper chain-of-custody procedures and security measures so that they can later attest to the integrity and authenticity of the videotapes. Of

Seek court approval for nonconsensual entry and installation

If law enforcement officers are required to obtain prior court approval to conduct surreptitious video surveillance because of the intrusive nature of that surveillance activity, they should also consider whether they are properly authorized to conduct a nonconsensual trespassory entry into premises to place the concealed camera and transmitting apparatus. The Supreme Court has previously determined that a wiretap or electronic surveillance order obtained under the provisions of title III impliedly grants the authority to make those intrusions necessary to plant the hidden microphone.⁴⁷ Although it is arguable that a court order allowing video surveillance would also impliedly allow trespassory entries to accomplish the technical aspects of the video surveillance, officers should as a matter of practice seek express authority in the video surveillance order to make the intrusions necessary to install the video equipment, repair it when necessary, and to eventually retrieve it.⁴⁸

“Law enforcement officers using and relying upon video monitoring must remain sensitive to the fact that it can constitute a highly intrusive investigative technique.”

Emergency Use of Video Surveillance

The U.S. Supreme Court has acknowledged that “the Fourth Amendment does not require police officers to delay in the course of an investigation if to do so would gravely endanger their lives or the lives of others.”⁴⁹ In such an emergency, police officers can conduct warrantless searches necessary to control the perceived threat to life if the action they take is no greater than is necessary to

they may continue to monitor and record their observations. To facilitate proper minimization, officers and police attorneys responsible for supervising the investigation should insure that the officers executing a video surveillance order are absolutely familiar with the details of that order, the purpose and subjects of the investiga-

tion, and the necessary procedures for proper minimization. course, if the product of any combined court-ordered audio-video surveillance is an audio-video tape, officers should comply with the appropriate statutory sealing standards to adequately preserve for later use as evidence the audio portion of the tape.

alleviate or eliminate that threat.⁵⁰ Although there are no reported decisions where a court has reviewed the warrantless use of video surveillance in such emergencies, officers might encounter the investigative desirability of video surveillance when they are attempting to determine the well-being of a hostage or kidnap victim within the hostage taker's or kidnapper's premises. Because this is arguably an emergency involving a life-threatening situation, officers might begin their video surveillance without benefit of court order, even though the surveillance activity conceivably intrudes into the kidnapper's or hostage taker's reasonable expectation of privacy. However, the emergency video surveillance should only continue for that time necessary to eliminate the life-endangering situation, at which time officers should immediately deactivate the video camera and discontinue their monitoring.

In no instance should officers wait an unreasonable period of time before obtaining judicial approval of emergency video surveillance. Title III allows officers to conduct emergency interceptions of wire, oral, or electronic communications where there is "immediate danger of death or serious physical injury to any person."⁵¹ If they do so, however, they must submit to the appropriate judicial officer "an application for an order approving the interception...within 48 hours after the interception has occurred, or begins to occur."⁵² Police officers conducting video surveillance under similar circumstances should likewise obtain post-interception approval for their actions within 48 hours, in order to assure

the validity and reasonableness of their emergency video surveillance efforts. Additionally, officers should consider using State-authorized telephone search warrant procedures to procure judicial approval for emergency video surveillance.

electronic communications by the Electronic Communications Privacy Act of 1986. For a discussion of those amendments, see Fiatal, Robert A., "The Electronic Communications Privacy Act: Addressing Today's Technology," *FBI Law Enforcement Bulletin*, vol. 57, Nos. 2-4, February-April 1988, pp. 25-30, 26-30, 24-30.

³¹Supra note 28, at 422.

³²Id. at 423.

³³786 F.2d 504 (2d Cir. 1986).

"... officers should as a matter of practice seek express authority in the video surveillance order to make the intrusions necessary to install the video equipment, repair it when necessary, and to eventually retrieve it."

Conclusion

The investigative technique of video or television surveillance can in this day and age be unusually productive in appropriate circumstances. It can also provide necessary and proper security in undercover investigations. Law enforcement officers using and relying upon video monitoring must remain sensitive to the fact that it can constitute a highly intrusive investigative technique. If video surveillance does intrude into an individual's reasonable expectation of privacy and officers do not have consent of one who is a party to the monitored activity, officers must recognize their responsibility to fulfill all the legally mandated procedures discussed in this article to ensure the admissibility of the resulting evidence.

FBI

FOOTNOTES

²⁸513 F.Supp. 421 (D. Mass. 1980).

²⁹18 U.S.C. 2510-2520.

³⁰That Federal statute has since been amended to also apply to the interception of

³⁴Supra note 3.

³⁵388 U.S. 41 (1967).

³⁶For a detailed discussion of minimization in the context of electronic interceptions of wire or oral communications, see Fiatal, Robert A., "Minimization Requirements in Electronic Surveillance," *FBI Law Enforcement Bulletin*, vol. 56, Nos. 5-6, May-June, 1987, pp. 25-30, 21-30.

³⁷18 U.S.C. 2518(3)(c).

³⁸18 U.S.C. 2518(4)(c).

³⁹18 U.S.C. 2518(5).

⁴⁰18 U.S.C. 2518(5).

⁴¹Supra note 33, at 510.

⁴²Id. at 510.

⁴³See *United States v. Cuevas-Sanchez*, supra note 15; *United States v. Torres*, 751 F.2d 875 (7th Cir. 1984); *United States v. Ianiello*, 621 F.Supp. 1455 (S.D.N.Y. 1985); *Ricks v. State*, 537 A.2d 612 (Md. Ct. App. 1988); *People v. Teicher*, 422 N.E.2d 506 (N.Y. Ct. App. 1981).

⁴⁴See 18 U.S.C. 2518(5).

⁴⁵See *United States v. Cuevas-Sanchez*, supra note 15; *Ricks v. State*, supra note 43.

⁴⁶*United States v. Ianiello*, supra note 43.

⁴⁷*Dalia v. United States*, 441 U.S. 238 (1979).

⁴⁸See *United States v. Biasucci*, supra note 33; *In Re Application of United States*, supra note 28.

⁴⁹*Warden v. Hayden*, 387 U.S. 294, 298-299 (1967).

⁵⁰See *Thompson v. Louisiana*, 469 U.S. 17 (1984); *Mincey v. Arizona*, 437 U.S. 385 (1978).

For a detailed analysis of emergency searches, see Sauls, John Gales, "Emergency Searches of Premises," *FBI Law Enforcement Bulletin*, vol. 56, Nos. 3-4, March-April 1987, pp. 23-30, 24-30.

⁵¹18 U.S.C. 2518(7)(a)(ii).

⁵²18 U.S.C. 2518(7)(b).

WANTED BY THE FBI

Any person having information which might assist in locating these fugitives is requested to notify immediately the Director of the Federal Bureau of Investigation, U.S. Department of Justice, Washington, DC 20535, or the Special Agent in Charge of the nearest FBI field office, the telephone number of which appears on the first page of most local directories.

Because of the time factor in printing the FBI Law Enforcement Bulletin, there is the possibility that these fugitives have already been apprehended. The nearest office of the FBI will have current information on the fugitives' status.



Photographs taken 1980 and 1984

Kenneth Bernard Candelaria,

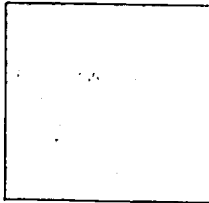
also known as Michael Andreas-Villa, Michael Andres-Villas, Kenner B. Candelaria, Kennith Bernard Candolaria, Kenny Kennard, Kenneth Rameriz, "Dogfoot," "Kenner Dogfoot," "Indian," "Kenner," and others.
 W; born 7-20-49 (true date of birth); 7-20-50; Roswell, NM; 5'2"; 120 lbs; med bld; blk hair; brn eyes; fair comp; occ-painter, leather worker, jewelry craftsman, construction and landscape laborer, cuts firewood; remarks: Often passes himself off as an American Indian and has been known to wear feathers and Indian jewelry. He is allegedly an accomplished surfer. Candelaria may be accompanied by his wife, Sherry Constance Candelaria, nee Garcia, white female, born 11-27-57, Los Angeles, CA, 5', brn hair, hazel eyes, Social Security Number Used: 553-04-5581. (She is not wanted by law enforcement authorities.) Candelaria is wanted by FBI for AIDING AND ABETTING; POSSESSION WITH INTENT TO DISTRIBUTE MARIJUANA; DISTRIBUTION OF MARIJUANA; CONSPIRACY WITH INTENT TO DISTRIBUTE MARIJUANA; IMPORTATION OF MARIJUANA; CONSPIRACY TO IMPORT MARIJUANA.

NCIC Classification:
 POPIDMPM20DIPOPIPIDI
 Fingerprint Classification:
 0 32 W IMM 20
 I 28 W OII

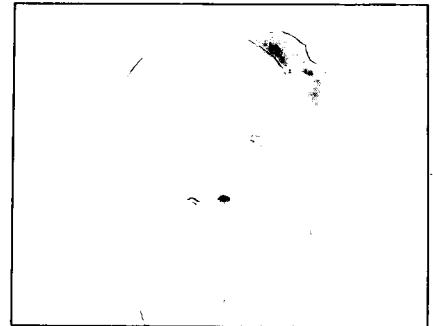
I.O. 5030
 Social Security Numbers Used: 463-86-4974; 463-86-4973; 582-60-9334
 FBI No. 224 804 Y11

Caution

Candelaria, who is allegedly involved in drug trafficking, has been previously convicted of carrying a concealed weapon. He is reportedly armed with an AK-47 rifle, hand grenades, and has vowed not to be taken alive. Candelaria should be considered armed and dangerous.



Left thumb print



Photograph taken 1984

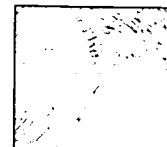
**WANTED BY THE FBI
 Jay Thomas Burlison,**

also known as Lester Brown, Jay Burlinson, Jay Thomas Burlinson, J.T. Burlison, Jay Burlison, Jay T. Burlison, "Blue Jay."
 W; born 1-25-43; Waynesboro, TN; 5'8" 135 lbs; med bld; blk (graying) hair; green eyes; ruddy comp; occ-laborer, lumberyard worker, truck driver; remarks: Reportedly missing teeth; scars and marks: Scars on face, appendectomy scar.
 Wanted by FBI for INTERSTATE FLIGHT-MURDER; AGGRAVATED ASSAULT
 NCIC Classification:

COTT161711112141706
 Fingerprint Classification:
 16 0 1 T OO 11 Ref: 5
 S 17 U OOO 17
 I.O. 5022
 Social Security Numbers Used: 408-68-8373; 408-68-3273; 408-68-3373
 FBI No. 926 536 F

Caution

Burlison is being sought in connection with the shooting murder of one individual and the aggravated assault of another. He is reportedly in possession of several handguns and should be considered armed and extremely dangerous.



Right index fingerprint

Major Art Theft

On July 3, 1988, six paintings having an approximate value of \$500,000 were stolen from a private gallery in New York City. Pictured are two of the stolen paintings.

Any information concerning this theft should be directed to the FBI, New York City, telephone (718) 459-3140. Refer to their file number BQ 87A-86950. You may also contact the National Stolen Art File, FBI Laboratory, Washington, DC, telephone (202) 324-4434.



Jean Dubuffet, "Effigie," signed and dated 1975, vinyl paint on paper on canvas, 25 1/2" x 18", value estimated at \$65,000.



Fernand Leger, "La Bouteille Bleue," signed and dated 1950, oil on canvas, 13" x 18 1/2", value estimated at \$200,000.

Washington, D.C. 20535

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The Bulletin Notes

On the evening of February 19, 1988, the San Francisco Fire Department requested that Officer Lynne Torres of the San Francisco Police Department's Psychiatric Liaison Unit act as a negotiator in a suicide attempt. Arriving at the scene, Officer Torres discovered that the young man was threatening to jump from the face of a very high cliff.

After several unsuccessful attempts to convince the individual to leave the cliff, Officer Torres allowed herself to be fitted into a harness, and in total darkness, was lowered down the cliff

in order to talk face-to-face with the subject. After negotiating for an hour, she was able to convince the young man not to jump, and he was then rescued and detained for psychiatric evaluation.

The staff of the *Bulletin*, along with Officer Torres' superiors, is pleased to recognize her courage and skill during a crisis situation.



Officer Torres