

SUBJECT TO DEBATE

A NEWSLETTER OF THE POLICE EXECUTIVE RESEARCH FORUM



New Domestic Violence Research Discussed at PERF Town Hall Meeting

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At Chicago Conference, PERF Members Discuss “Defining Moments for Police Chiefs”

ON SEPTEMBER 16–17, PERF CONVENED A NATIONAL meeting of law enforcement officials to discuss “Defining Moments for Police Chiefs.” Nearly 200 police chiefs and sheriffs’ department leaders gathered in Chicago to discuss the critical moments in their careers when their leadership skills were put to the test. PERF asked the participating chiefs to describe strategies that helped them manage difficult situations successfully—as well as any advice they could share about tactics that were *not* helpful.

PERF was in the midst of planning this meeting when the fatal shooting of an African-American teenager in Ferguson, MO resulted in weeks of protests. PERF’s Board of Directors, believing that the events of Ferguson were a defining moment for the policing profession in the United States, asked PERF’s staff to include a thorough discussion of the lessons that are emerging from Ferguson as part of the “Defining Moments” conference.

Following is a sample of quotations at PERF’s Chicago meeting regarding several issues: the importance of community policing for building levels of trust that are needed in a crisis; strategies for releasing information to the news media, particularly in the first hours and days, when the information available to a police chief may be incomplete; and the use of military-style equipment in civilian policing.

PERF is in the process of developing a full “Critical Issues in Policing” report on the Defining Moments conference, which will be sent to all PERF members.

PHILADELPHIA COMMISSIONER CHUCK RAMSEY:

“Warrior” vs. “Guardian” Police: Defining What We Want from Officers

Community policing is about officers’ behavior as they interact with community members. It’s about learning that not everybody is a criminal. In Philadelphia, all of our rookie cops start off on foot patrol, and they start off in some of the most challenged neighborhoods, where we have a lot of crime occurring in open space.

They learn very quickly that not everybody in that community is a criminal. There are more decent, law-abiding citizens living there than there are criminals. And I think that the earlier you learn that lesson, the better off you are going to be as a police officer.

We have done a lot with community policing, but I don’t think we have done all we can. When a problem arises, that’s when the tension resurfaces and there is more work that has to be done.

Look at training. We spend most of our training time teaching

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Charles Ramsey, Philadelphia Police
Commissioner and PERF President

PERF Town Hall Meeting Addresses Surprising New Domestic Violence Research

AT PERF'S TOWN HALL MEETING ON OCTOBER 26 in Orlando, one of the topics was a controversial new study indicating that mandatory arrest policies are **not** linked to long-term deterrence of domestic violence, and that victims are more likely to die prematurely if their partner was arrested for domestic violence, instead of merely being given a warning by the police.

The new study¹ was conducted by Prof. Lawrence Sherman of the University of Maryland.

Professor Sherman also was an author of the original landmark study of domestic violence cases in Milwaukee in 1987–88. That study used random assignment to compare domestic violence suspects who were arrested with those who were only given a warning. The study found a short-term deterrent impact of arrest, particularly among offenders who had “something to lose,” such as employment and community connections.

This research was a central factor in the passage of laws in many jurisdictions requiring police to make arrests when responding to domestic violence calls.

In 2014, Sherman and Heather Harris followed up on the original Milwaukee study, obtaining 23 years' worth of arrest and death records for the victims and offenders who were part of the 1987–88 study. They made several unexpected findings:

- The new research found no significant long-term deterrent on domestic violence offending.
- Victims were 64 percent more likely to die prematurely (usually from natural causes) if their partner was arrested rather than given a warning by police. (The researchers attributed this increase to factors such as disruptions to the victim's life if the arrestee was the family breadwinner.)
- Domestic violence offenders were almost three times as likely to be homicide victims if they were arrested rather than warned. (This may be a result of domestic violence offenders coming into contact with other criminal offenders in jail or prison.)

At PERF's Town Hall Meeting, participants did not see the new research as a reason to reverse course on mandatory-arrest

policies, but rather as further cause to adopt comprehensive approaches that include social services for domestic violence victims:

FRESNO CHIEF JERRY DYER: *Mandatory Arrests Must Be Followed Up With Shelter and Social Services*

I believe mandatory arrest policies are a good thing for law enforcement, but they aren't enough. You can't just separate the two parties for a period of time and expect everything to be okay the next time they see each other. There needs to be follow-up.

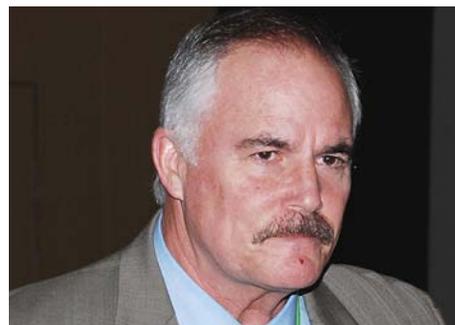
Our department utilizes our chaplains program to follow up with domestic violence victims and to ensure they have emergency housing and social services provided to them. They also help to reconcile the relationship between the offender and victim when appropriate. We've had good success with this approach.

COLUMBUS, OH CHIEF KIM JACOBS: *Mandatory Arrest Gives Victims The Opportunity to Consider Their Next Steps*

There is a huge amount of underreporting of domestic violence. There are victims who are abused every single day and never report it. It's a crime that could occur to a victim once in their lifetime or several times a day.

We discuss this subject with all our recruits in the academy. I introduce the topic, and our domestic violence prosecutors speak with the recruits. Several recruits have told the prosecutors that their mothers' lives were saved because we arrested their mothers' abusers. That gave the mother and children time to escape by getting to a shelter or moving away.

Certainly there will be positive and negative impacts of almost any policy that is put in place, including a mandatory arrest policy. Tragically, the arrest sometimes aggravates the offender and they return and kill the victim as soon as they are freed. But on the



1. Sherman, L.W. & Harris, H. (2014) Increased death rates of domestic violence victims from arresting vs. warning suspects in the Milwaukee Domestic Violence Experiment (MilDVE). *Journal of Experimental Criminology*. <http://link.springer.com/article/10.1007%2Fs11292-014-9203-x>

LEFT TO RIGHT: Fresno Chief Jerry Dyer; Columbus, OH Chief Kim Jacobs; and Montgomery County, MD Chief Tom Manger.

other hand, an arrest can convince someone that they need to stop committing abuse if they want to keep their family or their job.

There's a huge range of possible responses. By making the arrest, I think we give the victims an opportunity to make a decision about where they want to go next.

MONTGOMERY COUNTY CHIEF TOM MANGER:
*We Reviewed Past Domestic Violence Homicides
And Developed a List of Warning Indicators*

We have looked through our past domestic violence homicides for potential warning signs, and we developed a set of questions about the indicators we discovered. At domestic violence calls, my officers ask the victims a set of about 10 questions, including things like, "Has your spouse ever threatened your life? Has your spouse ever threatened your children? Does your spouse own a gun? Has your spouse ever choked you?"

If the victim answers more than three questions affirmatively, the case is automatically turned over to a social worker. That social worker follows up immediately to offer social services and other assistance.

**EXECUTIVE DIRECTOR CHRISTINE COLE, HARVARD
PROGRAM IN CRIMINAL JUSTICE POLICY & MANAGEMENT:**
*Domestic Violence Cases Are Complicated,
But Doing Nothing Is Not an Option*

As someone who has worked on victims' services in a prosecutor's office, I always believed in mandatory arrests followed by prosecution. But when I see situations where the victim relies on the offender for food, housing, or childcare, I struggle with the impact that presumptive prosecution has on these families.

We should think about how we might be able to ask victims what they think would be the most helpful, because often it's complicated. We want to involve the police because it is a crime, and we want to involve the prosecutorial system because that's how we get a lever to make some change. But often that change is really disruptive.

So I think this is worth extensive further research, because we need to figure out how we can help women and families be safe while holding offenders accountable. Maybe that doesn't always

have to be through prosecution. But the answer can't be to do nothing.

LAPD ASSISTANT CHIEF MICHEL MOORE:
*We Team Officers with Trained Volunteers
Who Provide Support Services to Victims and Families*

There are a number of reasons for mandatory arrest policies, not the least of which is that the offender merits an arrest, and historically there was a certain level of distrust of whether the police would make arrests of abusers. But there are positives and negatives to these policies. That's very clear if you have a situation, like children in a home, where both parents have to be arrested because we couldn't determine which one was the primary aggressor. Even when only one parent is arrested, there is trauma occurring with the children present. We recognize these situations have a negative impact on the children, and we wish it didn't have to happen that way. But there are also many positives from making arrests.

Our city has had success with our Domestic Abuse Response Teams. These are supported in part by grants from the Department of Justice. The program partners officers with trained civilian volunteers from victim advocacy organizations. The volunteers accompany officers to homes where there have been calls for domestic violence. They provide services and support and try to help prevent the abuse from occurring again.

Unfortunately, these teams can't respond to every domestic violence call, so it's important to train all our officers on the dynamics of these abusive situations, and how they can get victims and the children who are involved the services they need.

KNOXVILLE CHIEF DAVID RAUSCH:
*Child Abuse and Elder Abuse
Are Also Connected to Domestic Violence*

We have a very robust family justice center in our community. It includes 62 partners who work together with law enforcement, the prosecutor's office, and legal aid organizations.

We all work together to address every aspect of family violence and abuse, from child abuse to elder abuse. And they're all related, so it's important to look at these family violence situations in their entirety instead of just focusing on one aspect of them.

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LEFT TO RIGHT: Executive Director Christine Cole, Harvard Program in Criminal Justice Policy & Management; Los Angeles Assistant Chief Michel Moore; and Knoxville Chief David Rausch.

policemen the technical aspects of the job—how you make an arrest, how you approach a felony suspect, how you make out a report for this type of crime, and so on.

We don’t spend much time helping the police officers understand their role in a democratic society. And if we want to get this concept of police as guardians versus police as warriors, we need to educate officers in a way that is consistent with that mentality.

Right now, we don’t do that. We send conflicting messages. We have training videos that show a 90-year-old woman pull out a gun and shoot a policeman.

Well, let me tell you something: I am not going to approach a 90-year-old with my gun drawn. I am sorry, if she shoots me, I am just dead, because that is not the norm that we should train to. And yet we train officers to a large extent to be paranoid, that everyone is out to get us. I don’t mean that we should be silly or careless. But at the same time, we need to understand the uniqueness of our role in society. I don’t think we spend any time really doing that as a profession.

Chuck Wexler: *I have heard you make a point about de-escalating the police response as a situation changes.*

Ramsey: Going up is easy part. Going back down is the hard part. Somebody has to be the adult in the room, the one to de-escalate the tensions as much as possible, and it has to be the police officer.

When I was a young policeman, we didn’t have portable radios. All the radios were in the cars. So for example, you’d respond to a domestic violence call on a third floor rear of an apartment, and it’s just you and your partner. If things start going south, one of you has to slip back to the car, get on the radio, summon help, run back upstairs, and hope your partner didn’t get his butt kicked in the time you were gone.

So what did you learn? You learned how to talk to people and how to keep the situation from getting too far out of hand, because the cavalry was not right around the corner.

But we got portable radios, so now all we have to do in a tense situation is make a quick call, and help is on the way. That effort to try to keep things calm started to shift a little bit, because reinforcements arrived much faster. We forgot how to talk to people. This doesn’t apply to everybody, but there are a lot of

police officers who don’t know how to talk to folks in a way that helps to ease the situation and calm it down.

ST. LOUIS COUNTY POLICE CHIEF JON BELMAR: *Things Can Spin Out of Control, And Overwhelm Officers’ Ability to Make Decisions*

I felt like I was pretty well positioned to understand how to deal with something like Ferguson. I had served as the Tactical Operations Commander in the St. Louis County PD, and much earlier as a patrolman in Tact in the early 1990s. I sit on the St. Louis County Domestic and Family Violence Council. I have good contacts in the communities. I go to the churches; I talk to my community leaders; I am engaged. I was from North St. Louis County, where Ferguson is located.

But when this happened—you have no idea how bad it can be, and you have no idea how it can spin out of control unless you have gone through something like this before.

We made mistakes here, and I am going to warn you about one that can easily happen: This was so dynamic at the beginning that we forgot how to do the jobs we do every day. Sergeants would look at a problem that they take care of every day on the street, and instead of making a decision, they would look at the lieutenant. The lieutenant would look at a captain, who would look at a colonel, who would look at the chief.

Well, I am the chief and I don’t have problems making decisions, but at the end of the day, that’s not how we do things in a police department.

MINNEAPOLIS CHIEF JANEÉ HARTEAU: *We Need to Show Officers that Making Connections Is Part of the Job*

We need to reward people for what we want them to do. I have been placing a greater emphasis on the *quality* of police work, as opposed to quantity. Community engagement is a key component, yet none of us effectively track or measure it. If all we do is track arrest stats, we are not getting our officers to do all that we need them to do. We get what we reward and deserve what we tolerate. It’s about getting cops out of the cars and connecting with community members when they are *not* in crisis. That is how you build trust. We can’t wait for a crisis and then try to build trust; it has to happen before that.

In Minneapolis we have the Cedar-Riverside neighborhood, home to the largest Somali population in the country. This is a group of folks who just innately do not trust police, for obvious reasons. I think that if we can find a way to create procedural justice and a sense of police legitimacy in that community, we can do it across the board anywhere. So we have spent an enormous amount of time teaming up with the Cedar-Riverside community and with PERF on a program to give the community a voice, to have some consistent practices on how our officers respond and how they communicate with people, and to ensure that the community can be comfortable knowing that officers are going to be fair in their response.

I think part of it is providing direction from the top down. As the chief, I must define what I want my officers to do and expect them to do, and then I must give them the okay to do it.



LEFT TO RIGHT: St. Louis County Chief Jon Belmar and Minneapolis Chief Janeé Harteau.



LEFT TO RIGHT: Tallahassee Chief Michael DeLeo; Austin, TX Chief Art Acevedo; and Dallas Chief David Brown.

This is also a balancing act, because I am short of officers like everybody else. My cops run from call to call. But I need them to spend some *time* on calls too. For most residents, they may only call 911 once in their life. Their experience in our response will dictate how they see and value us. I'm letting the officers know that, "I don't want you to just have numbers; I want you make connections."

We need to ensure that we are encouraging them to know that community engagement is part of the job.

TALLAHASSEE CHIEF MICHAEL DeLEO:
My Father, a Police Chief, Taught Me That Policing Is Really About Helping People

My father was a police officer. He retired as chief of Miami Beach Police Department. My grandfather was an officer, my great-grandfather was an NYPD officer. So there's a tradition and the way I was raised, and a certain belief about what the position of police officer is about.

My Dad used to tell stories when we were kids, and it wasn't about a foot chase or getting into a fight. He would come home and talk about helping an old lady whose hot water heater blew up at 2 in the morning. And we'd say, "But you're a cop!"

He would tell us, "People call 911 because they need help and they don't know where else to turn—not because they want you there. Nobody wants police cars parked in front of their house for the whole neighborhood to see."

So, the way we grew up, and my philosophy, and what I expect from my officers, is that when people call us because they need help and they don't know where else to go, it is our job to find them help and resolve the crisis, or if we are not the ones to resolve it, to point them in the right direction.

AUSTIN, TX CHIEF ART ACEVEDO:
Chiefs Must Spent a Lot of Time Building Emotional Capital in the Community

I think that the key to these issues is to spend a lot of time as a chief building emotional capital. And by that I mean being out in the community engaging, engaging, engaging.

Second is the transparency piece. Information is going to flow immediately, and the problem is that with the radicalization of our communities through social media, you will lose the narrative right away. So we choose to put out information. If we make a mistake, we fix it right away.

And third, always be brutally honest with everybody you speak to. One of the things that I think people appreciate about our department is that we don't worry about political correctness; we worry about speaking the truth. Because even if some people don't agree with you, if they know that you are constantly on point, are speaking what you believe to be the truth, and are acting with a good heart, they are going to give you a lot of room to operate. And they know that sometimes you're going to agree, sometimes you won't.

Another thing we have to understand is that when you are dealing with communities of color, at times our officers are being judged not through the prism of the present, but the prism of the past, the prism of history, so they can't afford to be mediocre.

DALLAS CHIEF DAVID BROWN:
When a Major Event Happens, You Need to Stay Ahead of the News Cycles

You get one news cycle to get your narrative out there. You have the 12:00 news, the 4:00 or 5:00 news, and the 10 o'clock news. If you don't take advantage of those news cycles, there is no chance to catch up. Whatever the narrative that goes out is, there is no chance to catch up.

With regard to use of force, sometimes it seems like our young officers want to get into an athletic event with people they want to arrest. They have a "don't retreat" mentality. They feel like they're warriors, and they can't back down when someone is running from them, no matter how minor the underlying crime is.

But often there are reasonable alternatives. For example, if your partner already caught one of the other bad guys, that one will probably give up the other folks. Often there's a way to arrest the suspect later in a safer way.

CINCINNATI CHIEF JEFFREY BLACKWELL:
If Your Message Is Delayed, You Might as Well Not Bother With It

When a major event or crisis happens, you can't wait days or weeks to tell the news media and the public what you know. If your message isn't timely, it's not going to be viewed as authentic. If it's not authentic, you might as well not say it.

By and large in Cincinnati, if we have a critical event, we have a press conference within two hours, and we put everything out that we have. We explain that it's preliminary, but we give it to



TOP ROW (LEFT TO RIGHT): Cincinnati Chief Jeffrey Blackwell and Elk Grove, CA Chief Robert Lehner. BOTTOM ROW (LEFT TO RIGHT): Chicago Superintendent Garry McCarthy and Milwaukee Chief Ed Flynn.

them so that they know exactly what we know.

ELK GROVE, CA CHIEF ROBERT LEHNER:

*The More We Look Like Soldiers,
The More We Will Be Criticized*

This debate that’s going on about “militarization” of policing is not about equipment, it’s about appearance. It isn’t just the fact that you are marching in a line down the road carrying weaponry. We have to understand that we are not talking about tactics, but about how all this *looks*.

If you’re an urban police department and your purpose is camouflage, you probably ought to be wearing business suits, not jungle camouflage. If our purpose is to have clothing that is comfortable and that will protect us and will allow us to hang all sorts of equipment on our belt, why not have a police-specific tactical uniform that is recognized as civilian police uniform?

The more we look like soldiers, the more we will get this criticism, especially in certain communities.

CHICAGO SUPERINTENDENT GARRY MCCARTHY:

*Tear Gas Does Not Help to Control
A Large-Scale Demonstration*

Before the NATO Summit in 2012, we made it clear that we were going to come out in a soft look, and we would ratchet up our responses only if necessary. Most of the officers were wearing their regular checkerboard crown caps and light blue shirts.

We did have a big confrontation one day of the Summit, because we had information out of the crowd that the anarchists were about to try and break through the lines. When we got the information that they were going to start throwing rocks and bottles, we went to helmets. And then when we got the information that they were going to try and break through the line, that’s when we went to the turtle suits and the riot gear. We did extractions of violent individuals, and the cops who went in and did the extractions were our mobile field forces. They were in the turtle gear.

The other thing I did before the Summit was change the use-of-force continuum so that only I could authorize the use of tear gas.

I remember being at a community meeting and a woman asked me if I was going to use tear gas to control the crowd.

And I said, “Well, only if you can explain to me how tear gas controls a crowd.”

MILWAUKEE CHIEF EDWARD A. FLYNN:

*Congress Defunded Community Policing
And Pushed Military Equipment, and Now
Is “Shocked” that Police Have Military Equipment*

I was the Secretary of Public Safety in Massachusetts back in 2003, when all the money started going to Homeland Security. Part of that job was administering COPS grants and the DHS grants, and I watched Homeland Security become the monster that ate criminal justice. Most of the community policing funding disappeared, and the money went to first response equipment and command vehicles and all the “toys.”

I remember having these discussions and telling the feds that the best thing that they could fund for us was community policing, because community policing is all about developing information at the local level.

But the retired generals and admirals told us, “No, no, no, take this stuff instead.”

So now, 10 years later, the Senate is shocked, shocked to find out there is “militarization of the police,” whatever that means.

I got a call from Senator McCaskill’s people about this issue, and these Congressional staffers are so young, they don’t know any of the history of these grants. So I told them about it, and I said, “If Congress is going to make any more interventions into local law enforcement, will you please talk to us first?”

We end up with these kneejerk reactions to a current event, and an instant solution that matches the next news cycle. And then months or years later, we have the wringing of hands because look what happened—the unintended consequences of what we demanded the police to do.

We lost a generation of innovation in community policing because the money went to the toys. And now it’s somehow our fault that we’ve got the toys.

COPS OFFICE DIRECTOR RON DAVIS:

*We Need National Standards
For Policing in a Democratic Society*

One of the strengths of American policing is that we have so many diverse agencies. But there are some areas where we are not going to be able to maintain the luxury of agency-specific practices. This is one of them. This has to be reconciled, because our

communities are not looking at the issue in terms of policies at 16,000 or 17,000 separate police agencies. They are looking at this as a single issue of policing in a democratic society.

From a law enforcement point of view, I hope we will be able to reconcile these differences, so that wherever I travel, if I attend a political demonstration, if I go to protest, I can have certain expectations with what I'm going to be met with by the police.

To give an example, one image that is jarring to me is a police dog at a demonstration. I don't think this can be justified. You can't explain that image away.

TORONTO CHIEF BILL BLAIR:

Circumstances Often Allow the Police To Back Off, Contain a Situation, and Take Their Time

The truth is that police officers put themselves at risk every single day in every one of our jurisdictions. That's what cops do, and that's what we expect of our cops. We don't expect them to toss their lives away, but we expect them to live with a certain amount of risk.

Part of managing that risk is having the training and permission so you know that when circumstances allow, if you don't need to go in and use deadly force in order to preserve a life, you can back off and contain that situation and take your time.

We find in countless circumstances that we are able to say that "the use of force was justified under the circumstances." But



LEFT TO RIGHT: COPS Office Director Ron Davis and Toronto Chief Bill Blair.

when we go beyond that, head a little bit upstream and look at the circumstances that put us in that situation in the first place, there's a great deal more that we could and should be doing to de-escalate.

I think we all have a responsibility here, and if we can demonstrate that we are acting morally and ethically, that is a better standard than merely acting "within the rule of law."

If I can define that for my officers and for the community, it puts those events where we do take a life in a slightly different context. And I think that helps to engender trust among the people about how and why we use force and when it is necessary. 

>> from **Surprising New Domestic Violence Research** on page 3

LAPD CHIEF CHARLIE BECK:

We Are Looking Into an Increase In Domestic Violence Cases This Year

Los Angeles has seen an increase in domestic violence cases this year, after almost a decade of declines. We're working to figure out why that is. Because domestic violence is such an underreported crime, I think law enforcement tends to think, "We have a better relationship with the community now, so increases are an indication that people are reporting more of the crimes that occur."

We would like to think that's why we're seeing the increase, but we don't want to just make that assumption.

PUBLIC SAFETY CONSULTANT BOB LUNNEY:

Arrest Is Only One Part of the Duluth Model; Victim Support and Social Services Are Also Needed

I think we've forgotten what we learned from the Duluth Model, which is where this mandatory arrest policy began². Duluth had a comprehensive program that included victim support, social services, medical service, and mandatory arrest. But many agencies only implemented one aspect of the program—the mandatory arrests. Only recently have some of the more enlightened departments gone back to implementing this as a complete program. 



LEFT TO RIGHT: Los Angeles Chief Charlie Beck and Public Safety Consultant Bob Lunney.

2. Further information is available at <http://www.theduluthmodel.org/about/research.html>



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PERF Leadership Award Ceremony

At PERF's Town Hall Meeting in Orlando on October 26, PERF's Leadership Award was given to Israel Police Commissioner Yohanan Danino and Jordan's Interior Minister Hussein Al-Majali, recognizing their groundbreaking work in addressing policing issues in the Middle East. Palestinian Civil Police General Hazem Atallah, the third 2014 Leadership Award winner, was unable to attend the Town Hall Meeting; PERF Executive Director Chuck Wexler later delivered the Award to General Atallah at a meeting in the Middle East.



LEFT TO RIGHT: Charles Ramsey, Hussein Al-Majali, Yohanan Danino, Terry Gainer, Chuck Wexler.



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