

SUBJECT TO DEBATE

A NEWSLETTER OF THE POLICE EXECUTIVE RESEARCH FORUM



PERF President Scott Thomson

Presents Gary Hayes Award

To Oakland Deputy Chief Danielle Outlaw

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PERF Members Discuss Critical Issues At Town Hall Meeting in Chicago

By James McGinty

APPROXIMATELY 600 POLICE EXECUTIVES AND OTHER leaders gathered for PERF's annual Town Hall Meeting in Chicago on October 25 to explore the critical issues they have been facing over the past year. The discussions touched on a wide range of topics.

Following are excerpts from the discussions of four major issues: the heroin epidemic in many parts of the country; challenges in recruiting a diverse range of officers who are well-suited to the mission of policing in the 21st Century; controversies regarding policies on body-worn cameras; and changes in police training and culture on the use of force.

Addressing the Heroin Epidemic

With the heroin epidemic impacting communities across the country, a number of police chiefs and the Director of the Office of National Drug Control Policy, Michael Botticelli, discussed new tools and approaches police are using to address this crisis.

To start the discussion, Town Hall participants viewed a three-minute news video about Gloucester, MA Police Chief Leonard Campanello's approach to the issue, which is to provide treatment options, rather than the threat of prosecution, to heroin addicts who turn themselves in at the police station.¹

CAMDEN COUNTY, NJ CHIEF SCOTT THOMSON:

Camden Officers Have Saved 160 Lives Using Naloxone

Last spring, the New Jersey attorney general issued a statewide directive that enabled police officers to begin carrying and administering naloxone. At first, some officers were reluctant to administer naloxone because they thought it would involve using needles. But once we dispelled that myth and showed them how easy it was to use the nasal spray version and save a life, they embraced it.

1. "A Police Department that Rehabilitates Rather than Arrests." Upworthy, Sept. 1, 2015. <https://www.youtube.com/watch?v=UMoMZA55Tm8>.

Denver Chief Robert C. White Joins the PERF Board

PERF is pleased to announce that Denver Chief of Police Robert White has agreed to serve as Secretary on PERF's Board of Directors. The PERF Board selected Chief White to take over the position, which was vacated when Chief Scott Thomson was elected PERF President.

Chief White has led the Denver Police Department since December 2011. He previously served as chief



of the Louisville Metro Police Department, chief of the Greensboro, NC Police Department, Assistant Chief in the Washington, DC Metropolitan Police Department, and Director of Public Safety for the District of Columbia Housing Authority. Chief White will serve the remainder of Chief Thomson's two-year term, through June 30, 2016, at which point the position will be up for election.



In our city of 77,000, there have been more than 450 overdoses this year, 37 of those fatal. But year-to-date, our officers have used naloxone to save over 160 lives, and county-wide there have been over 300 lives saved. Last week we held a banquet to honor the officers who have saved lives. Providing our officers with a new tool to save lives has been a very positive thing for our agency's culture.



NYPD COMMISSIONER WILLIAM BRATTON: *Drug Treatment Is Needed After Overdose Reversals*

Naloxone has been a good thing for the NYPD because we are saving lives. But we're finding that we save a life today and see that same person repeating the same behavior tomorrow. What is still a work in progress is finding ways to get those people into treatment, so they can live a full life. Without that, we won't be doing everything we can to solve the problem.

Our officers love the idea that they can save a life, but they find it very frustrating when they can't then offer services that might help that individual change their life.



BALTIMORE COMMISSIONER KEVIN DAVIS: *Naloxone Is 21st Century CPR*

Baltimore has suffered from heroin abuse for decades, and conservative estimates are that there are 19,000 diagnosed heroin addicts in our city of 621,000 people. We just issued naloxone to our officers, and I see it as 21st Century CPR. It's another tool in our public safety toolbox. Often the police arrive on the scene of a heroin overdose before the firefighters do. And when we do arrive first, I'd rather have officers doing something to save a life than just standing there and waiting.



BURLINGTON, VT CHIEF BRANDON DEL POZO: *There Are Not Enough Treatment Beds For People Who Want Help with Their Addictions*

My agency doesn't have naloxone, but we will probably have it by the end of the year. I recently retired from the NYPD and watched it be implemented there. For those on the fence about this, you should know that there are no side effects if your officers administer naloxone in a situation where it turns out that it wasn't actually needed.



I looked at the addiction program the Gloucester, Massachusetts chief has put in place, and he's correct in recognizing that we can't arrest our way out of this problem. But if someone came up to me and said, "Chief del Pozo, I need help. I'm addicted to heroin and want to get out of this lifestyle," I'd have to reply, "I'm glad you want help, but I have to put you on a waiting list for treatment that already has 800 people on it."

Our governor and mayor are trying to address this shortage, but we just don't have enough treatment beds now.

ONDCP DIRECTOR MICHAEL BOTTICELLI: *We Need Adequate Treatment To Address Our Country's Heroin Problem*

We have a heroin problem that's being driven by prescription drug abuse, because most people addicted to heroin today first became addicted to prescription pain medications. So we need to make sure our medical community isn't overprescribing medication.



Heroin is now much more widely available in places where it has never been available before. It has always been in many of our urban communities, but now we're seeing it in suburban and rural areas. There are some cartels in Mexico that decided they could create a heroin market because they know about the prescription drug misuse in the United States.

We've known for a long time that without adequate intervention and treatment, people just recycle through our system. The President recently spoke on this issue in West Virginia, saying that even though we have improved our access to treatment in the United States, we need to do a better job on this. We need to make sure that the resources are there.

And if it takes an intersection with police to make a referral to treatment, it means we've missed earlier opportunities to intervene along the way. We should look for other ways to get help to people with substance use disorders, so they don't reach the point where police need to become involved.

Recruiting the Next Generation of Police Officers

For years, many chiefs have told PERF that they have difficulty attracting a diverse range of recruits who are capable of the challenging work required of police officers, and are also reflective of the communities they serve. The Town Hall discussion included ideas about how to draw the best candidates into policing.

In addition to discussions about attracting recruits from many demographic groups, Town Hall participants talked about identifying candidates who are attracted to the role of "guardian" rather than seeing policing as a profession of "warriors." To launch the discussion, PERF played two police agencies'

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Oakland Deputy Chief Danielle Outlaw Receives the Gary Hayes Award

AT THE TOWN HALL MEETING IN CHICAGO, Deputy Chief Danielle Outlaw of the Oakland Police Department (OPD) received PERF's 2015 Gary Hayes Memorial Award.

Deputy Chief Outlaw has spent her entire career in the Oakland Police Department, rising from a police explorer at age 14 to become the second woman to serve as a deputy chief in the agency. Her most significant achievements within the department include developing an officer wellness program, restructuring OPD's force review process, and leading the agency's efforts to comply with the terms of its negotiated settlement agreement.

Chief Outlaw has a Bachelor's Degree in Sociology from the University of San Francisco and a Master's in Business Administration from Pepperdine University, and she is a graduate of PERF's Senior Management Institute for Police.

ABOVE: Deputy Chief Danielle Outlaw, flanked by previous Hayes Award winners, from left to right: Milwaukee Chief Ed Flynn, NYC Commissioner William Bratton, Camden County Chief Scott Thomson, Philadelphia Commissioner Charles Ramsey, New Haven Chief Dean Esserman, and Customs and Border Protection Commissioner Gil Kerlikowske.

Oakland Assistant Chief Paul Figueroa attended the Town Hall Meeting and said a few words about Deputy Chief Outlaw's work in OPD. "Danielle is a troubleshooter," Chief Figueroa said. "You can give her a project and know it's going to get done—and that it will be done better than anyone else can do it. She's been able to fix things in the department that we needed fixed to comply with federal oversight."

The Hayes Award, given annually to a rising star in policing, is named for PERF's first executive director.



>> from Town Hall Meeting in Chicago on page 2

recruiting videos, one that was militaristic² and the other more community-oriented³.

HOWARD UNIVERSITY CHIEF BRIAN JORDAN: *Militarized Recruiting Messages Deter Many Potential Recruits*

As a young African-American growing up in the Chicago housing projects, I figured out at 15 that I wanted to become a police

2. "Midland Police Department – FULLFILL YOUR PURPOSE." City of Midland, TX. May 19, 2014. <https://www.youtube.com/watch?v=YDM4QneEE9Y>
3. "Peel Regional Police – Recruiting Video." Peel Regional Police, Ontario, Canada. Oct. 8, 2014. <https://www.youtube.com/watch?v=pZiipI0q2vI>

officer, because the father of one of my football teammates was a Chicago police detective. He wore a suit and tie, had a nice car and apartment, and I viewed him as a role model.

When we promote policing as a paramilitary "jump out and lock people up" activity, we lose the people who are looking for a professional organization to join. There are many qualified people at our roughly 110 historically black colleges and universities, but they want to be professionals and are turned off when we play up the more militarized aspects of policing.



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NEW HAVEN, CT CHIEF DEAN ESSERMAN:

We're Exploring the Idea of a "Police America" Program To Complement Traditional Recruiting

We do a lot of recruiting for traditional career officers, and we put more of a focus on service than adventure. But we're also exploring the idea of starting a new program in the style of Teach for America. We've found that what attracts many younger candidates is different from what may have attracted recruits in the past. Many of them plan to do several different things in their lifetimes, and they are interested in service, whether it's the Peace Corps, Teach for America, or something else. They're also concerned with paying back their student loans.



We're planning to sit down with our union and a couple interested students to see if we can design three- to five-year contracts with the New Haven Police Department for students coming out of Yale, the University of New Haven, or one of the other colleges in our community. After serving as an officer for three to five years, the individual could buy into the NHPD pension system if they want to and stay on the force. But if they would rather move on to something else, we'll pay off their student loans or pay for them to go to graduate school.

This program wouldn't take the place of traditional recruiting; it would complement traditional recruiting. We have the union at the table for this discussion, and two of my students are interested. They are people who wouldn't have been attracted to police work as a career, but they are interested in it as a part of their life experience.

CHIEF EXECUTIVE ALEX MARSHALL, UK COLLEGE OF POLICING:

New Forms of Recruiting

We're recognizing that we've recruited far too much on hard competencies, and we're shifting much more toward values and community service. The London Metropolitan Police have also restricted their recruiting to people who live in London, in order to bring in people who have a stronger connection with the local community.



We have programs similar to Teach for America called Teach Now and Teach First. There's now a "Police Now" program that allows people to join the police on a two-year contract after graduating from university. The emphasis is on serving your community and doing something with the start of your career. Alongside Fast Track Entry, run by the College of Policing, the "Police Now" program run by the Met Police has brought in a much more diverse group than traditional recruiting.

LAPD ASSISTANT CHIEF MICHEL MOORE:

We Lose Good Recruits Because The Recruiting Process Is Lengthy

The amount of time it takes to become a police officer, especially in many larger agencies, can be an obstacle to hiring the best people. Recruits are looking for jobs, so they're going to sign up with the agency that can give them the fastest answer. We need to be sure that we're hiring qualified people, but when our recruiting process takes nine months or longer, we lose good people to other agencies.



We also need to look at the tools we use to screen people out. We've gone through the worst financial crisis since the Great Depression, but we're screening out some candidates for financial issues that are no worse than the issues some people in our agencies went through. So those disqualifying factors may merit a second look.

PITTSBURGH CHIEF CAMERON McLAY:

Militaristic Images of Policing Can Push Away Potential Recruits

I would argue that the heart of a lot of the recruiting challenges we face, particularly in our communities of color, is that they don't see themselves or their interests reflected in adrenaline-driven recruiting videos.



I think as we redefine the profession to more closely reflect Peel's principles, those who are really motivated to serve and make a difference in their community will be drawn to policing. We have a lot of people in Pittsburgh who want to work to make the community better. But a militaristic image that heavily emphasizes our tactical operations will leave those people cold.

ATLANTA DEPUTY CHIEF C.J .DAVIS:

Recruits Want to See There Are Opportunities to Succeed

I spent about eight years in recruiting, and we're a city that typically doesn't have a problem recruiting African-Americans. In recruiting, you really need to know what it is that the recruit wants, not just for himself or herself, but for his or her family as well. So we found our success in selling not only the department, but also the city and the opportunities it provides for family members.



Another benefit I had in recruiting is that the young people who joined the department saw that they had an opportunity to

reach the higher ranks. There were people who looked like them and talked like them throughout the department. People want to work in environments where they feel like they can be successful, and that happens when they see people who look like them in leadership positions.

RETIRING MADISON, WI CHIEF DAVID COUPER: *Remind Recruits of the Difference They Make*

I would remind a young person who wants to be a police officer that they will make a difference. After the President's Commission report in 1967, many of us joined policing because we wanted to be the new kind of cop that the Commission talked about. We wanted to go work in the communities and make a difference. And I think the same thing applies today with President Obama's Task Force report. We need to find the people who want to implement those ideas.



NYPD COMMISSIONER WILLIAM BRATTON: *We're Looking for People Who Want to Be More Than Just a Warrior*

During most of the time I've been in policing, we've recruited by trying to attract the warriors. We would show off our helicopters and tactical equipment. But now we're shifting toward the guardian concept. A successful police officer has to have a bit of the warrior in them, but we want the person who sees the career as more than just being a warrior.

Body-Worn Cameras

As more police departments implement body-worn camera programs, they are finding they have to work through a number of difficult policy issues as well as technical issues. Currently, for example, there is a great deal of variation in departments' policies on defining the various types of circumstances in which officers should be required to turn the cameras on or off.

Another difficult, unsettled issue where opinions vary widely is the extent to which police agencies should make body-worn camera video footage available to the public and the news media.

PERF, in conjunction with the COPS Office, released a 78-page report in 2014 detailing 33 recommendations on body-worn camera policies. These guidelines were based on extensive research and input from participants at a national conference of more than 200 police chiefs and other experts.⁴

4. "Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned." http://www.policeforum.org/assets/docs/Free_Online_Documents/Technology/implementing%20a%20body-worn%20camera%20program.pdf

SEATTLE CHIEF KATHLEEN O'TOOLE:

We're Working to Balance Transparency and Privacy Concerns

We have very liberal public disclosure laws in Washington State, so we don't have the option of not disclosing video footage. When we began our pilot body camera program, we knew we'd have to do something fairly radical to give out all this footage. We were already facing challenges when responding to complicated requests for dash-cam footage. So we turned to our local tech community to help us write the code to blur faces in videos, and established a YouTube channel where we could release our videos.⁵



The biggest issue with body cameras is balancing the public's right to information on one hand, and privacy concerns on the other hand. I see the national discussion about finding this balance continuing for some time.

SCOTT GREENWOOD, ACLU GENERAL COUNSEL:

There Is Middle Ground on Disclosure Issues

There's a happy medium between everything presumptively being released because it's a public record and everything not being released because it's an investigatory record. If something happens in public, there's no expectation of privacy. And I think it would be a strategic mistake not to disclose footage that officers capture in public spaces to show your communities that almost all the time, your officers are doing the right thing.



But the resident of a home still has privacy rights, even if you're in their home pursuant to a warrant. So the ACLU's position on privacy is highly dependent on where a recording occurs. If it's in a private residence, the rules are simply different.

And if you have an active criminal or internal affairs investigation, I think you're pretty safe in not disclosing that footage. But not everything is an open investigation.

You all also have very different public records statutes to deal with, and, to be candid, I think those create most of your problems.

MINNEAPOLIS CHIEF JANEÉ HARTEAU:

We're Starting to Use Cameras, But Issues Remain

We just finished a body camera pilot program, and I'm definitely a proponent of them. But there is the question of whether to allow officers to look at videos before writing their reports. We allow them to



5. "SPD BodyWornVideo." <https://www.youtube.com/channel/UCcdSPRNt1HmzkTL9aSDfKuA>

view in-car camera footage, so I'm not sure what the difference would be with body cameras.

We're also trying to put cameras in places where we need them most. Many of our complaints and lawsuits come from incidents downtown around the time bars close. So that's one place we'll start implementing them first.

MIAMI BEACH CHIEF DAN OATES: *Training Can Be Very Labor-Intensive*

We have very liberal open-records statutes in Florida, but we cannot release video footage of someone's death. So we can't be transparent and release video of a fatal officer-involved shooting unless we go to court and make a case for doing that to a judge.

We have found that to do the training the right way, we need to take four hours to train four to five officers. It's not just about training officers on the "on" and "off" switch, but also the downloading and storage of footage and how to incorporate it into reports. Then we bring them back in after two weeks for two more hours of training, and after that they've got it. So the training is very labor-intensive.



DENVER CHIEF ROBERT WHITE: *We Require Officers to Wear Cameras During Off-Duty Employment*

Our officers have to wear body cameras both on-duty and at off-duty employment jobs. The off-duty part can be challenged, because there are contractual obligations. The union is fine with officers being required to wear it off-duty, but they probably want to be compensated for time spent going back to the station to dock the camera and upload the footage. We may be able to work out a partial fix by giving officers docking stations at their houses. The union will more than likely take the position that is also a contract issue.



OAKLAND DEPUTY CHIEF DANIELLE OUTLAW: *Officers Involved in Critical Incidents Cannot Review Footage Before Writing Reports*

The Oakland Police Department has had body cameras for five years, so we've been through a lot of the bumps and bruises of working out policies, union issues, and privacy issues. We generally allow our officers to view footage before writing reports, but we don't allow that for incidents that are "Level One," such as officer-involved shootings.



In officer-involved shootings, we do not want the involved officer(s) using the video to "recreate" their memory prior to providing their statement, because the factors considered and/or experienced by the officer, at the moment he or she made the decision to use force, weigh heavily into determining whether the force used was objectively reasonable and within policy.

MONTGOMERY COUNTY, MD CHIEF TOM MANGER: *Data Storage Costs Can Make Body Cameras Prohibitively Expensive*

The Major Cities Chiefs Association has met with DHS Deputy Secretary Alejandro Mayorkas to discuss the cost of data storage for body-worn camera videos. Everything else seems manageable, but data storage costs are pricing some departments out of body camera programs. We're having discussions about trying to create a "law enforcement cloud" to reduce storage costs.



BUREAU OF JUSTICE ASSISTANCE DIRECTOR DENISE O'DONNELL: *BJA's Body-Worn Camera Toolkit Can Help Navigate These Issues*

The Bureau of Justice Assistance has developed a terrific body-worn camera toolkit to help agencies navigate some of these challenges. It features policies that departments have shared with us, summaries of existing research, and information about state laws. I hope it's been a valuable resource for all of you, and we hope you'll continue to share content with us for that. The toolkit is available at <https://www.bja.gov/bwc/>.



FRESNO CHIEF JERRY DYER: *Footage Should Be Shown to Justice Officials, Not the Public*

Our agency, along with San Diego and Los Angeles, have all taken the position based on advice from our attorneys that we will not release video footage to the media or the public.

The very reason we are placing cameras on officers is because some people no longer trust the word of a police officer.

The camera is an investigative tool that gathers evidence to be used in the judicial system to defend the actions of officers or assist with prosecution. Those are the people empowered to make decisions about whether or not our officers acted appropriately.

We are not in the entertainment business. We do not take the news media with us into homes when we execute search



warrants or investigate sensitive cases, so why would we now release video taken by officers to the media?

Use-of-Force Training

In a follow-up conversation to PERF's May 2015 Summit and report, *Re-Engineering Training on Police Use of Force*,⁶ Town Hall Meeting participants discussed changes in how they are teaching their officers to approach situations that may involve use of force.

FBI DIRECTOR JAMES COMEY: *We Need to Collect Timely Data On Police Use of Deadly Force*

We do not have comprehensive data with regard to police use of deadly force. Newspapers collect it, and that's a great thing for newspapers to do, but I cannot imagine something that is more inherently governmental than tracking the use of deadly force by law enforcement in incidents involving civilians. And so I hope PERF can help us get to a place where we can have informed discussions in this country about the use of force. Where we are now is that every conversation is, by definition, uninformed, because we don't have information.

People ask me all the time, "Is there an uptrend? Is there a downtrend? Is it flat?" The honest answer is that I have no idea. And I've said it before, but that's a little embarrassing for those of us who care about this great profession. The medical profession can do it. The movie industry can do it. Anybody in any walk of life has useful data, except we don't with respect to the use of deadly force. We have to get to that place, because in the absence of data, we drive by anecdote, we drive by ideology.

We are very practical people in law enforcement, so we want to make sensible decisions based on information. I hope very much that you will help us get to a point where we have near real-time data about what's happening in this country with respect to deadly force involving our law enforcement officers.

LEESBURG, VA CHIEF JOSEPH PRICE: *Officers Need the Right Skills and Mindset For Their Important Role in the Community*

We recently ran a training program for our entire department, including dispatchers, administrative staff, and all sworn officers. We had a discussion about why everyone joined the police department and what it is that our community wants from the police.

As an agency, we resolved that the modern police officer needs the skills of



the warrior but the mindset of a guardian, and that it's our job to work as a part of our community to solve problems.

We all know that it's a trying time to be a police officer, and I think we owe it to our young officers to give them the right mindset and show them the important role they play in their communities.

ATF ACTING DIRECTOR THOMAS BRANDON: *ATF Is Looking to Adopt Innovations in PERF's Report*

I read PERF's recent *Re-Engineering Training on Police Use of Force* report, and was struck by all the innovative changes that state and local agencies are making. I've asked Connie Patrick, the director of the Federal Law Enforcement Training Center, to help me identify ways to incorporate some of the innovative things you all are doing into our training program. And one change we've already made at ATF is to stress de-escalation in our use-of-force policy.



CAMDEN COUNTY, NJ CHIEF SCOTT THOMSON: *I Remind Our Officers of How Well They Are Doing In Resolving Deadly Situations Without Deadly Force*

Our agency was established on May 1, 2013. Since then, my officers have responded to 4,873 calls for service for a man with a gun. During those calls, they've seized over 500 firearms. And the only two times they've discharged their weapons were in suicide-by-cop situations where they were ambushed.

I push those numbers out in our organization all the time to remind our officers of the success we've had. I think sometimes we don't realize how often our people are put in those deadly situations and resolve them without resorting to deadly force. That's the behavior we want, so we need to reinforce and reward it.

LT. ALEXANDER EASTMAN, *DALLAS POLICE CHIEF MEDICAL OFFICER:* *Agencies Should Train on Hemorrhage Control and Medical Care*

Many of you have brought up the guardian mindset and the importance of caring for your community. Your officer-involved shootings will be perceived very differently if your officers quickly move to providing medical assistance to the member of the community you just used force against.



If your agency doesn't have a training program on hemorrhage control/caring for either an officer or suspect who is wounded, I think you're behind on best practices, and I'd be happy to help you develop that program. Send me an email at alex.eastman@dpd.ci.dallas.tx.us.



6. <http://www.policeforum.org/assets/reengineeringtraining1.pdf>



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