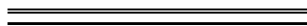


The Bill Blackwood Law Enforcement Management Institute of Texas



Criminal Interdiction: Understanding Human Behavior Can Save Lives



**A Leadership White Paper
Submitted in Partial Fulfillment
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ABSTRACT

There are too many law enforcement officer's being injured or killed in the line of duty each year. Through proper training at the recruit level and consistent training throughout an officer's career, these numbers can be reduced. An officer could increase his chance of survivability through proper training of Kinesic Interview and Interrogation. A program called Combat Hunter that is being taught to the U.S. military is providing these men and women with a skill set that is credited with saving lives (Poole, 2009). These service men and women are utilizing the skills that they learn to establish a baseline, recognize an anomaly, and be able to react to a threat before the threat even presents itself. Criminal interdiction has been credited for the successful apprehension of street level petty criminals to foreign terrorist. Due to the research and proven results of officer survivability, TCLEOSE should require basic police academies in the state of Texas to instruct criminal interdiction to the new recruits.

It is very important that criminal interdiction be taught to new recruits in the basic police academy. There is knowledge gained and skills learned in this course of instruction that will enable new recruits to enter the law enforcement profession with a better understanding of how to interview and interrogate the citizens they will come in contact with everyday. Criminal interdiction will provide new recruits with the basic foundation of skills to better interpret deceptive behaviors through verbal and non verbal body language. With these skills and abilities, new recruits will be able to recognize indicators of aggressive behavior and respond in a faster manner to better protect themselves and other officers.

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INTRODUCTION

In the last decade and "in the wake of September 11, 2001, it has become apparent that the interdiction of criminals is paramount to the security of the nation" (Criminal Interdiction," n.d., para. 1). Law enforcement agencies around the country have realized a need to better outfit themselves in order to keep up with the criminal element in society. With technology today, and the easier access to weapons, criminals are on the same playing field and are sometimes better equipped than law enforcement. Many law enforcement agencies have outfitted their officers with more weaponry, an increase in manpower, thermal imagers, and advanced computer systems. While these components are great and useful tools, one of the most overlooked tools in law enforcement is training. Training plays a vital role in teaching officers current trends, officer advancement, morale, and officer safety issues.

With police officers being killed in the line of duty every year, law enforcement needs to aggressively pursue effective ways to keep officers safe while they are safeguarding the citizens and communities in which they work. Police departments nationwide spend thousands, if not millions, of dollars every year to provide their officers with the latest and greatest equipment available to perform their duties. Through criminal interdiction training, officers would have an invaluable tool to carry around with them that weighs nothing, saves lives, and will help them better protect the lives and wellbeing of the citizens in the communities for which they work. Police and citizen contacts come in many forms. Officers talk to citizens, witnesses, suspects, and victims. The majority of police personnel are highly visible and have numerous citizen

contacts every day. Gizzi (2001) stated that "Traffic stops represent the single largest number of citizen-police encounters" (p. 2).

Basic police academies across the country are tasked with providing new recruits with quality training to ensure that each recruit is competent upon completion of the academy to begin a successful career in law enforcement (Pickens & Bonilla, 1992).

The practice of criminal interdiction is no easy task. A police officer must have a proactive mindset and be armed with the proper training and knowledge to effectively and efficiently arrest the criminal element. With this, officers are able to seek out the criminals and arrest them before they are even able to commit their crimes. Officers without this training and proactive mindset are generally reactive in nature and will only show up after a crime has been committed to take a report (Marcou, 2009).

Criminal interdiction is a proactive and aggressive approach to seeking out criminals from a small time local petty thief to a terrorist illegally in the United States who may be in the planning phase of certain acts. The focus of criminal interdiction relies on officers being able to understand human behavior, conduct successful kinesic interview and interrogations and combine clusters of clues to detect if someone is lying, about to commit a crime, or has already committed a crime. TCLEOSE (Texas Commission on Law Enforcement Officers Standards and Education) should require basic police academies in the state of Texas to include criminal interdiction as a training topic in the basic police academies.

POSITION

There is no topic related to law enforcement that is more important than officer safety. The number of law enforcement men and women being injured and killed in the

line of duty is unacceptable. Criminal interdiction training offered in basic police academies is essential in reducing these numbers. There are estimates that there are over 58,261 assaults to officers every year. Of the 58,000 assaults it is estimated that there are over 15,658 injuries to officers per year. If these numbers are not alarming enough, the statistics also showed that, on average, 154 officers killed per year in the line of duty, which is one officer every 57 hours (National Law Enforcement Officers Memorial Fund, n.d.). Historically, "Since the first recorded police death in 1791, there are a total of 19,981 names engraved on the walls of the National Law Enforcement Officers Memorial" (National Law Enforcement Officers Memorial Fund, Law Enforcement section, n.d., para. 3). Times are changing in society and the criminals are becoming better armed and more violent towards law enforcement. In order to combat this growing trend, law enforcement must recognize the need for enhanced and improved training for the safety of the personnel. Law enforcement as a whole needs to start finding ways to introduce superior training to police recruits (Burch, 2011).

It is shown that basic criminal interdiction skills are being taught to U.S. military personnel. These troops are being armed with valuable information before deployment into foreign countries, and this information is saving lives. A training course called Combat Hunter is being taught to the Marine Corp in California and North Carolina (Poole, 2009). This course covers topics in profiling, interview, interrogation, tracking, and optics. This course is being taught to the U.S. military by police officers and it is saving lives. If this type of training can assist in reducing the number of casualties to the military, then TCLEOSE should recognize the importance and success of the training and implement the training into basic police academies around the state of

Texas. Society is changing and so must the mindset of law enforcement agencies across the country.

One key component to criminal interdiction is kinesic interview and interrogation. Kinesic interview and interrogation relies on human behaviors. Kinesics initially only looked at the physical behaviors of subjects. It was later learned that it was just as important to understand the verbal response of a person along with the non-verbal behaviors that disclose deception or truthfulness of a person (Walters, 2002). There was a study done by Charles Darwin in the late 19th century. Darwin's study discovered that it did not matter what culture or ethnic group that people were from, these human behaviors were the same (as cited in Walters, 2002).

There are many known non-verbal indicators of deception that will assist officers in conducting successful interview and interrogations. To recognize these indicators, an officer must first establish a baseline of a person under normal circumstances and then under stress induced circumstances. An officer is looking for a culmination of indicators, not just one or two specific things. Certain indicators that are likely to be linked to deception when observed in conjunction with other indicators include if someone will not look the officer in the eyes, pupil dilation, movement of the eyes to the right or to the left at an upward angle, body language, and proxemics. By being prepared, an officer who is taught proper kinesic interview and interrogation skills can successfully determine if someone is being truthful or being deceptive (Mills, 1991). TCLEOSE should make it mandatory to implement criminal interdiction in police academies as it can be an invaluable tool for law enforcement officers to determine if

someone is being truthful, trying to deceive them, or whose body language is showing their intent to cause harm to that officer.

There are many topics that are taught in basic police academies around the United States: "one of the critical topics that always seem to get poor, little, or even no attention at all is the principles of interview and interrogation" (Walters, 2002, p. xi). There are different forms of training throughout the country that teach officers how to observe verbal and non-verbal behaviors and to utilize this training while patrolling their neighborhood and streets and emphasize officer safety awareness (Parfitt, 2003). The United States Supreme Court has even recognized the benefits of police officers being taught human behavior. The courts realized that police officers deal with scenarios that pose officer safety risks, and situations rapidly unfold before them, so they must carry with them the tools to successfully handle those situations (Parfitt, 2003).

In recent years, terrorism has become a global concern for every branch of law enforcement on the federal, state, and local levels. It is a necessity for new police recruits that TCLEOSE incorporate these training ideas into basic police academies as there are already used in several federal agencies, such as U.S. Customs, the F.B.I., the U.S. Military, and numbers of airports, who are training their officers in human behavior analysis (Parfitt, 2003). There is a course of instruction that is being taught to the men and women in the U.S. military that is getting great reviews from the participants. The course is called Combat Hunter and is a three part course of instruction. Students are taught how to track, profile, and utilize their equipment for better observation skills. The students learn that regardless of whether they are looking for a criminal or a terrorist, if they maintain a high level of situational awareness, they

will be able to observe their human behavior patterns and bring a potential hazardous situation to a safe and peaceful end.

The profiling course of instruction that is being taught to the military was developed by an inner city kid from Detroit, Michigan who is now a retired police officer, Greg Williams. The tracking portion of this course is also instructed by police officers (Poole, 2009). This driving force behind Combat Hunter was because too many men and women were being killed in Iraq. The military focused on improving equipment and technology for the troops, but it was determined that the troops were already carrying over 40 pounds of equipment more than what they should be. The technology was not assisting in locating insurgents or improvised explosive devices being placed on the roadside or in vehicles. Through combat profiling, Marines are instructed on the science of human behavior by understanding body language and its relation to the environment it is in. By doing this, people can reasonably conclude what a person is about to do prior to an action occurring. Military personnel are able to obtain these skills and tactical mindset to think like the enemy and reduce casualties (Poole, 2009).

The Combat Hunter program can help law enforcement personnel, just like it has assisted the Marines. Jones (2009) showed the mindset and skill set of the troops has changed, and the practice of such could be beneficial for law enforcement. One way to measure the success of this training is through testimonials of its participants. One marine stated, "Every Marine should take this course before they deploy, I've learned so much new material that will be able to help me in the short time that I have been here" (Jones, 2009, para. 9). Law enforcement officers deploy into the street everyday and could utilize this information on a day to day basis throughout their career. Additionally,

Lance Cpl. Jeremy M. Schweinler said, "Conventional warfare doesn't always work on today's enemies. This course has helped me understand how to think and plan like the enemy" (Vernaza, 2011, para. 10).

COUNTER POSITION

There are factors involved with criminal interdiction that have a negative connotation. The word profiling is commonly associated with criminal interdiction and opponents tend to link this with racial profiling. Racial profiling is defined as being any interaction or contact that the police may have with a person solely based on their race, ethnicity, or national origin. Some believe that police officers have used the color of one's skin as grounds for making contact with them rather than having reasonable suspicion that a crime has been committed (Harris, 1999). They believe that courts are allowing law enforcement to make pretext contacts with persons based on their race to fight the war on drugs and more and more drivers are being stopped because of their race. They also believe that over 27,000 police officers nationwide have been trained by an organization called Operation Pipeline, which advocates pretext stops. It has also been suggested that the United States Supreme Court's rulings that have allowed pretext stops to fish for illegal activity ("Racial profiling in Texas," 2004).

It is unfortunate that criminal interdiction is sometimes linked to racial profiling. Law enforcement officers use profiling on a daily basis, but profiling is not always linked to race. Profiling is where law enforcement officers try to use obvious as well as subtle clues about a person, in relation to criminal activity, to arrive at a conclusion. Specifically, they may use "such things as the person's race, manner of dress, grooming, behavioral characteristics, when and where the observation is made, the

circumstances under which the observation is made, and relative to information the officer may already possess" (Becker, 2004, p. 1). There was a survey done in Texas on racial profiling; it was conducted with over 400 law enforcement agencies in Texas and included several million police-civilian contacts. The findings of the report indicated that police were just wasting their time racially profiling. The report showed that white people were just as likely or more likely to be found with drugs or weapons even though blacks and Hispanics were searched on a more frequent basis ("Racial profiling in Texas," 2004).

There are many anti-profiling people and organizations throughout the United States that claim that law enforcement officers are engaged in racial profiling. The concerning factor is that there have been no studies that have used complete and adequate data to calculate if law enforcement officers are stopping, searching, or arresting a disproportionate number of minorities (Mac Donald, 2001). Many of the statistical data that has been compiled does not take into account the demographics and geographical area where the data was compiled (Mac Donald, 2001). Police departments around the country are also installing video camera systems in all of their patrol vehicles. Most law enforcement agencies are required by their state law to document police-citizen contacts and document their race and whether or not they were searched. Through these practices, law enforcement agencies have seen a reduction in proactive policing from their officers and an increase in criminal activity (Mac Donald, 2001).

A major obstacle to overcome in implementing criminal interdiction training to new recruits is the amount of time and money spent in basic police academies. In

2006, the Bureau of Justice Statistics showed that there were 648 law enforcement police academies around the nation. The average length of recruit training was about 19 weeks. The average amount of monies spent on recruits was about \$16,000 (“Law enforcement training academies,” 2006).

In a time of budget cuts among most law enforcement agencies around the United States, departments are looking at ways to reduce costs and more expediently getting recruits on the streets. Some recruit training programs exceed 1000 hours. With this amount of time dedicated to the training of new recruits, there are a lot of departments that are at odds with the length of the training and the urgency to introduce new recruits to the streets (Connolly, 2008). During budget cuts and restraints, a police departments training budget is usually one of the first line items reduced, which further limits the number of training hours per officer. It is believed that money is being wasted in spending too much time teaching recruits topics, such as the Criminal Code of Procedures, which they will spend very little time doing on the street.

The costs and time associated with basic police recruit training should not be a factor. Training is directly related to increased productivity, commitment from personnel, reduction in lawsuits, more efficient uses of resources, officer safety, and the ability of police executives to lead their agencies (Scott, 2005). With most agencies around the country dealing with reduced budgets and training to be one of the first to go, this does not generally effect recruit training. Recruit training is sometimes supplemented by the states standard and training commission (Scott, 2005). Recruits being trained with the most current knowledge and skills will help agencies reduce costs related to risk management. Ultimately, the cost of training or time that it takes to train a

recruit should not be a factor in the recruit having knowledge and skills to perform their job effectively and efficiently and go home safely at the end of their shift.

RECOMMENDATION

It is very important that criminal interdiction be taught to new recruits in the basic police academy. There is knowledge gained and skills learned in this course of instruction that will enable new recruits to enter the law enforcement profession with a better understanding of how to interview and interrogate the citizens they will come in contact with everyday. Criminal interdiction will provide new recruits with the basic foundation of skills to better interpret deceptive behaviors through verbal and non verbal body language. With these skills and abilities, new recruits will be able to recognize indicators of aggressive behavior and respond in a faster manner to better protect themselves and other officers.

Recruit officers need to be mindful that there will always be critics who will claim that they have been racially profiled. There are members of society within the cities, counties, and states who believe that police officers engage in racial profiling on a daily basis and that it is a common practice. With different crime trends and the diverse communities that law enforcement work in, racial profiling will continue to be a public issue, but, with training, education, and as more studies are done proving this is rarely the case, hopefully, this perception can be reduced in communities

There is no substantial statistical evidence that considers all factors of racial profiling (Mac Donald, 2001). There have been isolated cases where racial profiling has come to light; however; this was generally because of individual biases and prejudice. Many law enforcement agencies are now required, by law, to have cameras in their

patrol cars and compile racial profiling statistics on their contact sheets (warnings, citations, field contacts). Through proper training and the enacting of new laws, police agencies will be able to protect their officers from claims of racial profiling and save the agency from lawsuits.

The introduction of criminal interdiction training in the academy would be beneficial to new recruits, the departments they will serve in, and the communities that they will serve in. Criminal interdiction techniques are not illegal or immoral and "is an effective strategy used to protect the public from the devastation caused by drug abuse, street and highway traffic related death and injury, illegal trafficking in and possession of weapons and apprehension of fugitives" ("Criminal interdiction patrol," n.d., para. 1). Above all, criminal interdiction can and will save the lives of law enforcement men and women if TCLEOSE will require basic police academies to teach recruits these basic principles.

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