

# FBI

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## Law Enforcement Bulletin

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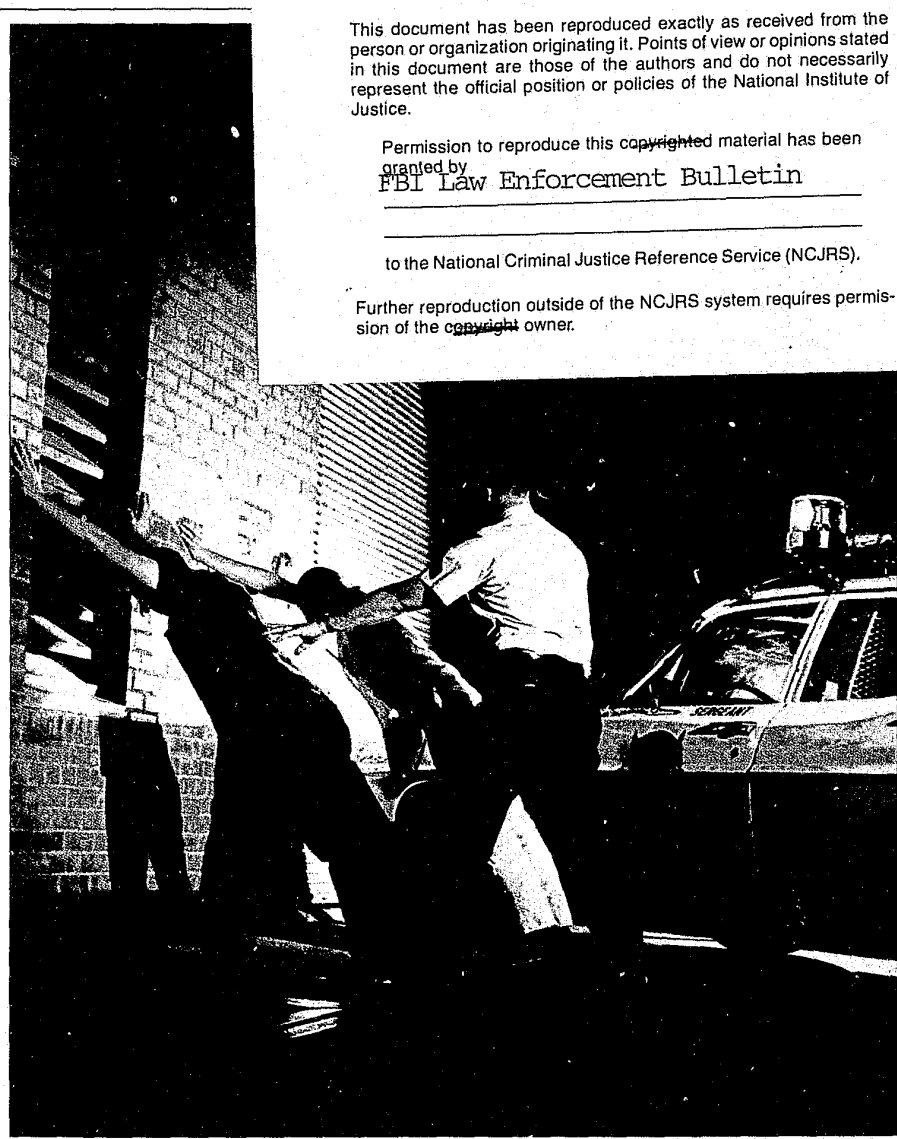
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POLICE FOUNDATION



### A Special Report

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#### The Cover:

With the Police Foundation vertical logo, the cover symbolizes the foundation "Crime File" video project.

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## Law Enforcement Bulletin

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William H. Webster, Director

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## **NIJ Study— “When the Victim is a Child”**

The National Institute of Justice (NIJ) has published a study of new methods for easing the trauma faced by child victims and witnesses who have to go through criminal proceedings. The report is designed for prosecutors, judges, police officers, and other professionals interested in improving the way the criminal justice system treats child abuse victims.

The study, “When the Victim is a Child,” responds to an urgent need expressed by the Attorney General’s Task Force on Family Violence, which called for research into the court treatment of child victims. It discusses the competency of child witnesses, child victim advocates, videotaping statements, and testimony, as well as recommended changes in hearsay statutes. Included is a comparative survey of each State’s legislation to protect child witnesses in sexual abuse.

After discussing in detail the various problems both the system and the child victim face, the report makes a number of recommendations for improvements. For example, it called for an end to State laws requiring that witnesses be at least a certain age. Many States bar or greatly curtail testimony from young witnesses, whereas Federal rules permit testimony from any competent witness irrespective of age.

In addition, the report recommends the adoption of State legislation to permit special exceptions to the hearsay rule for children. Such laws

would admit certain out-of-court statements to counselors or prosecutors that might otherwise be ruled out because they are not available from the young witnesses during direct

Other legal provisions examined in the report include proposals for:

- Permitting a child witness to have a support person during testimony;
- Offering services to explain the court procedures to the child and his or her family;
- Directing law enforcement officers social service agencies, and prosecutors to conduct joint investigations in each child sexual abuse case using a single trained interviewer; and
- Scheduling trials to give priority to those involving young victims and discouraging postponements.

The study, which was conducted by a private research firm, also contains appendixes on interviewing child victims and videotaping a child’s statement or testimony.

The publication is for sale from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC (stock number 027-000-01248-5). The price is \$3.25. Microfiche copies are available from the National Criminal Justice Reference Service, Box 6000, Rockville, MD 20850, telephone (301) 251-5500. The toll-free number is 800-851-3420.

103756

# Fighting Fear in Baltimore County

## The COPE Project

**“... a new role for police might very well be that they identify all problems [in the community] that might cause fear and disruption and address them as part of their duties.”**

By

CORNELIUS J. BEHAN

*Chief of Police*

*Baltimore County, MD*

Criminal justice costs the American taxpayer \$30 billion annually. Of this amount, the Federal Government spends about one-seventh; State governments, a third; and local governments, the remainder. Yet, our local police departments operate *without* a clearly defined, agreed-upon mission. Nowhere in the laws, rules, or regulations is a specific mission stated.

One reason for this is the way law enforcement developed in America. Police officers were not meant to have too much power; Americans cherish individual liberty and freedom.

At first, citizens policed themselves. Each family knew the rules of the community and the sanctions imposed for breaking the rules. Police were not needed, nor were they wanted. Many came to this country from Europe to escape political, religious, or economic oppression. Determined not to create regulators here to oppress them, they believed they could take care of their own problems. Law violators were “run to the ground” by the “hue and cry” and often punished right on the spot.

Private justice prevailed. Each individual took care of himself. When wronged, he made it right. The fault in that position is that the weak in the community were not strong enough to exercise private justice. They did not have either the wherewithal or the strength to bring it about.

Most police departments evolved as did the one in Baltimore County, MD. Prior to the Civil War, there was no police department. A night burglary from the county courthouse vault in Towson 118 years ago caused a demand, not for a policeman, but for a watchman, who was hired for the specific purpose of watching during the night. Later, when Baltimore County hired a police force, it was limited to 30 men—just 30—to ensure they wouldn’t intrude on anyone’s personal freedom.

Private justice was being replaced by public justice, which allows that everyone is equal under the law and equal in its protection. Victims without the physical or mental capabilities to capture their assailants now had the State to do it for them. Obviously, this makes more sense and has more equity than private justice.

In this process, however, citizens never gave up their right to protect

themselves. They kept the power of arrest and the power to use force to protect themselves from bodily harm.

Today, this country’s 16,000 or more local police departments are decentralized—accountable to the people in their own jurisdictions and limited in their power. The police mission is what the public wants, and that changes constantly. Citizens want more than crime fighting. At least 70 percent of our efforts in Baltimore County have nothing to do with crime but apply to service. It’s the same in other communities. This shows how vague the police mission is—that people mainly decide what police do. We help stranded motorists. When a storm breaks a power line or a water main bursts in the street, the police are called. When a woman goes into labor, or a boat overturns, or a child is missing, people turn to the police. At one time, the police in New York City picked up the garbage. Public health was considered an appropriate police objective.



Chief Behan

Through this unstable environment, the police forces in this country have tried to improve. We have always asked ourselves, "What should we do about crime; how do we improve our service or use technology?" Improvement comes by diligently trying to answer these questions. We now study constitutional law. We have substituted constraint for confrontation and modified our use of force. We study and deal with human and civil rights. And, we're trying to adapt to mini- and micro-computers.

Twenty years ago, these matters were not even discussed. Now, they are part of all basic and inservice police academy training and are very important to the way police departments operate.

#### Attacking Fear

We recently asked ourselves two new questions: "What is being done about the fear of crime?" and "Whose role is it to reduce fear in a community, if fear is, in fact, worse than the crime itself?"

At a seminar held at the University of Maryland's College Park Campus, Dr. Charles Wellford, Director of the university's Institute of Criminal Justice, delivered a thoughtful paper on fear of crime. It held:

- The fear of crime is not directly related to crime levels.
- The older people become, the less likely they are to be a victim; but, they become more fearful.
- Most fear of crime comes from vicarious experiences rather than from being the actual victim of crime.

That's when we ask ourselves whose job is it to attack fear and who is actually doing it. The answers are that it was *our* job and it wasn't being done.

Since we have no definable mission, and as we have in the past met crises head on because no one else was around to do it, we took it upon ourselves in Baltimore County to assume that fear is a problem to be addressed, and perhaps, the police should address it. Not knowing much about where this was going to take us, we went to work.

We created a new unit—Citizen-Oriented Police Enforcement (COPE). Its mission was to identify and reduce citizens' fear.

The term "fear of crime" is nebulous, but after interviewing hundreds of people, we learned that they were:

- Afraid to go out at night,
- Afraid to open the door when someone knocked.
- Afraid to walk past a stranger,
- Afraid to come out of the bank,
- Afraid in the grocery store parking lot,
- Afraid to leave their curtains open, and
- Afraid to call the police or to sign a complaint if they saw a crime or had a specific problem.

COPE police officers had to be carefully selected and retrained. The traditional ways had to be replaced by new, innovative approaches to problem solving.

We equipped our COPE officers with motorcycles and compact cars. These vehicles brought them closer to the people. Motorcycles and cars were to be driven slowly, stopped frequently, so officers could greet neighbors and allow youngsters to become acquainted with officers and their equipment.

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## **"COPE is becoming more active in identifying community problems that might not ordinarily come to police attention...."**

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Dr. Herman Goldstein, University of Wisconsin School of Law, had written a paper entitled "The Problem-Oriented Approach to Improving Police Service." He suggested that "police examine all facets of a problem and do whatever is required to restore peace to a neighborhood." Dr. Goldstein joined our retraining effort. Going beyond crime, he taught COPE to identify the causes of citizen fear and to do something about them. He believed that a new role for police might very well be that they identify all problems (in the community) that might cause fear and disruption and address them as part of their duties.

COPE began operation in July 1982. Each of 3 units is staffed with 13 police officers and 2 supervisors, for a total of 45 law officials. Placed under the jurisdiction of an area commander, they are deployed as needed. COPE officers have a great deal to say about how they are assigned. The police officers and the supervisors are required to frequently discuss what they have learned about a problem, what additional data must be developed, and what to do about it. It is new for a police officer to be at the problem identification and planning stages and then be involved in the solution. As a result of this involvement, the COPE teams have developed an esprit de corps that enhances their job performance.

### **Garden Village Project**

On June 7, 1983, a gunfight occurred at Garden Village, a low-income, predominantly black-occupied apartment complex adjacent to the City of Baltimore. On June 18, a rape took place. Neither crime was reported to police, although one person was wounded in the shooting. Two factions

had developed in the community, and they were struggling for dominance. Crime in the area was above normal, with robbery heading the list. The people in Garden Village were living in terror, and their relationship with the government had so deteriorated that they had stopped reporting crimes.

A COPE officer was assigned as project coordinator. His team conducted house-to-house problem identification surveys, which revealed:

- 91 percent black residency,
- Low income,
- On the average, 3-5 years of residency,
- 59 percent of residents under age 29,
- 65 percent of respondents calling juvenile crime a main concern,
- Area lacking in recreational facilities,
- Lighting and alley deterioration in evidence, and
- No community leadership.

Seeing no government commitment to the area, people had a high degree of apathy toward law enforcement. The project team decided on a two-pronged approach: 1) *Community interaction*—to open lines of communication and attempt to alleviate community problems, and 2) *criminal intervention*—to gather intelligence information on all criminal activities and to coordinate this information with the patrol and detective forces in the department.

Through community interaction, data were gathered showing a need to upgrade street lighting. The COPE officer arranged meetings with the county lighting supervisor and the local utility company. Using data to show crime patterns related to lack of lighting, the COPE officer was able to convince utility officials to repair and upgrade 31

existing lights and to add 3 new mercury vapor lights.

Although the alleys were private property, COPE got the county roads department to repair the roads and alleys. COPE officers learned that the county could not afford to construct a new park facility, so they assisted the community in applying for a Federal grant through the community development coordinator's office. When the area did not meet Federal guidelines for funding, \$70,000 for construction of a multipurpose (volleyball, basketball, tennis) court and tot lot was included in the 1986 county capital improvements budget. Present playground apparatus was repaired and painted, and dilapidated equipment was removed. The overall general maintenance of the park has been improved. In the meantime, COPE is helping to organize a youth group in the area.

Since crime prevention in Garden Village was nonexistent, the management of the complex willingly responded to suggestions by COPE officers. Shrubbery was trimmed, locks upgraded, vacant apartments secured, and a crime reporting system established.

The interaction group secured a meeting place for the community to meet and organize. With their guidance, the citizens have filed for a charter.

The criminal investigation officers had similar success. Gaining the confidence of the youngsters, they developed information on the burglaries and several arrests were made. High visibility patrols were established and

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maintained. When an arrest was made in the original shooting, friction between the two groups ceased. One community member was particularly disruptive. Learning that he was on parole, COPE officers had him returned to the penitentiary. Burglaries were reduced 80 percent; auto larceny, 100 percent.

COPE involved 11 agencies in this project. This is a far cry from the traditional police response. A forgotten neighborhood was shown that government cares, and fear was reduced accordingly.

#### **Pioneering a New Idea**

COPE is a new idea in law enforcement. It is pioneering. We had to rethink and retrain in regard to traditional police responses. Never before has fear reduction been a unit's mission. Sometimes it was a secondary accomplishment due to crime fighting or a patrol strategy. It requires identifying what people are afraid of, rather than making assumptions based on crime statistics or police know-how. Our experience shows that people are frightened for reasons the police never imagined. Also, if fear is not present in an area, COPE does not become operable.

In its first 3 years, COPE's mission—to reduce fear—has not changed. Its strategy has undergone significant refinement, however, and has achieved a uniqueness among today's policing concepts. This transition has been stimulated by COPE's training and acceptance of Dr. Goldstein's problem-oriented approach to policing. COPE has shown strong evidence of becoming more skillful in problem identification and analysis and more creative in approaching solutions to community problems.

It is devoting more time to the individual community, i.e., committing itself to fewer communities for longer periods of time:

- 121 communities in 1983 (average of 3 weeks each),
- 63 communities in 1984 (8 weeks each), and
- 34 communities in 1985 (18 weeks each).

The average total hours committed to each community have tripled since the first year.

COPE is now more selective and learning to verify alleged problems and is more proficient at recognizing community problems needing its services. COPE has improved significantly in its efforts to identify underlying conditions contributing to fear/disorder and pays less attention to police perspective and more to citizen perceptions. For example, a fear elderly persons had of purse-snatching was identified and greatly reduced through education, including a 7-minute police/citizen home-made video.

COPE is becoming more active in identifying community problems that might not ordinarily come to police attention, hoping to avert disorder before it occurs. For example, in the case of a citizen threatening to shoot or kill juveniles who were harassing him, the police met with the citizen, ensuring police attention, interacted with the juveniles, changing gathering patterns, and became involved with the police public information office, to obtain media support and coverage of efforts.

To deal with panhandling, alcoholic vagrants who were causing fear among shoppers and merchants, the chamber of commerce helped with fliers asking citizens not to contribute to panhandlers in order to discourage the lifestyle. COPE helped develop and supported local ordinances to better

control panhandling and obtained support of the health department and social services for a detoxification facility. The assistance of local liquor stores in controlling sales was obtained, and COPE established a dialogue with vagrants to compile personal histories, developing profiles of hard-core vagrants for court and police use.

#### **A Final Fact**

One underlying discovery, or truth, comes clear in this endeavor. If any government system, including criminal justice, is to work, support and leadership from the highest elected officials are essential. The police cannot get roads paved, shrubbery cut, panhandlers convicted, or parks cleaned without the help of other agencies. Only "the people's choice," their elected officials, have the position and power to force cooperation and coordination.

Unfortunately, not all political leaders understand this role. Therefore, the public must demand it of them. As a condition of office, this kind of leadership must become a main priority. If the police, who are on the cutting edge of community fear and discontent, discover the causes, then a mechanism—like COPE—is needed to provide the solution. This, the elected officials must realize, is the most important part of their job.

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