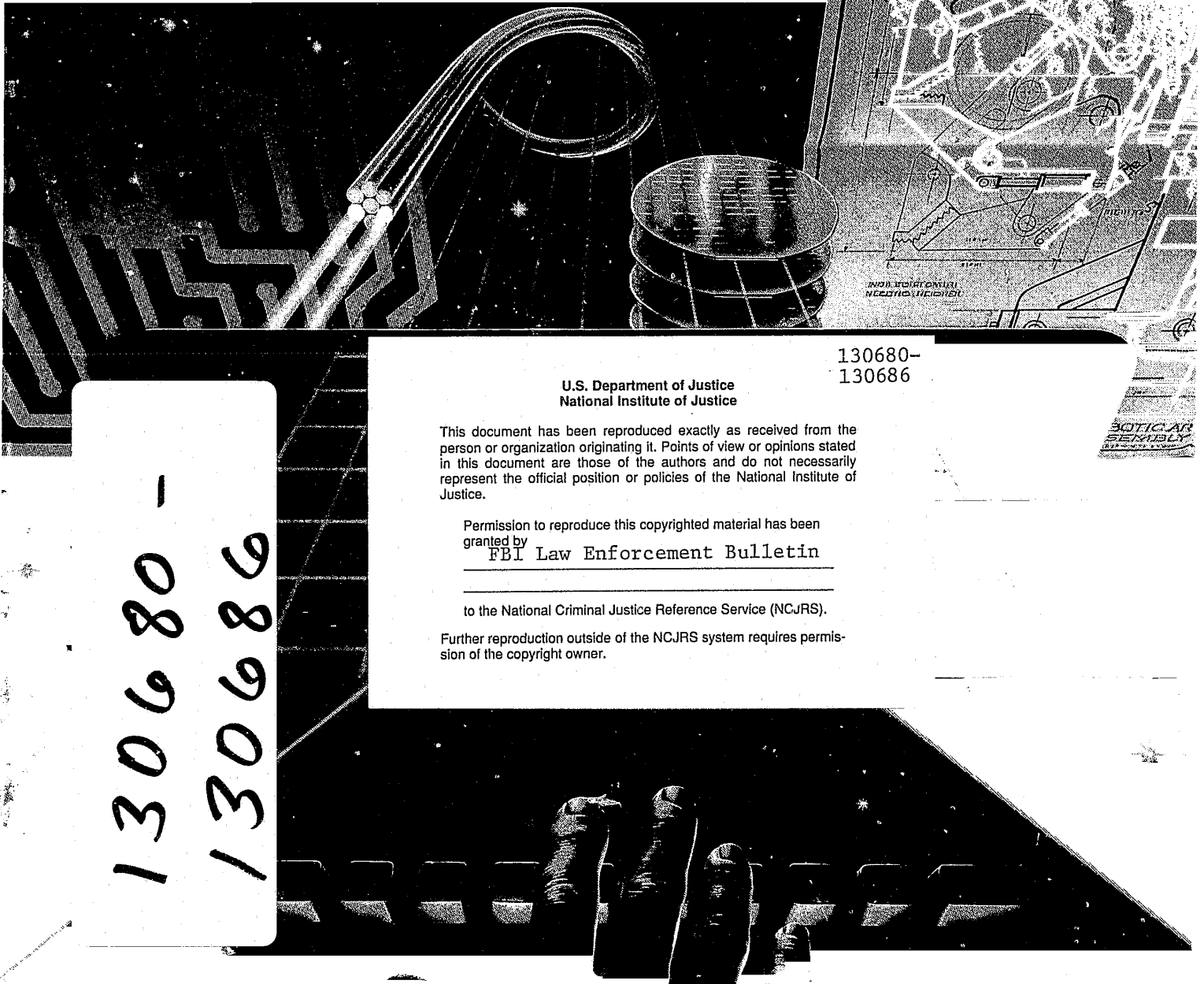


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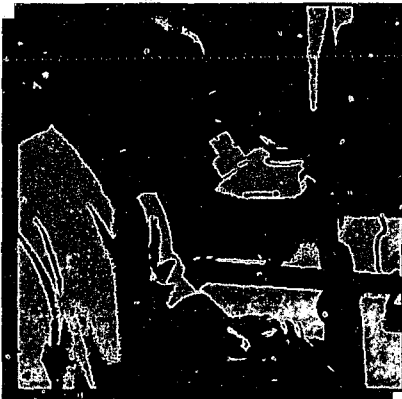
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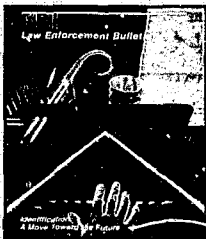


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The Cover: The "technology explosion" witnessed in recent years will have a dramatic impact on law enforcement in the years to come.

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William S. Sessions, Director

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Point of View

European Law Enforcement After 1992

By JAN BLAAUW

Some 200 years ago, President George Washington made this observation: "Some day, taking its pattern from the United States, there will be founded a United States of Europe."

Whether the changes now taking place in Europe will eventually prove Washington's prediction to be accurate remains to be seen, but it is clear that the Western European community has embarked on a path toward a level of integration and cooperation unprecedented in its history. This movement toward integration will have profound effects upon almost every aspect of European life and will produce fundamental changes in many long-held institutions.

Although the forthcoming changes in commerce and trade have received much attention on both sides of the Atlantic—and the Pacific for that matter—there has been very little discussion outside Europe of the factors that will transform civil and social institutions, including law enforcement, in the "new Europe." The fact is: Significant changes for European law enforcement will result from the 1992 agreement and now is the time to begin to assess the potential problems and opportunities that lie ahead.

BACKGROUND

The Single European Act of 1987 introduces article 8a into the European Economic Community (EEC) Treaty of 1957:

"...that the Community shall adopt measures with an aim of progressively establishing the internal market over a period expiring on 31 December 1992...the internal market is an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured in accordance with the provisions of the Treaty."

In addition, in June 1990, the so-called Shengen countries—Germany, France, Holland, Belgium, and Luxembourg—agreed to a series of long-term measures intended to result in an internal border-free area within those nations. This agreement is considered a pilot program for the seven other European Community (EC) countries.

DISCUSSIONS WITHIN LAW ENFORCEMENT

The elimination of internal frontiers will, of course, have tremendous effects on policing after 1992 within and between the 12 EC countries. Not surpris-



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ingly, widespread discussions on this subject are presently taking place among the various police forces of Western Europe. However, any discussion concerning law enforcement in Europe after 1992 will prove more fruitful if considered in the context of three important elements: Current social reality, the contemporary international crime situation and its relation to the European police, and realistic strategies for coping with the coming changes.

Current Social Reality

Since the end of World War II, Western Europe and the West in general have experienced an era characterized by enormous developments in various fields, such as communications and transportation. Never before had advances in science and technology been adopted so quickly to transform people's daily lives.

These rapid developments have had significant results, some of which were anticipated and some of which were not. The globe, in almost every sense, is

smaller than it was at the close of World War II. Increased trade, instant communication, mass tourism—we all know the many benefits of technology and the effects of this trend toward globalization.

Unfortunately, however, all the effects have not been so positive. Social unrest, manifested by those who consider themselves disenfranchised from the general affluence around them, has been particularly acute in Europe since the close of the Second World War. Crimes of a global nature, such as terrorism, drug trading, and illegal immigration, tend to increase yearly as criminals seek to manipulate the trend toward globalization.

Contemporary Crime and the Police

Crime in Europe has certainly managed to keep pace with the developments outlined above. In addition to a considerable increase in all types of crime, organized international crime of a European style has, over the past 10 to 15 years, undergone an evolution, not only in scope but also in type, amount, and frequency. For example:

- The predicted Colombian cocaine bridgehead in Europe is well underway. The drug trade, in general, is flourishing throughout the continent,
- Environmental crime, fueled by powerful and wealthy business interests, is on the rise,
- International car theft rings are already taking advantage

of the crumbling Iron Curtain to expand territorial claims in the newly liberated countries of Eastern Europe. There is every indication that drug rings will also attempt to take advantage of the fallen Iron Curtain to expand into these markets,

- Terrorist groups, such as the Irish Republican Army (IRA), Red Army Faction (RAF) and Basque Fatherland and Liberty (ETA), no longer confine themselves to their own country, but operate from several Western European countries.

“Politicians must...see beyond their own borders and work to develop effective law enforcement strategies for the European community as a whole.”

Police cooperation in Europe has a long history. The necessity to unify against common enemies and international criminals was well understood 100 years ago and has since grown steadily.

Still, an effective continent-wide front against crime is severely hampered by the fragmented structure of many European police forces. Most are tied to antiquated legal rules and regulations not adjusted to today's crime.

Moreover, while a high degree of cooperation may occur in special cases, such as riots among rival football (soccer) supporters or investigations into internationally based criminal organizations, there still is lacking a comprehensive strategy to foster widespread cooperation.

Although some of the blame for this rests with the various police forces, unwilling to yield jurisdiction and resources, a large portion of responsibility for the failure to integrate more effectively lies with politicians. Many in Europe have either ignored or denied the need for increased police cooperation. The result is an uneven and spotty record of transborder enforcement.

Fortunately, the coming political, economic, and social changes provide a good opportunity to reevaluate the need for increased police cooperation throughout Europe. Politicians must foster the will to see beyond their own borders and work to develop effective law enforcement strategies for the European community as a whole.

Realistic Strategies

It must be understood that the planned elimination of internal borders was designed on the basis of furthering commercial opportunities and enhancing the economic status of European countries, individually and as a group. It was not necessarily intended to further the development of internal security or foster more effective international policing. Therefore, the various police agencies in Europe must work together to

capitalize on the opportunities made available to them by the 1992 agreement.

These potential opportunities, if not adequately addressed and planned for, could actually become obstacles to better policing. One thing is sure: The international criminal will be afforded new and different opportunities as a result of relaxed internal boundaries in Europe.

It should also be understood that the 1992 agreement, as it now stands, does not establish a "United States of Europe," nor is it likely to produce one in the near future. The agreement calls for no supranational governing body with legislative, executive, or judicial powers superceding those of the member countries. Nor does it establish anything resembling the federal system in the United States. For these reasons, and others, any discussion calling for the creation of a European-style FBI is premature. The more realistic approach is for existing police forces to develop new dimensions of cooperation.

It will also be helpful to remember the aspects of European life that will remain relatively unchanged after the 1992 agreement. The member nations will include:

- 12 different national cultures,
- 12 different monetary systems and 12 central banks,
- 12 different legal and judicial systems,

- 12 different national government administrations,
- 12 different police organizations, and
- 10 different languages.

Given these rather formidable differences, how are the different European police forces to go about forging closer relationships? One

"The international criminal will be afforded new and different opportunities as a result of relaxed internal boundaries in Europe."

clear answer is through joint training. Here, a cue can certainly be taken from the American model—the FBI's National Academy (FBINA) at Quantico, Virginia. In the past 20 years, some 200 police officers from 22 European countries have graduated from the FBINA. And, while this Quantico connection should remain an important training link across the Atlantic, creation of a European Police Training Academy is inevitable. This academy will serve not only to instruct but also to forge closer ties between

the different police forces of Europe. A joint research center should also be considered to consolidate resources and combine the scientific potential of the various nations.

CONCLUSION

While the 1992 agreement will have widespread impact on many facets of European life, its intrinsic effect on policing is not yet clear. As international crime rises, the path Europe chooses will have important consequences for many other countries. Although a comprehensive, federal-style, investigative agency is not yet a practicality—nor is it necessarily advisable in the near future—European police forces should embrace the spirit of cooperation and integration heralded by the 1992 agreement. The opportunities presented by this movement toward economic union will not be missed by the international criminal, and therefore, must not be missed by the European law enforcement community. **LEB**

Editor's Note: The 12 members of the European Economic Community (EEC) will move toward greater integration with an agreement, taking effect December 31, 1992, greatly reducing internal barriers between the member nations.

Point of View is a forum for law enforcement professionals to suggest recommendations to improve police work. Submissions for this feature should be typed, double-spaced, and forwarded to Editor, *FBI Law Enforcement Bulletin*, Room 7262, 10th & Pennsylvania Ave., NW, Washington, DC 20535.