

Police Forum

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From the Editor

Dear Readers:

I hope this issue of *Police Forum* finds you healthy and hopeful in these very unusual times. This issue includes a Practitioner's Corner article by Dr. Jeremiah Johnson on police responses to Covid-19, as shared by his network of NIJ LEADS scholar.

There are also a few items in this issue to keep your mind occupied on topics you may find a welcomed divergence from your present worries. They include two Feature Articles, on the weapons focus effect and another that explores the anti-terrorism efforts of USDA's Inspectors General. You'll find a number of exciting member announcements too.

As always, this newsletter is yours, and I include here a call for you to submit your policing articles, any police/policing-related announcements, essays, book reviews, job openings, etc. for inclusion in future issues. We have a varied and large readership that will benefit from your additions. You may email your submissions to acjspoliceforum@gmail.com.

Take a few moments to enjoy this issue, share it widely, and use it as an excuse to check in with each other.

Be Well,

Michael J. Jenkins
Editor

From the Chair

Greetings,

Welcome to this edition of *Police Forum*. Michael has a jam-packed issue for us, make sure you read it from first page to last.

With the cancellation of ACJS this year, there's not much to report currently. We're all trying to navigate The Corona (the disease, not the beer . . . well, maybe the beer too). And, it seems that varies with each of us and our locations.

It also looks like the police response to all this is also quite varied. As scholars of the police, as academics, we should look at how we did, what we did, and what that means going forward—for police practice and for society. If you are interested in presenting on this topic on a panel for ACJS 2021 in Orlando, FL, please email me at rushj@troy.edu and we'll set that in motion.

Otherwise, be safe, and let us know how we, the Executive Board can be of service, and what else you'd like to see in Orlando.

All the best,

Jeffrey Rush
Chair — ACJS Police Section

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Feature Articles

A Comparison of the Eyewitness Accuracy of Police Officers and Citizens

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Abstract

The concept of a “weapon focus effect” (WFE) suggests that the presence of a weapon draws an observer’s attention away from other contextual elements of a scene. Since police officers are commonly exposed to weapons and receive training that simulates dangerous situations, the current study attempted to determine whether citizens and police would perform in similar or dissimilar ways to situations which might inhibit the observation and encoding of crime scene elements into memory. The experiment measured the arousal level of participants and attempted to assess the accuracy of police and citizen identification decisions in situations that potentially divert attention from the perpetrator in a simulated crime. In an effort to enhance our understanding of WFE and eyewitness accuracy, we compared three conditions for the two groups: weapon visibly present, implied weapon, and no weapon visible or implied. We found that police officers made fewer false, identifications when the lineup target was present than when absent. Furthermore, while police officers tested lower on certain factors associated with stress and arousal than citizens, both police and citizens made more errors when a weapon was implied or visible. The results add to the body of literature in eyewitness identification and contribute to the understanding of how stress or anxiety may affect accuracy in identification procedures. Elements of the study may be useable in police training contexts to help understand and improve the way that eyewitness evidence is processed and used.

Keywords

eyewitness; weapon focus effect; police policy; stress, implied weapon condition

A Comparison of the Eyewitness Accuracy of Police Officers and Citizens

The weapon focus effect (WFE) suggests that presence of a weapon in the commission of a crime results in a reduction in witness description and identification accuracy regarding the perpetrator (Loftus, Loftus, & Messo, 1987). WFE has been replicated with different types of weapons and samples (e.g., Davies, Smith, & Blincoe, 2008; Loftus, et al., 1987; Maas & Kohnken, 1989; Pickel, Narter, Jameson, & Lenhardt, 2008; Stanny & Johnson, 2000), and meta-analyses on the WFE showed it to be a reliable and robust effect (Stebly, 1992; Fawcett, Russell, Peace, & Christie, 2013). Fawcett et al.'s (2013) meta-analysis of WFE on eyewitness testimony found that weapon presence was significantly influenced by retention interval, exposure duration and threat, and that it did not matter whether the event occurred in a laboratory, simulation or 'real world' environment. WFE occurs because the weapon draws the attention of the witnesses at the expense of attention paid to other details, such as the physical description of the perpetrator (Loftus et al., 1987; Steblay, 1992).

The mechanisms driving this shift in attention are not yet fully understood. In particular, it is not clear whether the weapon draws attention because it is threatening or because it is unusual, unexpected or seen as out-of-context (Loftus et al., 1987; Pickel, 1998). Hope and Wright (2007) propose that both unusualness and threat play a role in WFE. We sought to further explore these hypotheses with both police and citizen eyewitnesses by including a condition in which the victim was threatened with an implied weapon, but the weapon was never actually seen by the victim. This implied condition, which is a subset of the weapon condition, was examined from the perspective of higher distraction with increased novelty.

The threat hypothesis is intuitively appealing because it seems logical that the presence of a weapon during a crime will increase the amount of arousal or anxiety experienced by the victim or observer of a crime. Easterbrook's (1959) cue utilization theory states that slightly elevated levels of arousal facilitate stimulus processing, but when over-arousal occurs, attention is restricted to central cues (at the expense of peripheral cues). Assuming that the weapon can be considered the most central cue, this focus would ultimately reduce overall eyewitness performance because the witness has not attended sufficiently to the perpetrator and other aspects of the scene. In general, high levels of stress have been found to have a negative effect on eyewitness accuracy (Deffenbacher, Bornstein, Penrod, & McGorty, 2004). Additionally, Steblay's (1992) WFE meta-analysis found support for cue utilization theory, in which larger effect sizes were associated with more arousing conditions.

Cue utilization cannot account for the results of all WFE studies to date (e.g., Maas & Kohnken, 1989; Pickel, 1999) and thus, does not fully explain the phenomenon. For example, some studies have found support for WFE even when non-threatening, but unusual, objects are used in the event (e.g., Mitchell, Livosky, & Mather, 1998; Pickel, 1998) and when participants report no increase in arousal (Kramer, Buckhout, & Eugenio, 1990). Additionally, manipulating the level of threat imposed by the particular weapon carried by the target has not been found to moderate WFE (Maas & Kohnken, 1989). Thus, an alternative explanation – the unusualness hypothesis – has been proposed and tested.

The unusualness hypothesis assumes that the weapon or other object draws attention because it is unexpected either in-of-itself or in the particular context in which it is seen (Loftus et al., 1987; Pickel, 1998, 1999). For example, a reduction in accuracy comparable to that found with

a weapon was obtained when the target held a raw chicken (Pickel, 1998). While one might argue that a gun is not unexpected in the context of a robbery, it is certainly not what one expects to see upon entering a fast-food restaurant (Loftus et al., 1987). The effect of the context in which the weapon was viewed was investigated in an early examination of the unusualness hypothesis (Pickel, 1999). Participants were shown a videotape which depicted a male carrying a weapon at either a baseball game or at a shooting range. The results showed that the descriptions of the armed man were less accurate if shown in a context in which a gun was not expected (a baseball game) than where one was expected to be seen (shooting range). A second experiment investigated whether varying the person holding the object would be sufficient to modify perceptions of context. Consistent with this, a WFE was found when the person carrying a gun was a priest, but not when he was a police officer. This showed that memory for the target was reduced when the object was unexpected based upon the individual who carried it. Differences have even been found for male and female perpetrators in circumstances where the object (gun or knitting needle) is more closely associated with one gender (Pickel, 2009).

From this line of research, it seems clear that unusual or unexpected objects can have the effect of decreasing eyewitness accuracy; however, this does not rule out the possibility that there may be an additional impact of threat. Hope and Wright (2007) examined both the unusualness and threatening hypotheses in a study in which the target held a threatening object (gun), an unusual object (a multicolored feather duster) or a neutral object (man's wallet). They found that recognition for details about the target's appearance were impaired for participants who saw the target carrying the weapon compared to both participants who viewed the unusual object and participants who viewed the neutral object. They also found that participants were better able to

describe the weapon than the unusual object, further indication that they paid it a greater degree of attention. Their results suggest that threatening objects command more attention and can lead to impaired memory performance when attempting to remember aspects of a crime scene including perpetrator description. Thus, their findings indicate that unusualness alone may not be responsible for WFE, but that threat may add an additional component. Indeed, it is possible that weapons reduce accuracy in certain contexts because they are only viewed as threatening in certain contexts.

In the context study cited above (Pickel, 1999), it is possible that no WFE was found when the person carrying the weapon was a police officer because not only is it expected for the police officer to be carrying it, but because a police officer holding a gun is not generally viewed as a threat. If, on the other hand, a priest is carrying a gun, it may be implied that he is carrying it with the intent of doing harm. Further, findings from not only the eyewitness, but also the visual perception field indicate that threatening situations or objects in particular draw and restrict attentional resources (Hulse & Memon, 2006). We sought to further investigate whether there was something specific about a weapon that leads to reduced accuracy by including a condition in which the threat of a weapon is present, but no weapon is actually visible: an implied weapon condition. We further examined this possibility by using two different groups of participants who might be expected to differ in the degree to which a weapon would be seen as threatening: police officers and citizens.

In an effort to enhance the objectivity of the identification procedures, line up construction was sequential across groups. Our hypothesis was that police officers would be less affected due to several possible factors (e.g. higher level of exposure to weapons, higher level of exposure to potentially dangerous situations, and a greater awareness of potential legal ramifications).

Police vs. Citizens

Police officers may be viewed as more accurate eyewitnesses and afforded greater credibility in court (Deffenbacher & Loftus, 1982; Cutler & Penrod, 1995; Yarmey, 1986). Police are routinely called upon to take statements, prepare reports, write warrants for searches and arrests and make warrantless arrests, based largely on their observational skills and memory, often under stressful circumstances. Despite this, police officers generally receive little to no specialized training in memory, facial recognition, or other factors that might enhance or inhibit their efficacy in this role (Turtle, Lindsay & Wells, 2003; Wise, Pawlenko, Safer & Meyer, 2008; Yuille, 1984). Furthermore, the paucity of empirical research comparing police officers and citizens on eyewitness identification accuracy is exacerbated by the inconsistent findings of that limited research. For example, studies looking at various aspects of eyewitness recall have found police officers to be more accurate than citizens (e.g., Christianson, Karlsson, & Persson, 1998; Lindholm, Christianson, & Karlsson, 1997), while others found no difference (Ainsworth, 1981; Stanny & Johnson, 2000). Some reviews have concluded that there is no evidence of a significant advantage for police in terms of memory accuracy (Deffenbacher, 1991; Yarmey, 1986), but it is possible that differences may be limited to specific conditions with which police have greater experience or expertise (Yarmey, 1998).

Police officers have more experience with weapons and/or with crimes involving weapons than most citizens. If repeated exposure to criminal events and violence causes police officers to become desensitized (Gilmartin, 1990), officers may experience less arousal than citizens in these types of situations. Additionally, due to their daily exposure to weapons (on their person) and increased exposure to weapons used during crimes, the presence of a weapon may be less unusual

for officers than for citizens. Thus, police officers may be less susceptible than citizens to WFE. While not all officers have the same exposure to danger and weapons brandished by members of the public, most officers receive training that is designed to prepare officers for dangerous situations involving weapons. This preparation via training, education, and simulations may logically be seen as a factor that would contribute to the lower level of cognitive energy expended resulting from the visible and implied weapon conditions.

There has been a very limited amount of research testing police officers' susceptibility to WFE. Two studies have examined police officer accuracy in shoot/no shoot conditions using a Fire Arms Training Simulator (FATS). With a FATS, officers view a scenario on a large video monitor, and while it is occurring, the operator of the simulator can cause certain events to occur—or not occur—such as the person in the video pulling a gun or trying to hurt another figure in the scenario. Hulse and Memon (2006) conducted a study in which police officers viewed a video where a woman confronted two other people and then either displayed minimal violence (e.g., shoving) (no shoot condition) or produced a gun and aimed it at the man (shoot condition; at this point police officers could make a justifiable shoot decision). Participants were asked to report what they saw in the video and were presented with target-absent lineups. Greater emotional arousal was associated with the shoot condition. Despite this, while officers in the shoot condition remembered fewer details about the event as a whole, they were actually more accurate in the details they did recall. There were no differences in recall for details about the perpetrator or her weapon. Similarly, there was no difference in target-absent identification accuracy for officers in the shoot versus no shoot condition, although decisions were made with less confidence in the shoot condition. However, no citizens were tested in this study, so it is difficult to say conclusively

whether police are differentially affected by the WFE or whether the results were related to the particular stimuli used.

In contrast, another study found that both citizen and police participants recalled significantly fewer details about a crime event in shoot than in no shoot conditions (Stanny & Johnson, 2000, experiment 2). In this study, however, although the weapon was only used in a directly threatening manner in shoot conditions, it was actually present in both conditions, making it somewhat more difficult to draw conclusions regarding weapon focus. Additionally, although there were no differences found between police and citizens, the task required of police and citizens in this study differed greatly (police officers were asked to make shoot/no shoot decisions, while citizens merely watched alongside them).

Current Study

In the current study, we sought to test the threat and unusualness hypotheses through the investigation of the effect of an implied weapon and the comparison of the identification accuracy of police officers and citizens. No experiment has previously examined the effect of an implied weapon in conjunction with weapon visibly present and weapon absent conditions. In a non-random archival review (by the first author) of 312 robberies taking place over a four-year period in three of the jurisdictions included in the current study, over half involved an implied weapon, with no visible weapon shown at any time. While O'Rourke, Penrod, Cutler and Stuve (1989) had a conceptually similar study that examined the contrast of the robber having an outwardly brandished weapon contrasted with the robber having a weapon hidden under his jacket, this research included a weapon absent condition. Additionally, no previous study has directly

compared the target-present and target-absent identification accuracy of police and citizen eyewitnesses for crimes involving weapons.

We hypothesized that the threat of a weapon has a discrete impact on WFE, separate from simply the unusualness of the object. Therefore, we expected that even though no object would actually be viewed, the presence of an implied weapon would result in decreased accuracy compared to when no weapon was present, but greater accuracy than when a weapon was actually visible. We further hypothesized that whether or not police officers and citizens displayed differences in their susceptibility to the WFE would depend on arousal; if police officers experienced less arousal than citizens when confronted with a situation involving a weapon, their accuracy would be less affected by the presence of a weapon. If, on the other hand, their level of arousal did not differ from citizens, we expected that their accuracy would be equally affected by the presence of a weapon. The implied weapon condition is not an actual third condition, but a subset of the weapon present condition that examines whether additional cognitive energy expended would cause higher rates of inaccuracy.

Method

Participants

Participants were 323 individuals (165 police officers and 158 citizens; all Caucasian) from the same Northeastern state in the United States. The mean age of police officers was 37.7 years ($SD = 12.88$) and the mean age of citizens was 40.7 years ($SD = 12.88$). Police officers came from 6 different agencies and the size of the departments ranged from 49 to 611 sworn officers ($M = 173.3$, $SD = 224.6$). The mean length of service for police was 10.6 years ($SD = 5.95$).

Police officers took part in the study as they participated in their regular in-service training, whereas citizen participants were volunteers recruited from the same communities in which the police departments are located through advertising on community bulletin boards and community meetings.

Design

This study was a 2 (Participant type: police officer, citizen) x 3 (Weapon condition: absent, implied, visibly present) x 2 (Lineup type: target-present, target-absent) between-subjects factorial design in which participants were randomly assigned to condition. Participants' ability to make a correct identification decision in a double-blind sequential photo lineup was the primary dependent variable. In addition, three measures of stress were used: pulse rate and galvanic skin response (GSR) were both recorded during the video, and a self-report measure of anxiety was used at the end of the study via a survey administered to the respondents. Additional demographic data were collected for police officers to determine if length of service, current rank, and size of agency had effects on the dependent measures.

Materials

Three 45-second video-taped scenarios of a robbery were filmed from the point of view of the *victim*. Each scenario took place in a parking lot in which the only persons present were the victim and the perpetrator. In addition, to decrease the likelihood that the results might be due to a specific perpetrator being particularly memorable (Estes, 1950; Niemark & Estes, 1967; Wells & Windschitl, 1999), two different perpetrators were used in each of the three versions of the scenario which were as follows: a) *weapon absent condition*, where the perpetrator held up the victim without displaying or implying that he was in possession of a weapon; b) *implied*

weapon condition, where the perpetrator held up the victim with an implied weapon by holding his hand under his shirt and extending his index finger (no gun was actually displayed); and c) *weapon present condition*, where the perpetrator held up the victim with a gun displayed the entire time the perpetrator was in view (approximately 30 seconds). During the study, the life size, high definition videos were projected with a high intensity LCD projector onto a semi-circular screen that was designed for use in a firearms training simulator (FATS). All lineups, containing eight digital photos each, were displayed in a double-blind, sequential method on a laptop computer controlled by the participant (see MacLin, Zimmerman, & Malpass, 2005). Lineup fillers for each perpetrator were chosen by a police officer using the same practices and procedures that are followed in his department.

We also measured participants' galvanic skin response (GSR) as a measure of stress using a GSR Temp 2X Biofeedback device that was connected to the participant's left hand index and middle fingers. GSR—also known as electro-dermal response (EDR)—is commonly used to measure levels of stress in psychological experiments (e.g., Elfering & Grebner, 2011; Horvath, 1978; Kimmel & Hill, 1961; Stanny & Johnson, 2000). The researchers recorded the highest level of resistance observed on the GSR while the participant watched the video of the robbery scenario. The equipment employed in the experiment did not allow for a continuous recording of the changes during the participants' viewing of the scenario. Another measure of stress, pulse rate, was measured using a Finger Pulse Oximeter connected to the ring finger of the participant's left hand. This device has also been used in biomedical research for the same purpose (Screbo, 1999). Given that we expected participants to show variation in their resting pulse rates, we subtracted participants' resting pulse rates from their pulse rates while watching

the video to give us a measure of change in pulse rate (Pulse Δ). Finally, Spielberg's (1983) 20-item State Anxiety Inventory Form Y-1 (SAI) was administered to each participant after they viewed the video. The possible range of scores for the test is 20 to 80, with higher scores indicating higher state anxiety.

Procedure

Participants, tested individually, were randomly assigned to condition. Participants were administered the SAI prior to viewing the video scenario. Participants were then shown one video scenario projected onto a large screen. All the scenarios took place in a parking lot. The only persons present in the scenario were the victim and the perpetrator. There were no other persons present at the time of the scenario. After the video was viewed, participants were asked to write a description of the event and the perpetrator, followed by completion of the SAI. At this time, no questions were asked by the experimenter.

Participants were then shown either a target-present or target-absent sequential lineup on a laptop computer. Prior to viewing the lineup, the following instructions were given to participants: "The individual that you observed in the video may or may not be present in the photos that you are about to see. Even if you think that you recognize an individual, you will be asked to look at the other photos until there are none remaining." After the lineup was complete, participants were debriefed and dismissed.

Results

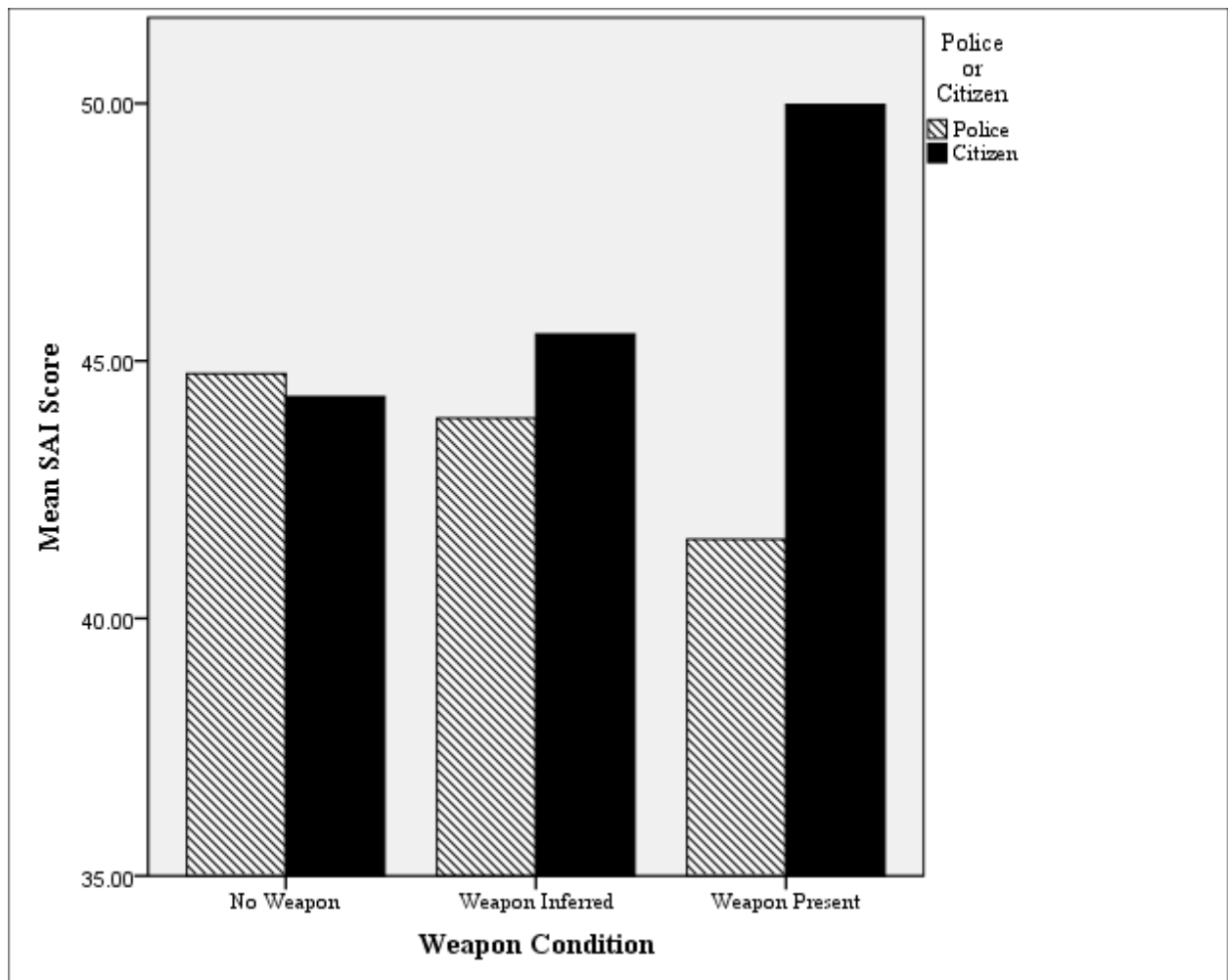
Stress Measures

To examine whether there were differences in stress levels as a function of our various conditions, we performed a participant type x weapon condition MANOVA using our three stress measures, SAI scores, GSR scores, and Pulse Δ , as dependent measures. We found a marginally significant main effect of participant type, Wilks' $\lambda = 0.98$, $F(3, 307) = 2.35$, $p = 0.07$, $\eta_p^2 = .02$. Between-subjects tests showed that this was the result of significant differences in SAI scores, $F(1, 309) = 5.04$, $p = 0.03$, $\eta_p^2 = 0.02$; there were no significant differences in GSR, $F(1, 309) = 1.22$, $p = 0.27$, $\eta_p^2 = 0.00$, or Pulse Δ , $F(1, 309) = 0.95$, $p = 0.33$, $\eta_p^2 = 0.00$. Following the presentation of the video, citizens had higher SAI scores ($M = 46.57$, $SD = 14.39$) than police officers ($M = 43.34$, $SD = 10.91$). Our MANOVA did not show a significant main effect of weapon condition on our stress measures as a whole, Wilks' $\lambda = 0.99$, $F(6, 614) = 0.71$, $p = 0.65$, $\eta_p^2 = 0.01$, and the 2-way interaction was not significant, Wilks' $\lambda = 0.97$, $F(6, 614) = 1.60$, $p = 0.15$, $\eta_p^2 = 0.02$.

To explore the differences in SAI scores, we performed a follow-up ANOVA looking only at differences in SAI as a function of participant type and weapon condition. Here, we found the significant main effect of participant type detailed above, but we found that it was qualified by a significant two-way interaction, $F(1, 309) = 3.44$, $p = 0.03$, $\eta_p^2 = 0.02$. Further examination of the means (see Figure 1) indicated that this was driven by a significant difference between police officers and citizens in weapon present conditions, $t(102) = -3.41$, $p = 0.001$, Cohen's $d = 0.66$. When a weapon was present, citizens had considerably higher SAI scores ($M = 49.98$, $SD = 14.01$) than police officers ($M = 41.54$, $SD = 11.25$). There were no differences

between police officers and citizens in no weapon conditions, $t(92) = 0.17, p = 0.87$, Cohen's $d = 0.03$, or in implied weapon conditions, $t(115) = -0.71, p = 0.48$, Cohen's $d = 0.13$. Despite this, there was no significant main effect of weapon type on SAI scores, $F(2, 309) = 0.29, p = 0.75, \eta_p^2 = 0.00$.

Figure 1. Mean State Anxiety Inventory scores in the three weapon conditions as a function of whether the participant was a police officer or a citizen.



Identification Accuracy

Overall, participants made correct decisions 65.6% of the time, and the choosing rate was 56.0%. To examine the effect of our conditions, we performed logistic regression on identification accuracy. As our predictors, we included our three conditions, participant type, weapon condition, and lineup type. Examination of demographic information indicated that there was a significant difference in age between police officer and citizen participants, $t(321) = -2.42$, $p = 0.02$, Cohen's $d = .27$; thus, we included age as a fourth predictor.¹ The full model containing all predictors was statistically significant, $\chi^2(5, N = 323) = 54.38$, $p < 0.001$, indicating that the model was able to distinguish between participants who made and who did not make a correct identification.

A Hosmer and Lemeshow test indicated that the model was worthwhile ($\chi^2 = 6.11$, $p = 0.64$). The model, as a whole, explained 21.4% (Nagelkerke R^2) of the variance in identification correctness, and correctly classified 72.8% of cases. As shown in Table 1, our three primary variables of interest made unique, statistically significant contributions to the model; age was not a significant predictor. The odds of making a correct decision were 1.87 times greater for police officers (70.3%) than they were for citizens (60.8%). They were 3.07 times greater when the target was absent (77.0%) than when he was present (54.3%). The odds of making a correct decision were 2.96 times greater when a weapon was absent (84.0%) than when a weapon was implied (65.8%) and 6.18 times greater when a weapon was absent than when a weapon was present (48.1%).

¹ We also performed a separate analysis of police officers to determine whether length of service, rank or agency size had an effect on identification accuracy. No significant effects were found and these variables were not examined further.

Table 1. Logistic regression model with identification accuracy as the dependent variable.

Variable	B	S.E.	Wald	df	Sig.	Odds ratio Exp(B)	95.0% C.I. for Exp(B)	
							Lower	Upper
Police or Citizen	0.63	.26	5.75	1	.02	1.87	1.12	3.13
Weapon Condition			27.01	2	.00			
Weapon absent vs. weapon implied	1.82	.35	26.88	1	.00	2.96	1.49	5.86
Weapon absent vs. weapon present	0.74	.29	6.38	1	.01	6.18	3.10	12.30
Target presence	1.12	.26	18.24	1	.00	3.07	1.84	5.14
Age	-.004	.01	.11	1	.74	1.00	0.97	1.02

Note: p of .00 represents $p < .01$.

We further examined identification accuracy in our weapon conditions to determine whether there were differences between citizen and police officers in their responses to the weapon conditions (see Table 2). We found that there were significant differences in accuracy between weapon conditions for both the citizen group, $\chi^2(2, N = 158) = 10.35, p = 0.006, \Phi = 0.26$, and the police group, $\chi^2(2, N = 165) = 21.65, p < 0.001, \Phi = 0.36$. For the citizen group, identification accuracy was significantly higher in the weapon absent condition (76.9%) than it was in the implied weapon condition (58.9%), $\chi^2(1, N = 108) = 3.98, p < 0.05, \Phi = 0.19$. The difference in accuracy between the implied weapon group and the weapon present group (46.0%) was not significant, $\chi^2(1, N = 106) = 1.77, p = 0.18, \Phi = 0.13$. For the police group, identification accuracy was also higher in the weapon absent condition (91.7%) than it was in the implied weapon condition (72.1%), $\chi^2(1, N = 109) = 6.59, p = 0.01, \Phi = 0.25$. For police officers, however, accuracy in the implied weapon condition was significantly higher than in the weapon present condition (50.0%), $\chi^2(1, N = 117) = 6.04, p = 0.01, \Phi = 0.23$. Logistic regression was employed to test the same main effects as was tested for the uncorrected identification accuracy score. When we calculated diagnosticity ratios for our groups (see Table 2), we found

that diagnosticity was greater when there was no weapon present than one was implied, which was in turn greater than when a weapon was present. When we further broke these comparisons down by lineup type, we found that there were significant differences only in target present conditions. For citizens, there was no significant effect of weapon condition when the target was absent, $\chi^2(2, N = 82) = 3.09, p = 0.21, \Phi = 0.19$, but there was a significant effect of weapon when the target was present, $\chi^2(2, N = 76) = 8.27, p = 0.02, \Phi = 0.33$. The same was true for the police group: there was no significant effect of weapon condition when the target was absent, $\chi^2(2, N = 79) = 5.09, p = 0.08, \Phi = 0.25$, but there was a significant difference when he was present, $\chi^2(2, N = 86) = 16.07, p < 0.001, \Phi = 0.43$. The assumption that there would be a difference in the SAI between groups, is that citizens, due to a higher arousal because of weapon novelty, would go past the zone of optimal arousal as described in cue utilization theory.

Table 2. Percentage (and frequency) of correct identification decisions as a function of participant type, weapon condition, and target presence and diagnosticity ratios for the three weapon conditions.

	Participant type		
	Overall	Police	Citizen
	65.6 (212)	70.3 (116)	60.8 (96)
Lineup type			
Target present	54.3 (88)	61.6 (53)	46.1 (35)
Weapon absent	78.7 (37)	90.9 (20)	68.0 (17)
Weapon implied	55.2 (32)	65.6 (21)	42.3 (11)
Weapon present	33.3 (19)	37.5 (12)	28.0 (7)
Target absent	77.0 (124)	79.7 (63)	74.4 (61)
Weapon absent	88.7 (47)	92.3 (24)	85.2 (23)
Weapon implied	76.3 (45)	79.3 (23)	73.3 (22)
Weapon present	65.3 (32)	66.7 (16)	64.0 (16)
Diagnosticity ratio			
Weapon absent	6.96	11.81	4.59
Weapon implied	2.33	3.17	1.58
Weapon present	0.96	1.13	0.78

Discussion

Our results support the contention that the WFE is not only driven by the fact that weapons are unusual or unexpected, but that there is something about the use of a weapon in particular that reduces the accuracy of eyewitnesses. Even for the implied weapon condition, where the weapon was never visible, the result was a significant decrease in accuracy; accuracy was reduced even further when the weapon was actually visible. Police officers were more accurate than citizens across conditions, but a WFE was found in both participant groups. The WFE manifested itself in the form of a reduced ability to identify the target when he was present; we did not find a significant WFE in target absent conditions. Neither the presence of a visible weapon nor an implied weapon increased objective measures of stress; however, the presence of a weapon resulted in higher levels of self-reported stress for citizens than for police officers.

Although the first author's archival review indicates that the implied weapon exists in many police cases, it has never previously been experimentally tested. By changing the paradigm of weapon focus effect from a binary state (weapon present, weapon absent) to a more continuous form, we were able to quantify what appears to be an intermediate stage of attentional diversion that had not been observed or measured previously. For participants as a whole, the implied weapon reduced accuracy significantly from the no weapon condition, but not to the extent of the visible weapon. This pattern was not entirely consistent for both citizens and police officers. For citizens, the implied weapon reduced accuracy to levels comparable with those of the visible weapon, while for police officers' accuracy when a weapon was implied was significantly greater than when a weapon was actually visible. In neither case, however, did the implied weapon have a significant impact on stress.

While SAI scores were similar in weapon absent and implied weapon conditions, police and civilian scores diverged in weapon present conditions. This finding is in keeping with our prediction that police officers, who may be more accustomed to these types of scenarios, would show less arousal than citizens when confronted with a weapon. It should be noted, however, that it is not clear to what extent this can be taken at face value; police officers reported no difference in stress, and yet in keeping with citizens, their identification accuracy dropped significantly. It is possible that self-presentation concerns may be more keenly felt by police officers than by citizens, particularly given the nature of their occupation. It is also possible that citizens overestimated the extent to which they were aroused by the presence of a weapon, given that no differences between weapon conditions were found for the objective measures of stress, GSR and Pulse Δ .

The unexpected disconnect between objective and subjective measures of stress indicates two possibilities. The first possibility is that self-reported anxiety is not a valid indicator of emotional arousal because it is a self-report measure and, as mentioned above, it may be linked to self-presentational concerns. The second possibility is that the objective and subjective measures were measuring different things. Deffenbacher (1994) proposed that the process of human arousal is too complex to be described by the unidimensional, curvilinear continuum originally described by Yerkes and Dodson (1908), suggesting that a state of heightened arousal is not necessarily connected psychologically with feelings of fear, worry and tension.

Deffenbacher (1994) suggests that fear and anxiety are actually two separate dimensions of arousal; it is possible that the objective measures of stress used in the current study captured the former, while the subjective measures captured the latter. Intuitively, it seems plausible that

watching a brief video depicting a crime would not be sufficient to induce real fear, but would be sufficient to increase anxiety in citizens. For police officers, who may be more accustomed to these types of situations and perhaps more emotionally desensitized (Gilmartin, 1990), these conditions may not be sufficient to induce greater anxiety.

Police officers are exposed to weapons on a regular basis, and additionally, may be more familiar with the sight of others holding weapons; thus, the sight of a person with a weapon may not be particularly unusual or expected to them. The finding that despite this, police demonstrated a WFE suggests that unusualness and/or unexpectedness are not the sole causes of the effect; it is also the result of the additional threat inherent in the use of a weapon. Indeed, even when the weapon was only threatened—and no object was ever actually visible—the result was a decrease in accuracy. Nonetheless, while threat is implicated as the mechanism through which the WFE occurs, our results indicate that emotional arousal is not a necessary condition for producing the effect (see also Kramer et al., 1990). The presence of a weapon reduced the ability of police officers to accurately identify the target, despite the fact that they did not report any increase in stress. Even if we were to presume that this was in part due to presentational concerns, it would not explain why we found a WFE in our implied weapon condition. Neither police nor citizen participants demonstrated increased objective or self-reported levels of stress in the implied weapon condition, yet accuracy was significantly reduced. Thus, it seems that the level of threat necessary to produce the effect may be more on the level of increased alertness to the possibility of danger, with the result of attentional diversion to the source of the potential danger. In the face of real danger, we might expect even greater effects. For this reason, it may have been preferable to present participants with live perpetrators who were brandishing actual

firearms; however, for both safety and ethical reasons, this was not possible in the current study. In addition to the fact that the safety of the confederate perpetrator may be an issue, ethical concerns prevented us from placing participants in a situation which would be likely to cause them harm or put them in a position of extreme stress or fear. We expect that the physical and psychological reactions that participants would have in a more realistic, live scenario, would be more extreme. However, other researchers have found the weapon focus effect using video presentation of a crime (e.g., Kramer et al., 1990; Stanny & Johnson, 2000; Tooley, Brigham, Maass, & Bothwell, 1987).

Police officers in the current study were more accurate than citizens, a finding consistent with some—but not all (e.g., Stanny & Johnson, 2000)—of the prior research comparing the two (e.g., Christianson et al., 1998; Hulse & Memon, 2006; Lindholm et al., 1997). A possible explanation is that this is at least in part because most police officers have greater experience than the average citizen in these types of situations; indeed, the observation and reporting of criminal events and crime scenes is one of the requirements of their job. Police officers did demonstrate a WFE, which is in contrast with one previous study (Hulse & Memon, 2006). This difference may be explained by the fact that the previous study examined only target-absent lineups; in the current study, the WFE was found in target-present conditions. However, it should be noted that the sample of police officers used in this research was a convenience sample using available subjects in the agencies that agreed to participate in the research. As such, the sample may not be entirely representative of the general population of police officers in the United States.

The variance of the number of false alarms observed in the target present line-up condition compared with the target absent line-up condition were not able to be explained through an examination of the data in this experiment. The researchers acknowledge that this variance may have been impacted by the type of line-up procedure employed in the research, in that the use of a sequential line-up, as opposed to a simultaneous line-up may have been a factor.

Limitations & Future Research

As with all research, there were limitations to this study. We plan to address many of those limitations in future research. While not present in this study, we plan to include an analysis of the physiological responses of participants synchronized with the events in the scenarios in future research, using time as a variable. We plan to use mixed methods to conduct further analysis of the difference in accuracy for the target present lineups compared with the target absent lineups, as we did not have sufficient data to extrapolate the disparate findings. While all police officers do not have the same level of exposure to weapons, future research would include a survey designed to elicit the exposure to be included in the analyses as a variable that may impact cognitive load. In addition, as citizens, specifically those that have military experience or exposure to violence, have varied experiences with weapons, we would also administer a survey to elicit civilian exposure to be included in the analyses as a variable that may impact cognitive load. The written descriptions, or narratives, provided by the participants, were extremely brief and did not provide sufficient substance for conducting a content analysis. Future iterations of this research will attempt to elicit more qualitative

information to provide a greater opportunity for content analyses. In future research, we also plan to examine interaction effects.

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Fraud, Waste, and Abuse...Oh, and Terrorism

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Abstract

This paper examines the push by a fraud investigative agency in the United States—one of many of the various Offices of Inspector General (OIGs) across the landscape of American federal departments—to tie its traditional mission to the perennial problem of national and global terrorism. The specific example of the U.S. Department of Agriculture’s OIG is explored in the context of May, Workman, and Jones’s “disruptions” model for understanding the organizational attention of bureaucracies. The embracing of the fight against terrorism by many American Inspectors General has always had the potential for both positive and negative consequences for these agencies. Among the potential positive consequences for these agencies are greater alignment with national law enforcement goals, greater standing among fellow law enforcement agencies in the short-term, and an improved budget posture as Congress doles out funds. Among the potential unintended consequences: the diminution of effort and results attached to an agency’s primary fraud-related mission, the loss of public attention and zeal for anti-fraud and anti-corruption investigations, and a loss of standing among fellow law enforcement agencies in the long-term, due to the aforementioned consequences, once a return to the core anti-fraud mission inevitably takes place. The potential consequences of the Inspector General community’s interest in the fight against terrorism are considered.

Keywords

Inspectors General; disruptions model; terrorism

Fraud, Waste, and Abuse...Oh, and Terrorism

The federal law enforcement community in the United States, somewhat contrary to public perception, is diverse and vast, and consists of many more agencies than the few commonly depicted in popular culture. The American people, and people around the world, are familiar with the larger high-profile agencies, such as the Federal Bureau of Investigation (FBI), the Secret Service, the Drug Enforcement Administration (DEA), and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). But in fact, there are dozens of federal law enforcement agencies collectively employing over 120,000 law officers across the United States and across the globe.

Also commonly misconstrued among the American public is just what federal law enforcement does. Federal law enforcement agencies do not have broad police powers. Instead, their powers like those of the national government generally, are intentionally limited in the U.S. Constitution to particular areas of governance and regulation. James Madison, chief author of the Constitution, wrote in *Federalist 45* that the powers of the federal government are “few and defined” and relate principally to external matters such as war, peace, taxes, and foreign commerce. By contrast, the powers of the states, according to Madison, are “numerous and indefinite” and relate to lives, liberties, and property of the people, and to the internal order and prosperity of the state (Madison, 1788; Bumgarner, Burns, and Crawford, 2017). Further, to ensure there was no misunderstanding as to the limits of federal powers, including police powers, the Constitution enumerated specific areas of regulation in Article I, Section 8, which are the province of the federal government, including the power to levy tariffs and taxes, regulate bankruptcies, fight piracy, regulate immigration and naturalization, suppress insurrections, operate a national mail system, and regulate interstate commerce. The 10th amendment goes on to leave for the states those powers

not expressly given to the federal government in the Constitution, as it reads: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

Echoing this understanding of the limits of federal power was the nation’s first Supreme Court chief justice, John Marshall, who wrote in the landmark case of *Marbury v. Madison* (1803):

“The powers of the legislature are defined and limited; and that those limits may not be mistaken or forgotten, the Constitution is written. To what purpose are powers limited, and to what purpose is the limitation committed to writing, if these limits may, at any time, be passed by those intended to be restrained.”

Given the widely understood limits on federal power as it related to domestic matters in early American history, the manifestation of federal law enforcement in the late 18th century and much of the 19th century was limited to functions such as customs enforcement, protecting the postal system, serving processes for the federal courts, policing federal property, and protecting the U.S. monetary system (Bumgarner, 2006).

The 20th century, on the other hand, brought with it new ways of conceiving federal police power. It was in the first decade of the 20th century that the Justice Department created its own detective bureau, which would eventually become the Federal Bureau of Investigation. Congress passed a myriad of laws in the early 20th century which emboldened the creation and expansion of federal law enforcement agencies. Early on, these laws related specifically to taxes (such as on liquor, narcotics, and guns) or to interstate commerce (such as stealing a car or flight from justice across state lines). But eventually, these Constitutional justifications for federal criminal laws became somewhat secondary to the public policy purpose of the laws themselves (whether it was

to fight violent gangsters who happened to operate across state lines or evaded taxes, or to fight kidnappers who were presumed to take their victims across state lines, etc). The federal government was stepping up in the fight against crime, including general crime, to make the country safer. To that end, many federal law enforcement agencies came into existence and grew across the government landscape.

Interestingly, the political right and political left have found common cause in their concern over the growth of federal law enforcement. In 2011, the *Wall Street Journal* ran a series of articles which questioned the appropriateness of the massive growth of the scope of federal law enforcement in recent years. One of the articles in the series observed that the Code of Federal Regulations grew from 54,000 pages in length in 1970 to 165,000 pages in 2011; further, the article estimated that somewhere between 10,000 and 300,000 regulations were connected to federal criminal statutes and concomitant penalties (Radnofsky, Fields, and Emshwiller, 2011). In 2014, the progressive online news outlet *Truth-out.org* ran an article titled “USDA and Submachine Guns: Latest Example of Mission Creep as Federal Policing Expands.” In the article, the U.S. Department of Agriculture’s Office of Inspector General (the agency focused upon in this paper) was taken to task for its desire to procure military-style firearms. In fact, the article goes on to cite several examples of relatively unknown federal law enforcement agencies, housed in traditionally non-law enforcement cabinet departments (i.e. those other than Justice, Treasury, and Homeland Security), acquiring tactical weapons and engaging in aggressive law enforcement activities (Bernd, 2014). The article notes with dismay that the federal government has over-criminalized its expansive regulatory scheme. The wariness and suspicion by those on the political right of federal power and the wariness and suspicion by those on the political left of police power has made for

strange bedfellows.

9/11's Impact on Federal Law Enforcement

While the federal law enforcement community certainly expanded during the 20th century for a variety of reasons, it is difficult to imagine any singular event causing more significant change to federal law enforcement than the terrorist attacks of September 11, 2001. That seminal event gave rise to the USA PATRIOT Act (which, among other things, expanded the investigative scope of the Foreign Intelligence Surveillance Act to include counter-terrorism investigations) and the Homeland Security Act of 2002 (which created the U.S. Department of Homeland Security by combining 22 pre-existing agencies and bureaus from various other federal departments). Congress also stepped up its funding to support local communities and their law enforcement and first responder efforts to deal with the threat and consequences of terrorism.

There seems little doubt that 9/11 had a profound impact on law enforcement at all levels across the country. While the 1990s were zenith of the Community Policing Era, there was a shift away from community policing to a more vigilant and intelligence-led policing after 9/11. For example, Kim and de Guzman (2012) examined data from 1999, 2003, and 2007 and found that there was indeed a discernable movement away the implementation of community policing components by America's police departments in the aggregate after 9/11. Of course, this has happened to the chagrin of many scholars and some police critics who argue that an emphasis on counterterrorism and the tactics that go with that emphasis, especially when exercised at the expense of community-oriented policing, is counterproductive to both general and counter-terrorism law enforcement efforts (de Guzman, 2002; Brown, 2007).

Will Oliver (2006) went so far as to identify a new era of policing after 9/11: the Homeland Security Policing Era. He described the focus of policing in this new era as being on security, counterterrorism, and law and order. Further, this era of policing is characterized by greater efforts in mitigation and preparedness. These activities are expensive and require considerable skills training and equipment which would certainly come in handy if needed, but in fact are rarely used. With this era of policing also comes a greater emphasis placed on intelligence collection through field stops and informant networks, even if at the expense of collecting information about traditional criminal activity (Oliver 2006).

The desire to engage in homeland security appears to be prevalent beyond the major cities on the coasts. One study found that immediately after 9/11, there were regional differences in participation of homeland security activities, with cities believed to be more likely targeted engaging in those activities more than other cities (Johnson and Hunter, 2017). However, over time, participation among all cities increased and the differences in degree of participation among cities disappeared—likely because of federal funding for homeland security initiatives.

Political scientist Ben Friedman argues that Americans want more homeland security than they need (Friedman, 2011). In his paper, “Managing Fear: The Politics of Homeland Security,” Friedman highlights the conditions which give birth to what he believes is an exaggerated fear of terrorism by Americans. This exaggerated fear of terrorism then results in a greater dedication of resources and energy to its fight than is actually necessary. According to Friedman, cognitive psychology predicts that people will rely too heavily on their initial assessments of risk and will discount later information (including information about the odds of falling victim to terror) which would challenge the initial assessment. Additionally, Friedman posits that the fear of terrorism is

stoked by politicians, thinktanks, and others who use the specter of terroristic violence to justify a myriad of domestic and foreign policies. Policy initiatives are routinely buttressed by the asserted motivation to confront political violence (Friedman, 2011).

Organizational Attention in Bureaucracies

Thomas Dye defined public policy as simply whatever governments choose to do or not to do (Dye, 2017). Governments every day pass some laws and choose to not pass others; they spend money on some programs and decide not to fund others; they selectively choose enforcement of some existing laws as a priority over others likewise in existence. Indeed, there are limits to government resources and to the time and attention of policymakers and bureaucrats. So how does a public policy issue get on the radar of the political and bureaucratic classes? There has been considerable political science scholarship generated over the years on how some things get on the agenda of bureaucratic agencies and other things do not.

John Kingdon (1984) identified three processes that shape the government's agenda: policy concept development, politics, and problems. The first refers to the gradual accumulation of knowledge and policy ideas among experts in a particular policy area. The said experts certainly may include those found in the bureaucracy who work directly in the policy area emerging on the agenda. The second process—politics—refers to those things in the political climate which has bearing on the setting of the policy agenda. For example, swings in national mood, ambiguity in public opinion, changes in the presidency, turnover in Congress, and other political factors contribute to what the government and its executors in the form of the bureaucracy believe are important to accomplish. “Problems” is the third process identified by Kingdon as impacting the

policy agenda. Problems, when perceived as acute or critical and having dire consequences if ignored, challenge the resting heart rate of bureaucratic agencies, which often see themselves as ends rather than means. As Thomas Hammond (1986) observed, a bureaucratic agency's particular organizational structure is, in effect, the organization's agenda. But a sudden and urgent problem can garner the organization's attention, at least in the short-run.

Perhaps it does not take much effort to imagine how an event on the scale of 9/11 can focus the attention of policymakers and law enforcement leaders. However, government bureaucracies do not alter their courses easily. Even with signals from Congress expressing a heightened interest in a new or rediscovered realm of public policy, agencies will often ignore those cues and remain committed to the programs and policies they are currently attending to (Katzman, 1989; Weaver, 1989). For Kingdon's process of "problems" to have an impact in altering the course of a bureaucracy, there must be an extraordinary degree of attention directed toward the problem by those with oversight. For the bureaucracy, oversight comes from lawmakers and political appointees in the Executive Branch. For lawmakers and the political class of the Executive Branch, oversight comes from the electorate. If a problem is important to the voters, it will quickly become important to politicians. Parenthetically, it is true that the media also provides oversight for lawmakers and the Executive Branch and therefore contribute to the agenda. However, the media only has efficacy if the electorate values and consumes media output. Without the electorate, media oversight would have no sting.

May, Workman, and Jones (2008) specifically examined how 9/11 garnered the attention of policymakers and the federal bureaucracy, as well as their responses in the wake of having their gaze pulled to terrorism. They found that in the years prior to 9/11, when policymakers offered

muted concerns about terrorism, the federal bureaucracy responded through delegation (i.e. non-coordination and decentralization) and agencies tended to downplay the threats. After 9/11, when policymakers could not have been more clear, repetitive, and urgent in their tone about the threat of terrorism, the bureaucracy responded in a centralized manner, agencies embraced the threat, and non-terrorism-related programs tended to atrophy in departments which had both terrorism- and non-terrorism-related missions (May, et al., 2008).

In their study, May, et al., labeled the terror attacks of 9/11 a “policy disruption.” They hypothesized that policy disruptions, i.e. problems of an acute and severe nature which have drawn the clear attention of Congress, will alter a bureaucracy’s focus and behavior abruptly-- perhaps like nothing else could. In their study, they documented the sharp increase in the mentions of terrorism by the Congress and the President after 9/11 and looked for a corresponding change in bureaucratic attention and behavior, focusing specifically on two agencies: the Federal Emergency Management Agency (FEMA) and the Office of Domestic Preparedness (ODP). They measured agency behavior in the form of guidance and rules issued by the agencies before and after 9/11. These measures were chosen because they were not dictated by presidential or congressional actions and therefore were a genuine testament of agency discretionary behavior. They found that indeed the policy disruption of 9/11 changed the behavior of these agencies as anti-terrorism messaging became far more amplified within those agencies and the approaches adopted were exceedingly more centralized and top-down (May, et al., 2008).

Interestingly, May and colleagues observed a similar shift after Hurricane Katrina struck the Gulf Coast in 2005. Post 9/11 but prior to Hurricane Katrina, 90% of the references to preparedness within FEMA and ODP were specific to terrorism. However, the policy disruption

that was Katrina resulted in a significant reduction in the frequency of mentions of terrorism in favor of increased attention to natural disasters.

While the aforementioned study examined federal emergency preparedness agencies, the same tendencies can be observed in federal law enforcement agencies after 9/11. Terrorism understandably became the focus of the federal government's attention. For example, after 9/11 the FBI's top three self-identified priorities became terrorism, foreign intelligence and espionage, and cybersecurity. Drug enforcement was not listed in the top 10, even though it had been among the top three prior to 9/11 (Bumgarner, Crawford, and Burns, 2017). Given the unambiguous cues from Congress, the White House, and the public that terrorism was of supreme concern, it was somewhat predictable that agencies which could make a mission-related connection to counterterrorism—any connection—would attempt to do so. This certainly appears to be the case with the U.S. Department of Agriculture's Office of Inspector General—an organization with a small cadre of criminal investigators created a few decades ago for the express purpose of thwarting fraud in USDA programs.

USDA Office of Inspector General

The United States Department of Agriculture (USDA), Office of Inspector General (OIG), is a federal agency whose broad purpose is to detect and prevent fraud, waste, and abuse with regard to USDA operations and affiliated programs. The USDA-OIG is headquartered in Washington DC, and has regional offices in Beltsville, MD, Atlanta, GA, Chicago, IL, New York, NY, Oakland, CA, Kansas City, MO, and Temple, TX. The USDA-OIG has two primary operating functions which serve as divisions within the agency. These functions are manifested in the Office

of Audits and Office of Investigations. The Office of Audits conducts reviews to examine how economically and efficiently USDA's various agencies are performing in the course of their operations. The audits are intended to assist USDA management in achieving program goals by report inefficiencies and by making recommendations for improvement to programs, policies, and procedures. Audits also often uncover improper expenditures (such as program overpayments, or overbilling by contractors). These findings, when requiring redress, are typically adjudicated through civil processes.

The Office of Investigations makes up the other primary operating function of USDA-OIG. The Office of Investigations is responsible for coordinating and conducting investigations of alleged violations of rules, regulations, and laws pertaining to USDA programs and operations. Generally, the Office of Investigations confines its efforts to the investigation of felony violations of criminal law. Under some circumstances, the Office of Investigations will conduct investigations of non-felonies (such as serious but non-criminal misconduct by senior level employees). USDA-OIG's investigative domain includes roughly 30 USDA agencies which administer more than 300 programs. USDA-OIG employs a little over 160 criminal investigators nationwide (Reaves, 2012). USDA-OIG special agents possess full federal law enforcement authority, including the power to carry firearms, make arrests, and execute warrants. USDA special agents have possessed law enforcement authority since the enactment of the Agriculture and Food Act of 1981. Agriculture special agents receive their initial training at the U.S. Department of Homeland Security's Federal Law Enforcement Training Center (FLETC) in Glynco, GA. Throughout their careers, special agents receive in-service training in law enforcement techniques and procedures, as well as USDA programs and operations, which are the environments within

which they investigate. The Department of Agriculture's OIG is one of 33 statutorily-created OIGs in the United States. Collectively, the various OIGs employ over 3,500 special agents. Every cabinet-level department and major independent agency has an OIG operating from within, each with both audit and investigative divisions.

Interestingly, it was an incidence of USDA-related fraud—the so-called Billy Sol Estes scandal--which gave rise to the establishment of the broader inspector general community. Billy Sol Estes was a Texas businessman with strong political connections who sold agricultural supplies to cotton farmers in the 1950s. However, he also colluded with people inside and outside of the USDA to fraudulently secure USDA subsidies. In 1963, Estes was convicted of defrauding the federal government and sentenced to 8 years in prison. As the investigation and prosecution unfolded, Agricultural Secretary Orville Freeman decided to confront fraud in his department by creating an Office of Inspector General through executive order (Light, 1993). The Inspector General's office that Freeman created was organized around the two primary functions of audits and investigations. Congress would later adopt that bifurcated organizational model when it statutorily created an OIG for the Department of Health, Education, and Welfare (HEW) in 1976, the Department of Energy in 1977, and for all cabinet-level departments, including USDA, through the Inspector General Act of 1978 (Light, 1993).

USDA-OIG Post-9/11

Each year, the inspector general (IG) for the USDA testifies before Congress regarding the agency's appropriations request. Further, twice per year, the IG must present to Congress a semiannual report. This is true of all OIGs as it is mandated in the Inspector General Act of 1978

and is an explicit reflection in the law of Congress's oversight role relative to Executive Branch departments. Bureaucracies are known for being intransigent. However, the supposition offered by May, Workman, and Jones (2008) that the acute and unambiguous interests of policymakers tend to focus the attention of bureaucracies (particularly when connected to grave matters such as terrorism) appears to be bolstered in the expression of USDA-OIG's priorities and accomplishments before Congress.

In August of 2002, Roger Viadero, the IG for USDA, presented his second semi-annual report to Congress after the 9/11 attacks. Page one of the report signaled a genuine pivot of the agency's attention in light of the terror attacks. By this time, nearly a year after 9/11, the USDA-OIG had had an opportunity to strategize about its role in the larger U.S. government and law enforcement effort against terrorism. The heading page one read: "OIG in the Post-9/11 World." The report described how USDA-OIG would take up the fight in a 3-pronged approach: 1) securing potential weapons; 2) protecting potential targets, and 3) denying access to funds.

The first prong concerned the need to secure USDA laboratories and other facilities which contained biological agents. This concern was particularly pressing in light of the anthrax attacks through the mail which had also taken place in 2001. The security measures to be stepped would relate to physical security, personnel security, inventory control, and biosecurity incident response (USDA, 2002).

The second prong emphasized the role that OIG special agents played and would continue to play with regard to target protection. The report noted that OIG provided a law enforcement presence at the 2002 Winter Olympic Games in Utah and that they helped secure the food supply to athletes, Olympic visitors, and the general public. The jurisdictional nexus for OIG was not only

the protection of food from adulteration, but also the fact that many of the Olympic events were in and around the Wasatch-Cache National Forest, and the Forest Service is an agency of the USDA.

The third prong principally related to the already existing fight against food stamp fraud. Food stamp fraud, and specifically food stamp trafficking (the exchange of food stamps for money or other things of value) had long been an important investigative arena for OIG. In fact, food stamp trafficking cases historically have been among the most “street-crime” related offenses that OIG investigates and served as the basis for Congress extending to OIG statutory firearms and arrest authority in 1981. Special agents were commonly engaged in undercover work trading food stamps for cash, drugs, guns, and other contraband. However, the emphasis post-9/11 would be on Arab-owned stores or others with Middle East ties to ensure that fraudulent gains from food stamp and WIC (Women, Infants, and Children) voucher trafficking would not end up funding terror activities and organizations domestically or abroad.

Further, the report highlighted that USDA-OIG was a player in several multi-agency federal law enforcement initiatives in the fight against terrorism. The report noted that USDA-OIG supported Operation Green Quest, which was a U.S. Customs (and then Homeland Security) effort to freeze and seize the assets of those who aid and abet terrorism. It was also noted that USDA-OIG was a participant in many of the 44 Joint Terrorism Task Forces that had been established in major cities of the United States. In fact, several OIG agents had been assigned to the New York City task force investigating the World Trade Center attack (USDA, 2002).

The theme of the August 2002 report was terrorism and USDA-OIG’s responsibility to fight against it. Indeed, the report makes a compelling case that USDA-OIG, formerly understood to be a fraud investigative agency, had the experience and expertise to take up this fight. Yet, an

examination of a decade's worth of semi-annual reports from May 1991 to May 2001 revealed not a single reference to terrorism. For all of its experience and exposure to the kinds of USDA cases and vulnerabilities which could be implicated in terror plots, OIG had not in that preceding decade investigated a case worth mentioning which in fact had a connection to terrorism. By contrast, in the semiannual reports to Congress issued for the years 2002-2016, there were 261 mentions of terrorism, or an average of over 17 mentions each year. Other thematic words also saw greater use in the semiannual reports to Congress. For example, "security" (of one type or another, but often relating to cybersecurity) was mentioned 54 times in reports between 1999-2001, or an average 18 times each year. After 9/11, from 2002-2016, "security" received 1,506 mentions, for an average of 100 times each year.

A similar phenomenon can be observed in the testimony of the Inspector General before congressional appropriations committees from year to year. In the three years prior to 9/11, the IG mentioned "terrorism" twice in his testimony—once in 1999 and once in early 2001. However, in March of 2002, in the IG's first testimony after 9/11 to the House Appropriations Committee, "terrorism" was mentioned 10 times. From 2004-2007, the IG mentioned "terrorism" nine more times before the Appropriations Committee. The word "security" also received more mentions after 9/11 in testimony before the Appropriations Committee. "Security" was mentioned in testimony 15 times from 1999-2001, or an average of 5 time per testimony given. However, from 2002-2007 (excluding 2003 which is missing from the data), "security" was mentioned 122 times, or an average of 24 times per testimony given.

The increased use of certain buzzwords such as terrorism and security is admittedly anecdotal without further analysis and methodological controls. However, these words are not

customarily associated with USDA-OIG's anti-fraud mission and it is not likely by accident that such words increased in usage in reports and testimony for the consumption of politicians doling out money and providing oversight. The agency's pivot in attention after the 9/11 "policy disruption" may have resulted in some cover amidst the reorganization of bureaus and the reallocation of resources which took place in 2002 and beyond. Over all, USDA-OIG appeared to have some success in in protecting and even growing its budget at a time when resources were commonly diverted from some corners of the federal government to frontline intelligence and law enforcement agencies. USDA-OIG's appropriation grew most years from 2004 through 2017 and increased by 29% over that time (USDA, 2017).

Concluding Remarks

Many American Inspectors General have signaled in their presentations to Congress a willingness and even desire to contribute in the fight against terrorism. Other lesser-known federal law enforcement agencies have done the same. Such agencies include the criminal investigative divisions of the Environmental Protection Agency and the Food and Drug Administration, the National Park Service, the Commerce Department's Office of Export Enforcement, the Postal Inspection Service, the Treasury Inspector General for Tax Administration, and countless other agencies with similarly-obscure profiles. When agencies such as USDA-OIG respond to the Congress' clear interest in critical and timely issues (such as terrorism), even though outside the agency's traditional lane, there are both positive and negative consequences which could befall them.

Certainly, among the positive consequences is the fact that the agency might actually find

itself aligned with the nation's law enforcement priorities and would presumably have some impact. Doing so aids the nation in tackling those priorities; but importantly, it also can boost the morale of the cadre of special agents and officers who want to be involved in meaningful and important work. Historically, OIGs and other smaller agencies have lost good people to the FBI and other Justice, Treasury, and Homeland Security Department agencies because the perception of those transferring agents is that the work in "name-brand" organizations is more valuable to the mission of crime fighting. Still another positive consequence of an agency's pivot in light of a pronounced "policy disruption" is that the agency's budgetary health could improve, or at least not be harmed, as Congress appropriates funds and tries to buttress organizations aligned with Capitol Hill's own sense of priorities.

Of course, there are potential pitfalls when an agency such as USDA-OIG diverts its attention in a systemic way toward a policy emphasis which could be fleeting. For one, there is the likelihood of a diminution of effort and results attached to an agency's primary mission. For USDA-OIG, the mission has always been fraud. By elevating the agency's somewhat unnatural fight against terrorism, there is the potential for a corresponding loss of bureaucratic (and public) attention and zeal for anti-fraud and anti-corruption investigations. Further, because of the lessened championing of the importance of the agency's anti-fraud mission, OIG special agents could see a loss in standing among other law enforcement officers and agencies in the long-run once the inevitable return to the core anti-fraud mission eventually takes place.

It would be improper to say with confidence that USDA-OIG was misguided, or even worse, cynical, in its pivot toward emphasizing terrorism. The fact was there existed a clarion call by law- and policymakers to make the fight against terrorism the supreme law enforcement

undertaking in the land. After 9/11, there was a sense of “all hands on deck.” Rather than watching from the sidelines the marshalling of government resources to the cause, the anecdotal evidence suggests that USDA-OIG redirected its attention in light of a critical new problem which had suddenly emerged—largescale international terrorism on American soil. The USDA’s Office of Inspector General, Office of Investigations, does indeed have tools and expertise that could assist in thwarting certain kinds of terror plots or responding to certain acts of terror, should they occur. However, the example of OIG seems to corroborate the claims of May, Workman, and Jones (2008) that the federal bureaucracy, rather than driving the agenda, is inclined to have its attention drawn toward that which holds the political class’s attention, even if at the expense of an agency’s mainstay.

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Practitioner's Corner

Police Response to COVID-19: Innovation and Diffusion by a Policy Community of Practitioner-Scholars

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The early days and weeks of the COVID-19 pandemic were punctuated by the absence of formal guidance for American law enforcement. The 2019 novel coronavirus (SARS-CoV-2) represented a novel problem for American policing, at least in terms of institutional memory.

It is theorized that uncertainty in the environment engenders modeling behavior by organizations (DiMaggio & Powel, 1983). Weiss (1997) found that in policing, risk leads to peer-emulation whereby practices are diffused through regional and informal networks. One such network in American policing is the National Institute of Justice's Law Enforcement Advancing Data and Science (LEADS) Scholars Program. Established in 2014, the LEADS Program has seeded a network of over 50 mid-career officers from across the country (NIJ, 2020). Active LEADS scholars and alumni routinely communicate across a variety of platforms, including one developed for their use by the International Association of Chiefs of Police. If the pandemic has changed anything, it is the ways in which people interact.

Beginning on March 13th, 2020, LEADS scholars engaged in a flurry of communication via a WhatsApp chat group. Prior to this date, the chat group was used sporadically by scholars. It was a place to share professional news about promotions and publications or coordinate meetups at conferences. The pandemic transformed this chat group into a 21st century version of "calling

around”, a practice identified by Weiss (1997) in his study on the Communication of Innovation in American Policing (p. 307).

The group chat maintained some fraternal elements during this period, collectively mourning the loss of friends and colleagues to COVID-19, and occasionally chafing about police departments that failed to take the pandemic seriously. Fundamentally, the chat became an engine of diffusion— churning out hundreds of messages that spread innovative ideas across the United States and later, the globe.

Early guidance on COVID-19 from public health officials stressed hand washing, avoiding face-touching, and maintaining social distance (CDC, 2020a). The Centers for Disease Control also issued guidelines for the use of personal protection equipment (PPE) and decontamination procedures, both of which were later revised (CDC, 2020b). The LEADS community quickly recognized that policing in a time of pandemic was not simply a matter of “business as usual” plus PPE. Agencies needed to think creatively about ways to limit the spread of COVID-19 among sworn and civilian employees to preserve operational readiness. The interventions shared by LEADS Scholars can be organized into four key areas: personnel and staffing policies, calls for service and crime reporting, proactivity and officer discretion, and Sanitation/PPE.

Personnel and Staffing Policies

Policing is an occupation imbued with tradition. Despite lacking clear goals, the practice of rollcall is deeply entrenched and ostensibly universal (Ratcliffe, 2020). COVID-19 prompted some police agencies to jettison roll calls in the name of social distancing. One agency even

separated field training officers from their trainees, placing them in separate vehicles that traveled in tandem between calls for service.

Another important shift was to shrink the network of officers working together in anticipation of exposure to persons carrying COVID-19. This was accomplished in some agencies by prohibiting shift trades and switching to compressed shift schedules. Similarly, department meetings and training sessions were either postponed or conducted remotely via teleconference.

Until COVID-19, American policing had never embraced the private sector concept of telecommuting. In the era of pandemic, non-essential civilian employees, volunteers, command staff, and even detectives were designated to work from home. At least one agency envisioned home-based detectives as a means to preserve a healthy reserve of human capital, ready to be activated in the event that the patrol force became depleted by illness or quarantine. At the outset of the pandemic, it was unknown just how many officers would be sidelined by the virus. Forward-thinking departments developed operational plans based on potential staff reduction levels (e.g. 80% operating capacity). Agencies looked to the CDC for guidelines regarding the duration of quarantine and began to monitor employee use of sick time closely, not for accountability but with an eye towards identifying possible cases within their ranks. Some police departments even began screening personnel at the beginning of every shift for elevated body temperature and other symptoms commonly associated with COVID-19.

Calls for Service & Crime Reporting

2020 will likely emerge as an anomalous year in terms of criminal justice data. Offender behavior, practitioner decision making, and organizational capacity all coalesce in a process

known as the social production of data (Maxfield & Babbie, 2012). Massive shifts in social patterns will almost certainly influence not just the incidence of crime, but how it is recorded.

Progressive departments quickly adopted alternative procedures to handle routine calls for service, such as crime reporting conducted via telephone or online. Some police departments even eliminated or revised their role in responding to matters where another agency had primary responsibility, such as fire or medical calls. These changes seem to have been driven in part by officer safety concerns. This can also be seen in modified protocols for emergency telecommunicators that added screening questions relevant to COVID-19 such as health symptoms or recent travel to high-risk areas. When feasible, call-takers might ask complainants to meet officers outside of their homes or businesses. From an officer perspective, it is presumed that there is safety in numbers. Pandemic policing turned this principle on its head. Officers in some departments were encouraged to limit primary contact to a single officer while backup or cover officers maintained social distance.

Proactivity and Officer Discretion

The most salient shifts in police behavior during the pandemic will likely be observed in the reduction of discretionary, proactive functions. Some agencies openly encouraged officers to limit not only traffic and pedestrian stops but discontinue traditional forms of community policing engagement. COVID-19 also impacted discretionary decision-making regarding offenders. In progressive agencies, officers were directed to cite and release low-level offenders; custodial arrests were to be avoided unless required by law or necessary for public safety. In some departments, officers were even required to obtain supervisory approval before making a custodial

arrest. Screening questions similar to those used by telecommunicators could also help determine whether an offender was taken into custody or released on recognizance.

Sanitation and Personal Protective Equipment

Some of the earliest interventions discussed by LEADS Scholars had to do with sanitation and PPE. Agencies first limited access to public facilities by discontinuing routine business normally conducted at police buildings. In at least one instance, a police building was closed entirely to in-person visits from the public. Cleaning and sanitation schedules for buildings, workstations, and police vehicles were increased and hand sanitizer was made widely available. Agencies either developed or revised decontamination procedures for vehicles, officers, and police uniforms that came into contact with COVID-19 patients.

Access to PPE was problematic for many front-line workers during the pandemic, but agencies also needed to make sure that issued PPE would perform as designed. The much talked-about N95 respirator is designed to create an airtight seal around the nose and mouth but can only do so when the mask is in contact with smooth skin; some facial hair styles can allow air to enter (NYDOH, 2020). The hiring crisis in American policing had led some agencies to recently relax facial hair standards for officers (PERF, 2019). Due to the pandemic, agencies clawed back these grooming policies to ensure that issued PPE worked as intended. To reduce the burn rate of PPE, at least one agency required officers to write a report whenever a N95 mask was used.

Diffusion

The innovations discussed by LEADS Program scholars on WhatsApp were eventually synthesized in a resource document and made available to law enforcement on the American Society of Evidence Based Policing COVID-19 Communication Portal (found at the following website www.americansebpcovid.org). The document was also shared with law enforcement officials in Brazil and India, countries with outbreaks that emerged later in the pandemic.

The spread of disease through direct or indirect contact is known as *contagion*. In the context of COVID-19, the goal is to limit contagion. It is noteworthy that contagion also describes the process of knowledge diffusion between individuals (and their respective organizations). The extent of innovation uptake in the LEADS policy community and beyond is unknown but is certainly worthy of future study.

Conclusion

Guidance regarding law enforcement response to COVID-19 was absent or one-dimensional (i.e. PPE). The knowledge void led to policing innovations that diffused via networked relationships formed through the NIJ LEADS Scholars Program. This peer-emulation approach to organizational problem solving is efficient (Weiss, 1997) but notably lacks the qualities of rigorous experimentation and evidence-based practice that have thus far typified the LEADS Scholars Program. The COVID-19 pandemic has upended American policing and represents a rare natural experiment from which researchers can glean insights about policing that would not be otherwise possible. This knowledge may be parlayed into more rigorous research designs that will ultimately expand the evidence base.

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Member Announcements

Call for Research Participation

- Police Section Vice-Chair Dr. Veronyka James is conducting a survey of victimization experiences at academic conferences. Click on the link below to participate:
https://docs.google.com/forms/d/e/1FAIpQLScKbLoV3DDiGmQxhs-7bJAcZI6mbTz_yrwi1aJVgc05DatzUg/viewform?usp=sf_link
- Dr. Melanie Mogavero is collaborating on a project with Drexel University's Policy-Analytics-Center, on Autism and the Criminal Justice System: Policy Opportunities and Challenges.

The research team is constructing international surveys for: 1) individuals on the autism spectrum and their parents/caregivers about their experiences with the criminal justice system as victims/witnesses/offenders, and, 2) criminal justice system professionals (law enforcement/attorneys/correctional staff) and their knowledge of autism and their experiences with individuals on the autism spectrum.

If you work in any part of the criminal justice system in the United States or elsewhere, and are interested in assisting with this research, contact Dr. Mogavero.

Publication

Konstantinos Papazoglou and Daniel Blumberg (Eds.) recently published *Power: Police Officer Wellness, Ethics, and Resilience*, with forewords by John Violanti and Tracie Keese. It presents the numerous psychic wounds experienced by peace officers in the line of duty, including compassion fatigue, moral injury, PTSD, operational stress injury, organizational and operational stress, and loss. Authors describe the negative repercussions of these psychic wounds in law enforcement decision-making, job performance, job satisfaction, and families. The book encompasses evidence-based strategies to assist law enforcement agencies in developing policy programs to promote wellness for their personnel.

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Special Issue Call for Papers

Policing: An International Journal invites submissions for a special issue, *Police Training: What Works?* edited by S.M. James.

Police officers must undergo formal training to achieve and maintain certification. Cities, counties, and states are mandating training in a variety of topics such as CIT, use of force, and vehicle operations. Internal and external monitors of police performance mandate corrective training after adverse events. Yet training is an expensive and time-consuming burden for agencies that often struggle to find the resources to provide it. To ensure they are using their resources wisely, law enforcement executives and training managers need to know what training programs are evidence-

based and/or have been shown to be effective through empirical evaluations. Such information would guide practitioners to the most effective (and cost effective) training

This special issue of *Policing: An International Journal* invites manuscripts that report on empirical assessments of police training. There is scant research on the impact of training on police performance and other outcomes in a number of topic areas that are critical to democratic policing and police safety. This special issue would be unique in collating the evidence available on training effectiveness around a number of critical policing tasks and operational requirements (e.g., EVOC, Use of Force, CIT, PLPJ). It will offer space to new promising practices and shine a light on areas neglected by the research community. It will serve as a call to arms for greater rigor in police training evaluation—moving past trainee satisfaction surveys and knowledge tests to showing changes in behaviors, attitudes, community views of police and other outcomes.

Authors interested in submitting a manuscript should email the guest editor by 5/1/2020.

Manuscripts should be previously unpublished and not simultaneously submitted elsewhere. Manuscripts should not exceed **7500 words in length**. (The word limit is a strict guideline in order to allow for a number of high-quality manuscripts to be included in the special issue. This includes all text, references, and appendices.) Submissions will be accompanied by an abstract, author bio, and affiliation. All submissions will undergo a peer review process. Style and formatting guidelines for authors and additional information are available at:

<http://www.emeraldgrouppublishing.com/pijpsm.htm>

Manuscript Submission Deadline: 8/1/2020

Please send all inquiries to guest editor:

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Please remember that you still must pay the Police Section dues annually to remain a member of the Police Section. Membership is \$37 per year and includes a subscription to *Police Quarterly*. Payment of dues is made to ACJS.

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If you are working on a project and need authors for book chapters or encyclopedia entries, let us know. We'll include that call in *Police Forum* for free.

Or, if you are hosting a conference or seminar and need participants, let us know that too. We'll be happy to help spread the word for free.

Or, if you have a job opportunity—particularly of interest to those teaching or researching in areas related to policing—we'd love to help you announce that position. Send any announcements that you would like to have included in the next issue of *Police Forum* to acjspoliceforum@gmail.com

Submission Guidelines for *Police Forum*

Format Criteria

The format criteria for all submissions are as follows: reasonable length (less than 30 pages), double-spaced, and in a font similar to 12 pt Times New Roman. All submissions should be in Word format. All charts, graphs, pictures, etc. must be one page or smaller and contained within standard margins. Please attach these at the end of the submission as appendices. Due to formatting limitations all appendices must be in a Word, Excel or similar format - PDF's cannot be used.

Feature Articles

Feature Articles can be quantitative or qualitative. Tables, figures, and charts should be kept to a minimum and should be inserted at the end of the document with an appropriate reference to placement location within the text. The page limits are flexible, however the editors reserve the right to edit excessively long manuscripts.

Practitioners Corner

Articles written from the perspective of persons currently or formerly working in the field, expressing personal observations or experiences concerning a particular area or issue. Page limits are flexible, however long articles may be edited for length.

Academic Pontification

Articles for this area should focus on making an argument, presenting a line of thought, or formulating a new conceptual idea in policing.

Point/Counterpoint

Authors are encouraged to work with another person to develop a point/ counterpoint piece. The initial argument should be between 2 and 5 pages. The initial argument should contain roughly 3 to 5 main points. Following exchange of articles between debating authors, a 1 to 3-page rejoinder/ rebuttal will be submitted.

Submission Guidelines – cont.

Research Notes

Research notes should describe a work in progress, a thumbnail outline of a research project, a conceptual methodological piece, or any other article relating to research methods or research findings in policing.

Reviews

Book reviews on any work relating to policing. Reviews of Internet sites or subjects concerning policing on the Internet are also welcome.

Policing in the News

News items of interest to the police section are welcomed in any form.

Legal News in Policing

Reviews of court cases, legal issues, lawsuits, and legal liability in policing are welcomed submissions.

Letters to the Editor

Questions, comments or suggestions pertaining to a given Criminal Justice topic, article, or research.

This Date in History

Submissions on prior hot topics, research, or research methods in Criminal Justice from the past.

Good News

Submissions relating to professional and personal good news for our members - promotions, new jobs, marriages, etc.

How to Submit

Submissions may be made electronically by sending copy in a Word format to acjspoliceforum@gmail.com.

Disclaimer

The editor(s) of this publication reserve the right to edit any submissions for length, clarity, or other issues.

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