

Managing A Multijurisdictional Case

IDENTIFYING THE LESSONS LEARNED
FROM THE SNIPER INVESTIGATION

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F O R E W O R D

With the Washington, D.C. region still reeling from the September 11 terrorist attack on the Pentagon and the discovery of anthrax-tainted letters in the area, another form of terrorism swept through the nation's capital in October 2002: a killing spree that targeted victims indiscriminately. The sniper's victims were shot with a high-powered rifle from long distances, leaving no eyewitnesses and very little information for law enforcement.

The shootings spanned eight local jurisdictions, and involved more than a thousand investigators from local and state agencies, as well as members of the Federal Bureau of Investigation (FBI); Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF); the U.S. Marshals Service; the U.S. Secret Service and other federal law enforcement agencies. The result was what some believe is the largest multijurisdictional, multi-agency investigation in our country's history—an investigation that can serve as a case study of cooperation among local, state and federal law enforcement. While the chief executives most affected by the sniper case—and those under their command—developed ad hoc protocols for working together, other agencies now have in this report the comprehensive information to help them anticipate and resolve many obstacles to future collaboration. Law enforcement agencies at every level of government must learn from the sniper investigation team's successful approaches, and address the many issues it identified that require a thoughtful and thorough strategy for performing a complex,

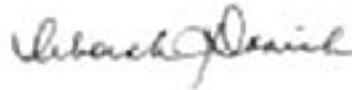
high-profile investigation in the future—a strategy that can be tailored to the unique needs and resources of the agencies' communities.

It was for this reason that the Office of Justice Programs (OJP) contracted with the Police Executive Research Forum (PERF) to conduct an exhaustive review of the events of October 2002, collecting information from the law enforcement professionals who were on the front lines of the investigation—information about the critical lessons they feel could benefit other agencies in the future.

Managing a Multijurisdictional Investigation: Identifying the Lessons Learned from the Sniper Investigation serves as a guide for law enforcement executives, managers and investigators who must be prepared to address key problems and concerns should a similar incident occur in their jurisdiction. Moreover, with local and state law enforcement assuming a larger responsibility in the fight against terrorism, we hope this manual can assist every agency in the country in preparing for any high-profile multijurisdictional criminal investigation, including one that involves terrorism. This report provides law enforcement agencies with recommendations for solving both technical and practical problems such as coordinating investigative resources, fostering communication within and between departments, accessing federal law enforcement resources, releasing information to the community and the media, and turning raw data into meaningful intelligence.

PERF, with funding from the Bureau of Justice Assistance (BJA), Office of Justice Programs, conducted more than 100 interviews with representatives of every law enforcement agency that was prominently involved in the investigation, as well as with prosecutors, government officials and school leaders. The purpose of the project was to identify the “lessons learned” from the task force investigation by detailing the successful strategies it used for resolving problems, as well as discussing the challenges that were never fully met. The result is an unparalleled and comprehensive guide for how to successfully plan and manage a high-profile investigation that crosses multiple jurisdictional lines. The report does not second-guess the actions or decisions of officials, but relies on their

experiences to inform other authorities of the challenges they might face in a similar investigation. OJP believes this crucial report will enable law enforcement agencies to respond swiftly, cohesively and effectively when managing high-profile, multi-agency criminal investigations.



Deborah J. Daniels
Assistant Attorney General
Office of Justice Programs
U.S. Department of Justice

ACKNOWLEDGMENTS

We want to thank the many individuals who contributed to this Bureau of Justice Assistance-supported report. Every individual who participated in this project saw its potential to assist other law enforcement leaders in preparing their agencies for a multijurisdictional investigation, and advanced this project in that spirit.

First and foremost, we must thank those law enforcement executives of the local agencies that had to respond to and investigate sniper homicides and shootings: Montgomery County (MD) Police Chief Charles Moose,¹ Washington (DC) Metropolitan Police Chief Charles Ramsey, Spotsylvania County (VA) Sheriff Ronald Knight, Prince George's County (MD) Police Chief Gerald Wilson, Prince William County (VA) Police Chief Charlie Deane, Fairfax County (VA) Police Chief Thomas Manger, Ashland (VA) Police Chief Frederic Pleasants, Jr., and Hanover County (VA) Sheriff Stuart Cook. During 23 days in October 2002, those agencies faced enormous challenges to capture the suspects, minimize community fear and provide routine law enforcement services. For this project, these executives allowed us to interview them and granted us access to any personnel who could help provide insight into their experiences. Clearly, this report would not have been possible without their cooperation and assistance.

During the investigation, an extensive number of law enforcement agencies without shootings allowed us to interview staff and review records.

The Maryland State Police and the Howard County (MD) Police Department provided valuable information. In Virginia, the State Police, the Arlington County Police Department, and the Chesterfield County Police Department also opened their doors and their records to the project team.

The Federal Bureau of Investigation (FBI) and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) provided support throughout the project. The FBI's Gary Bald,² the Special Agent in Charge of the Baltimore Field Office, and the ATF's Michael Bouchard,³ Special Agent in Charge of the Baltimore Field Office, stood shoulder to shoulder with local law enforcement during the investigation and ensured that PERF staff members were able to interview key personnel for this effort. Federal agencies that contributed critical support and background on their significant roles include the Drug Enforcement Administration, Federal Protective Service, Immigration and Naturalization Service, U.S. Capitol Police, U.S. Customs Service, U.S. Marshals Service, U.S. Park Police, U.S. Postal Inspectors and U.S. Secret Service.

We especially thank Assistant Attorney General Deborah Daniels who early on had the vision to see the importance of this project for law enforce-

¹ *At this writing, Chief Moose has left the Montgomery County Police Department and Chief Manger has since taken his position.*

² *Gary Bald, at this time, is an Assistant Director of the FBI.*

³ *Michael Bouchard is now the Assistant Director of the ATF.*

ment. She has been an invaluable contributor, providing advice from beginning to end. BJA's Steve Edwards played a key role in determining the project's scope and provided support and guidance as he reviewed drafts of the report.

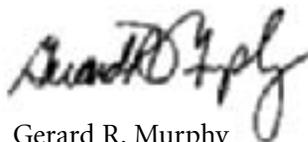
We also thank the participants of the Public Information Officers' and Investigators' focus groups listed in Appendix B, including representatives of the Metropolitan Police of London (Scotland Yard), the Baton Rouge Task Force, the Green River Task Force, investigators from the Washington, D.C. Starbucks murder case, the Baltimore County Police Department and the FBI Critical Incident Response Group.

As for PERF staff, the project would not have been possible without Heather Davies, Bryce Kolpack and PERF Fellow Mike Adams of the Charlotte-Mecklenburg Police Department. Heather was instrumental in managing the project, drafting sections of this report and overseeing its production. Bryce and Mike conducted dozens of pivotal interviews with law enforcement personnel, identified critical issues and provided structure for the final report. Other key staff included Terry Chowanec and Alex Hayes, who provided valuable assistance to the project and contributed important content to this report.

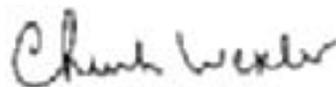
Lorie Fridell, Corina Sole Brito, Gail Love, Tony Narr, Cliff Diamond, Stacy Osnick Milligan, Deirdre Mead and Chief James Burack of the Milliken, Colorado, Police Department reviewed early drafts of the report and provided guidance.

Martha Plotkin edited the report. She also wrote and rewrote sections of the report to make it a better product. Along with her considerable editing skills, she contributed sage advice, born of rare instincts and years of dedicated service to American law enforcement.

Ultimately, we take responsibility for the content of the report. We are enormously grateful to the members of the law enforcement community who risked their lives to keep our communities safe, and who were so supportive of this project. We dedicate this report to those officers and to the victims of the sniper attacks.



Gerard R. Murphy
Police Executive Research Forum



Chuck Wexler
Police Executive Research Forum

I N T R O D U C T I O N

For 23 days in October 2002, a sniper team terrorized the Washington, D.C. and Central Virginia regions, challenging the area's law enforcement agencies in ways never before seen. The manhunt and investigation that led to the capture of two suspects eventually included more than 20 local, two state and at least ten federal law enforcement agencies. The sniper investigation provides an unparalleled learning opportunity for other law enforcement agencies. This report distills critical lessons and strategies that police professionals across the nation can apply to their unique requirements. In the end, readers should be able to better assess their agencies' ability to participate in complex, multi-jurisdictional investigations.

Very little exists in the way of “best practices” to help agencies initiate, manage and conduct a multi-agency investigation. This report is meant to enhance readers' understanding of how to lead these investigations. It identifies the challenges encountered by those who were involved in the sniper case, as well as lessons learned and recommendations to guide law enforcement executives and managers who might have to conduct similar investigations one day. It emphasizes the positive and negative aspects of the investigation that have significant implications for how other police agencies can prepare for and respond to serial crimes that cross multiple jurisdictional boundaries.

A READER'S ROADMAP

While this report is meant primarily to help and prepare law enforcement executives, investigators and managers who may one day find themselves in the

national spotlight as the next sensational crime crosses their jurisdictional boundaries, other police professionals, policy makers and stakeholders can gain a better understanding of the complexity of the tasks and the need for support. It is not a detailed recipe, but rather general guidance to better understand what questions to address before investigating any high-profile crimes involving several law enforcement agencies—whether they are gang crimes, serial killings or acts of terrorism.

While the appendices include many useful documents, it was difficult to develop organizational charts and schematics of exactly how the case progressed. Some sniper case reviewers have asked for a comprehensive graphic of how many resources were infused, and from what sources, or even at what times in the case, but there was no such static structure. The reality is that this was a tremendously fluid case. Resources from federal, state and local agencies ebbed and flowed, sometimes to meet specific needs and sometimes unsolicited. Perhaps more important than documenting these details is the need to fully grasp the overall themes, challenges, approaches and actions that can be generalized to other agencies. In the end, this report was structured to meet any law enforcement agency's needs by providing the kind of advice that can be tailored to any highly complex case in which there is concurrent jurisdiction.

So How Do We Get There?

This report is divided into the following chapters:

- Prologue: The Sniper Investigation:
A Timeline of Events

- Chapter One: High-Profile Investigations
- Chapter Two: Leadership
- Chapter Three: Federal Law Enforcement Resources
- Chapter Four: Managing Investigations
- Chapter Five: Information Management
- Chapter Six: Local Law Enforcement Operations
- Chapter Seven: Media Relations
- Chapter Eight: Community Issues
- Chapter Nine: Final Thoughts

Each chapter begins with some of the fundamental questions that law enforcement leaders, managers and investigators considered throughout the investigation. The chapters then address problems or challenges that arose during the investigation for individual agencies as well as for task forces. Many of the chapter discussions, including examples and lessons learned, detail individual agencies' encounters and efforts during the sniper investigation. The materials are meant to better prepare law enforcement agencies for a major investigation either solely within their jurisdiction or as a member of a multijurisdictional task force investigation.

The following sections of this Introduction explain the methods used to collect information for the project, as well as what kind of case would be similar enough to warrant the kind of responses and efforts made in Montgomery County, Maryland. While most people feel they will know a high-profile, multi-agency effort when they see one, it can be helpful to note the common elements that such cases share. These elements each produce their own challenges, and to view them separately allows decision makers the perspective to take them on one at a time, if they choose.

To provide readers with some context in which to view law enforcement actions in the sniper case, and to instill some sense of order in what was an admittedly chaotic case, Chapter One outlines four basic themes that are repeated and reflected in many of the chapters that discuss the decisions and actions taken in the sniper case as well as other complex investigations. The four themes revolve around

planning and preparation; defining roles and responsibilities; managing information efficiently; and maintaining effective communications.

Having developed a common framework in which to view the sniper case and other multijurisdictional efforts, the reader can then determine what types of scenarios in his or her jurisdiction would benefit from the kind of preparation and responses outlined in the report. The remaining chapters can be viewed with an eye toward which methods and resources could be used, and where there are gaps.

The prologue timeline is meant as a reference to keep the overall response in focus. With the many efforts by local, state and federal agencies, it is easy to lose sight of the fact that they all took place within 23 days, and without warning. The report takes those events and swivels them on an axis, allowing readers to glimpse them through different lenses: The first two chapters provide insight into how a high-profile investigation is identified and started. They also present the events through the eyes of an effective leader, and examine the factors that determine good leadership in uncharted waters. It is not easy to determine which jurisdiction should take the lead in an investigation in which every move is scrutinized by the national media. The challenges of how to coordinate multiple task forces and define meaningful roles and responsibilities are among the many issues revealed and addressed.

In Chapter Three, the investigation is viewed from the perspective of what federal law enforcement agencies can contribute. Their support includes the many types of resources (personnel, equipment, forensic expertise and more) that federal agencies have to offer, and they are considerable. But how and when does a law enforcement agency ask for these resources? Who defines the duties that each agency will take on to ensure effective and fully informed responses? This chapter details these and other issues, such as setting up joint operations centers and other interagency structures.

Chapter Four provides a closer look at some of the specifics of case management—whether it is deter-

mining the size of a crime scene, deciding which labs are best qualified to handle different types of forensic evidence, or figuring out how to manage truly massive amounts of leads and follow-ups.

Chapter Five follows on the heels of these issues by picking up the topics related to information management and intelligence analysis. It also tackles such practical issues as how to set up effective communication plans and tip-line centers. Among the many significant difficulties discussed in this chapter are those related to staffing a hotline and managing the information that is developed from those tips.

Perhaps the most detailed chapter on practical action is Chapter Six: Local Law Enforcement Operations. This chapter demonstrates how drawing on the expertise of every division in a local agency is necessary to keep pace with a high-profile investigation. Some of those resources will be solely in support of the operation, while others maintain the necessary work of addressing the daily business of dealing with other crimes. This chapter demonstrates how patrol, traffic, evidence and forensics, tactical, aviation, administrative and other functions are critical to such an investigation. Officer safety, morale and support are essential. And as the chapter describes, resource allocation is a dynamic and difficult process.

Chapters Seven and Eight turn the focus to media concerns and community issues, respectively. Some commentators have speculated that the unprecedented media coverage helped to make news, rather than just report it. The media investigated the case aggressively, helped police communicate with the suspects, and have alternately been credited with both keeping on edge and reassuring a frightened public. Some claim the sensational, around-the-clock coverage contributed to the community's tremendous feelings of vulnerability. Certainly, journalists had an impact on the investigation and public response. These issues are explored in Chapter Seven, as are those related to managing the public information function: how and when to hold press conferences, what to do about information leaks and the essentials for planning and preparing for high-profile cases.

Community fears were so extreme during the three-week shooting spree that residents were hiding in their homes, afraid to go to gas stations and malls where the majority of attacks were clustered. The chapter on community issues discusses what law enforcement can do to guide and reassure the public through outreach, victim assistance and working with schools. Evident from this chapter is that these types of crimes can be every bit as destabilizing to a community as an act of terror.

Of course, not every challenge or problem was fully resolved during the 23-day series of shootings. The final chapter highlights some of the most significant lessons learned from the sniper case and prompts readers to consider their readiness should a multifaceted case occur in their region. The need for shared intelligence, secure communication, effective leadership, solid interagency relations and collaborations are some of the many themes discussed in Chapter Nine.

In all, it is important to remember that the law enforcement personnel involved in the sniper investigation overcame tremendous obstacles to resolve the case. They also sometimes made decisions or took actions they may not have if they had a second opportunity. Based on their collective experiences and valuable insights, this report offers advice and examples of successful collaboration across jurisdictional lines.

PROJECT SCOPE

This report is based on the findings of a Bureau of Justice Assistance (BJA)-supported study that included a review of how eight jurisdictions responded to the October 2002 shooting incidents,⁴ and how they joined other agencies to work in a task force investigation. *The project focused on identifying the key organizational and policy areas for which “lessons learned” and recommendations could benefit the law enforcement profession.* The project team concentrated on identify-

⁴ *The sniper team shot individuals in seven jurisdictions, but one of those jurisdictions—Ashland, Virginia—relied upon the Hanover County Sheriff's Office to conduct the criminal investigation.*

ing and analyzing the major challenges and obstacles confronted by the multi-agency task force, as well as how those agencies overcame them. The PERF project staff asked law enforcement officials to evaluate what worked well, what did not, and what should have been done differently.

The project focused on law enforcement operations from October 2–24, 2002. It did not address any law enforcement actions prior to October 2, nor did it examine prosecutorial or judicial proceedings after the suspects' arrests on October 24.⁵ The project was not meant to create an exhaustive record. It is important to recognize what the major focus of this report is and what it is not. *This report is not an after-action analysis or a debriefing. It does not critique the decisions or actions of anyone involved in the investigation.* It also does not focus on evidence or evidentiary matters. *Simply stated, the report is a case study of organizational management and decision making that identifies those issues critical to developing sound law enforcement policies and procedures.*

DEFINING SIMILAR CRIMES

The project goal was to advance law enforcement's preparedness for conducting investigations of similar crimes. Project staff struggled to define the nature and breadth of events similar to the sniper case, and identified four characteristics that deserve consideration:

- community fear coupled with media coverage
- type of crime
- suspect leads
- investigative complexity

For the purposes of this project, a "similar crime" that might warrant a multijurisdictional response like the sniper case would, at minimum, include a crime that induces significant public fear and evokes considerable media attention. This could include a particularly heinous crime against a child or young person (e.g., JonBenet Ramsey, Chandra Levy) or the assassination of a political leader. Other similar crimes include mass murders, serial murders, sprees involving violent crimes (e.g., Andre Cunanan), or even prolonged hostage/barri-

cade incidents (e.g., Ruby Ridge, Waco). Community fear and media coverage of any of these crimes would obviously escalate if there were a sense that the police have few leads or have made little progress in apprehending the suspects. Complex investigations, such as those that include multiple agencies as well as federal-local task forces, may well follow the sniper case approach. Finally, those responding to acts of terrorism (e.g., bombings, anthrax contamination) could draw on many of the lessons learned in the sniper case.

PROJECT DESIGN/ INFORMATION COLLECTION

The project team⁶ relied on several data collection techniques, including conducting interviews; observing activities, facilities and locations; reviewing documents and policies; and conducting focus groups.

Interviews

Interviews were conducted with more than 100 law enforcement personnel who played key roles in preventing, responding to, and investigating the sniper shootings, as well as apprehending the suspects. The project team focused on gathering information and interviewing chief executives and key decision makers from the agencies that investigated the sniper shootings in their service area: the Montgomery County (MD) Police Department, Washington (DC) Metropolitan Police Department, Spotsylvania County (VA) Sheriff's Office, Prince George's County (MD) Police Department, Prince William County (VA) Police Department, Fairfax County (VA) Police Department, and Ashland (VA) Police Department in conjunction with the Hanover County (VA) Sheriff's Office.

⁵ Following their arrests on October 24, 2002, law enforcement officials were able to link the suspects to a number of homicides, shootings, robberies and other crimes dating back to February 16, 2002. All told, the suspects have been linked to 22 shootings (Cannon et al. 2003).

⁶ The project team was comprised primarily of Project Director Gerard Murphy, Project Manager Heather Davies, and Executive Director Chuck Wexler. Bryce Kolpack, Mike Adams and Terry Chowanec conducted countless interviews and provided useful insights. The following PERF staff provided assistance by documenting interviews: Jason Cheney, Alex Hayes and Steve Loyka.

The PERF project team also spoke with all local, state and federal agencies that were represented on the Montgomery County task force. They interviewed the Special Agents in Charge of the Baltimore Field Office of the ATF, the Baltimore Field Office of the FBI, the FBI's Critical Incident Response Group, and the Washington, D.C. Field Office of the U.S. Secret Service. In addition, PERF interviewed chief executives from other agencies that provided assistance to the primary law enforcement agencies, including the Maryland State Police and Virginia State Police. The project team interviewed current and former staff members of the respective law enforcement agencies involved, including command staff, middle managers, investigators, patrol officers, emergency service/tactical officers, civilian specialists, prosecutors, government leaders and school officials who played important roles in the events.

Though unable to interview all of the many hundreds of individuals involved in the investigation, those that were conducted represent a full range of perspectives, accounts and lessons learned. (See Appendix A for a list of individuals interviewed.)⁷

Focus Groups

Investigations. This project included a comprehensive examination and analysis of the formation, operation and sustainability of a task force like the one used in the sniper case. PERF hosted a focus group of representatives who had handled other highly visible multijurisdictional, multi-agency and/or serial killer investigations to identify the similarities and differences among those cases. Two agency: the street-level investigator, the investigative manager and the chief executive. Individuals in these roles perform very different functions during an investigation that, taken as a whole, are critical to an agency's overall ability to effectively manage an investigation. The group represented agencies of various sizes and with different investigative experiences in multijurisdictional or serial crimes. A representative from London's Scotland Yard participated in the session as well.

The two-day meeting was organized as a facilitated discussion focusing on specific investigative issues. Before the session, PERF staff provided the participants with a list of issues and questions to consider. The session provided an invaluable opportunity to discuss focused responses to these key issues as well as experiences of those involved in the sniper and other complex cases. Participants' answers to the facilitators' directed questions revealed many lessons learned in their investigations, including recommendations for managing a multi-agency criminal investigation. Additional findings from this group are peppered throughout this document.

Public Information. Few investigations in American law enforcement history have ever received the amount and type of media coverage generated by the sniper case. The 24-hour news coverage, reporters following investigators, uncorroborated media stories, and editorials critical of law enforcement reflected the media's intimate involvement in this investigation. The media played a critical role in the case and can be expected to do the same in future cases.

PERF project staff held a second focus group for public information officers from some of the state and local law enforcement agencies involved in the sniper task force to discuss their experiences with the media. The public information officers discussed practical steps for addressing reporters' questions, determining the media relations responsibilities of key agency personnel and being responsive to community concerns.

⁷ *Though most of the interviews were conducted in person, some individuals were interviewed by telephone. Staff used a semi-structured protocol for every interview to ensure the integrity of the process.*

The Sniper Investigation: A Timeline of Events

The following is a chronological account of the events surrounding the sniper case—one of the largest multijurisdictional criminal cases in the country’s history. The events began on October 2, 2002 with what investigators perceived to be a random act of vandalism and culminated on October 24, 2002 with the arrest of two men believed to be responsible for 14 area shootings, 10 of which resulted in the victims’ deaths.

DAY 1: Wednesday, October 2, 2002

Shooting 1: *Approximately 5:20 P.M., Michaels Craft Store, Northgate Plaza, Aspen Hill, Maryland: no injuries. A bullet shatters a window, barely missing cashier Ann Chapman and embeds into a rear wall. No one is hurt.*

Shooting 2: *Approximately 6:04 P.M., Shoppers Food Warehouse, Georgia Avenue, Wheaton, Maryland: James Martin, 55, is shot and killed while crossing the parking lot of the discount grocery store. Security cameras record him grabbing his chest, but nothing useful to the investigation. The crime scene offers no leads and there are no eyewitnesses. By all accounts, Martin is an ideal citizen.*

DAY 2: Thursday, October 3, 2002⁹

Shooting 3: *Approximately 7:41 A.M., Fitzgerald Auto Mall, Rockville, Maryland: James L. Buchanan, 39, is shot and killed while mowing the lawn surrounding the auto mall. Discovered by a parking lot attendant, he is rushed to nearby Suburban Hospital where he is pronounced dead.*

Initially, doctors classify the death as an “industrial accident.” Apparently, passers-by thought Buchanan had slipped and fallen under the mower’s blade. There was also information that he may have been struck by a projectile or that the lawn mower engine had exploded.

Shooting 4: *Approximately 8:12 A.M., Mobil gas station, Aspen Hill, Maryland: Premkumar Walekar, 54, is shot and killed while filling his taxicab with gas. A Montgomery County Police Department officer, patrolling the area just a few blocks away, is first on the scene after being flagged down by a civilian. This call was transmitted over the police radio before the call reporting the Buchanan shooting.*

Shooting 5: *Approximately 8:37 A.M., Crisp and Juicy Chicken restaurant, Silver Spring, Maryland: Sarah Ramos, 34, is shot in the head and killed with a high-powered bullet while waiting for her boss. A motorist reports a suicide. A detective arrives on the scene and quickly ascertains the death to be a*

⁸ This prologue was compiled by Alex Hayes based on information from sources for this report and the following materials: 23 Days of Terror: The Compelling True Story of the Hunt and Capture of the Beltway Snipers (Cannon et al. 2003), Sniper: Inside the Hunt for the Killers Who Terrorized the Nation (Horwitz and Ruane 2003), Three Weeks in October: The Manhunt for the Serial Sniper (Moose 2003) and various articles found in the Baltimore Sun and The Washington Post.

⁹ After each shooting, ATF forensics experts analyzed the projectiles and, when possible, linked the shooting to other shootings. It was important to get the message out quickly in order to deem cases linked or unrelated.

homicide. A landscaper working nearby reports what he believes to be a white box truck with black lettering and a damaged lift gate with two people inside that exited the parking lot and headed north on Georgia Avenue.

Shooting 6: Approximately 9:58 A.M., Shell gas station, Kensington, Maryland: Lori Ann Lewis-Rivera, 25, is shot and killed while vacuuming the interior of her minivan. Officers review a video shot by a security camera positioned on the fire station across the street but gain no relevant information or useful leads.

- Montgomery County Police Department (MCPD) establishes temporary command post.
- Chief Moose Press Conference: “Our homicide rate just increased 25 percent in one day.”
- Montgomery County Public School System (MCPS) declares a Code Blue.
- Maryland State Police (MSP) deploys over 100 troopers to assist the MCPD.
- MCPD asks the Bureau of Alcohol, Tobacco, Firearms and Explosives for assistance. In response, the ATF provides personnel, assistance for laboratory work and access to the Firearms Technology Branch.
- First “Be-on-the-Lookout” (BOLO) alert is issued for a white box truck apparently observed fleeing the scene.
- FBI Special Agent in Charge (SAC) Gary Bald calls Chief Moose and offers assistance.
- Local, state and federal officials establish a combined tactical operation.

Shooting 7: Approximately 9:20 P.M., Georgia Avenue, Northwest, Washington, D.C.: Pascal Charlot, 72, is shot and killed by a single bullet as he walks up Georgia Avenue. Witnesses claim the shot came from across the street on Kalmia Road. One claims to have seen a dark four-door Chevy Caprice parked along the 7800 block of Georgia Avenue 10 minutes before the shooting. Yet another witness says the Caprice headed west on Kalmia with its lights off seconds after the shooting. The description of the Caprice is put out by the Metropolitan Police Department.

- Chief Ramsey of the Metropolitan Police Department (MPD) assigns investigators to join Chief Moose’s growing task force.

DAY 3: Friday, October 4, 2002

- The ATF concludes that fragments recovered from four of the initial seven shootings indicate that the bullets were fired from the same weapon.
- FBI Supervisory Special Agent (SSA) George Layton responds with additional agents to assist the MCPD.
- Chief Moose press conference: He announces that the high-speed bullets being used are from an assault-type weapon. He also appeals to the public to continue to call the tip line.
- Authorities disseminate handouts of descriptions of the possible types of firearm(s) being used.
- ATF Special Agent in Charge Mike Bouchard joins the case.
- FBI deploys its Rapid Start computer program.

Shooting 8: Approximately 2:30 P.M., Michaels Craft Store, Spotsylvania Mall, Fredericksburg, Virginia: Caroline Seawell, a 43-year-old female is shot in the back and wounded while loading bags into her minivan. Again, a witness claims to have seen a white van fleeing the scene. Another witness saw a dark older-model Chevrolet slowly exiting the mall’s parking lot moments after the shooting.

- Spotsylvania County Sheriff Ronald Knight joins the sniper task force team accompanied by Richmond FBI SAC Don Thompson.

DAYS 4–5: Saturday–Sunday, October 5–6, 2002

No shootings

- Case name SNIPEMUR is approved and MCPD immediately receives support to lease space and equipment.
- Chief Moose press conference: He rules out a suspect leaked to the media and announces that, along with the MSP, they will be increasing visibility at area schools.

- FBI Director Robert Mueller calls Chief Moose to let him know he has the Bureau's full support and that any and all resources will be at his disposal.
- FBI Behavioral Science Unit supervisors arrive at MCPD and begin profiling efforts.

DAY 6: Monday, October 7, 2002

Shooting 9: Approximately 8:08 A.M., Benjamin Tasker Middle School, Bowie, Maryland: Iran Brown, 13, is shot in front of his school while walking to class. He is quickly driven to Bowie Health Center by his aunt and then airlifted to Children's Hospital. Witnesses claim to have spotted a white van parked outside the school. The shooters leave a tarot card containing the first message for law enforcement.

- Chief Moose press conference: "Shooting a kid. I guess it's getting really, really personal now."
- Prince George's County schools declare a Code Blue.
- Chief Moose sends a letter to U.S. Attorney General John Ashcroft requesting federal assistance.
- Prince George's County Police Chief Gerald Wilson and investigators join the sniper task force.
- FBI Director Mueller informs SAC Gary Bald that he will lead the FBI's role in the investigation.

DAY 7: Tuesday, October 8, 2002

- WUSA Channel-9 leaks the existence of the tarot card.
- FBI SAC Gary Bald arrives at MCPD and accompanies Chief Moose and ATF SAC Michael Bouchard to the podium for the day's press conference.
- Maryland State Police Superintendent David Mitchell assigns more than 140 state troopers to work with the Montgomery and Prince George's County Police Departments.
- Moose, Bald and Bouchard decide to represent and speak on behalf of law enforcement as "one voice."
- Profilers of the FBI's Behavioral Science Unit join the case.

DAY 8: Wednesday, October 9, 2002

- Chief Moose press conference: "I have not received any messages that the citizens of Montgomery County want Channel 9 or *The Washington Post* or any other media outlet to solve this case."
- FBI SSA George Layton asks the headquarters for funds to help construct the Joint Operations Center (JOC) at a location adjacent to police headquarters.
- FBI Assistant Director Van Harp confers with Moose and Bald and offers to run a telephone tip line out of the Washington, D.C. Field Office.

Shooting 10: Approximately 8:18 P.M., Sunoco gas station, Manassas, Virginia: Dean Meyers, 53, is shot and killed after filling his car with gas. He dies instantly. A witness report prompts Prince William County Police to issue an all-points-bulletin for a white Dodge Caravan with two men inside.

- Prince William County Police Chief Charlie Deane and investigators join the sniper task force.
- Between 200 and 300 investigators swarm the crime scene.
- Roads are closed, as are entrance ramps to Interstate 66.
- Rapid Start is ready to receive sniper investigation data.

DAY 9: Thursday, October 10, 2002

- The FBI tip line has received 8,000 calls by this time.

DAY 10: Friday, October 11, 2002

Shooting 11: Approximately 9:30 A.M., Exxon gas station, Fredericksburg, Virginia: Kenneth Bridges, 53, is shot and killed only 50 yards from a Virginia State trooper working a traffic accident. The trooper rushes to aid Bridges, but there is nothing he can do. Witnesses describe a white Chevrolet Astro van with two men inside heading toward Interstate 95.

- Authorities shut down Route 1 and entrance ramps to Interstate 95.

- Virginia State Police Superintendent Gerald Massengill urges people not to focus only on white vans.
- ATF agents conduct a grid search of the crime scene.
- D.C.-area police chiefs meet to discuss a unified approach to the shootings.

DAY 11: Saturday, October 12, 2002

- Sheriff Ronald Knight press conference: He refers to the shootings and resulting fear levels as a form of terrorism.
- Outdoor events are cancelled and schools are put on lockdown.
- Chief Moose releases composites of white box trucks.
- Chief Ramsey tells the press that his patrol officers and detectives are looking for an older-model, burgundy-colored Chevrolet Caprice.

DAY 12: Sunday, October 13, 2002

- Besides tip lines being inundated with calls, the day is relatively quiet.
- Moose, Bouchard and Bald appear on CNN's *Late Edition* where they discuss the BOLO for the Caprice but remain focused on a white box truck.

DAY 13: Monday, October 14, 2002

- President Bush calls the sniper(s): "A sick mind who obviously loves terrorizing society."

Shooting 12: Approximately 9:15 P.M., Home Depot, Seven Corners, Falls Church, Virginia: FBI Analyst Linda Franklin, 47, is shot and killed by a single gunshot to the head while loading supplies into her car with her husband. Franklin's shooting takes place in the most populated area yet. A witness, Matthew Dowdy, tells investigators he saw a gunman with an AK-74 assault rifle some 100 yards away.

- Fairfax County Police Chief Tom Manger and his investigators join the sniper task force.
- Another dragnet ensues, as does another grid search of the area surrounding the crime scene.

DAY 14: Tuesday, October 15, 2002

- Chief Moose and Spotsylvania County Sheriff's Major Howard Smith release two FBI-prepared witness-generated composites of the suspicious white van: most closely resembling a Chevrolet Astro and Ford Econovan.

DAY 15: Wednesday, October 16, 2002

- MCPD Captain Nancy Demme advises citizens on how to react should they be near a shooting. Demme tells reporters of Matthew Dowdy's (false) eyewitness account claiming to have seen a man fire an AK-74.
- The FBI signs an agreement with the Department of Defense for deployment of surveillance aircraft.
- Media outlets report that the Pentagon has deployed RC-7 reconnaissance planes to assist law enforcement.

DAY 16: Thursday, October 17, 2002

- Chief Tom Manger discredits Dowdy's story.

DAY 17: Friday, October 18, 2002

- Fairfax County Police arrest false witness Dowdy.
- Chief Moose press conference: He says that many people were very disturbed that a witness gave false information to police.

DAY 18: Saturday, October 19, 2002

Shooting 13: Approximately 7:59 P.M., Ponderosa Steakhouse, Hanover County, Ashland, Virginia: Jeffrey Hopper, 37, is shot and critically wounded in the abdomen while leaving the restaurant with his wife. The shooters leave a second written communication.

- Ashland, Virginia Police Chief Frederic Pleasants, Jr. joins members of the Hanover County Sheriff's Department in the task force investigation.
- Virginia State Police block every exit of the interstate from Richmond to Washington, D.C., including long stretches of I-95.
- Investigators find a letter from the sniper(s) tacked to a tree.

DAY 19: Sunday, October 20, 2002

- A call is made to authorities directing them to the woods behind the Ponderosa where they would find a letter. (Investigators had already discovered the letter the night before.)
- The snipers had given authorities a 6 A.M. deadline to respond to their demands. Law enforcement was checking the letter for evidence.
- U.S. Secret Service crime lab technicians confirm that the letter was written in the same handwriting as that on the tarot card.
- Investigators compare calls from the snipers, the Montgomery County tip line, the Rockville Police Department, and a priest in Ashland, Virginia, who had received a strange phone call from a person who boasted of being the sniper. That caller also suggested that investigators look into a liquor store robbery-homicide in Montgomery, Alabama.
- Chief Moose press conference: "To the person who left us a message at the Ponderosa last night, you gave us a phone number. We do want to talk to you. Call us at the number you provided."

DAY 20: Monday, October 21, 2002

- Task Force investigators contact authorities in Montgomery, Alabama to learn more about the robbery-homicide case.
- The sniper(s) call(s) from a pay phone in Glen Allen, Virginia, outside of Richmond.
- Investigators swarm the Exxon station where the call was traced only to discover and arrest two illegal immigrants.
- Hanover County Sheriff Stuart Cook holds a press conference saying that the suspects were being questioned about the sniper shootings. The two illegal immigrants are later turned over to the Immigration and Naturalization Service (INS).
- A fingerprint lifted off a magazine recovered after the Montgomery, Alabama liquor store shooting is linked by the FBI to Lee Boyd Malvo, whose prints were taken a year earlier while in INS detention.
- Chief Moose press conference: "The person you called could not hear everything you said."

The audio was unclear; we want to get it right. Call us back so that we can clearly understand."

- Investigators in Washington State determine that Malvo was last seen traveling with a man named John Muhammad. Investigators dig up every record of Muhammad as well.

DAY 21: Tuesday, October 22, 2002

Shooting 14: Approximately 5:56 A.M., Montgomery County Ride-On Bus, Route 34, Silver Spring, Maryland: Conrad Johnson, 35, is shot and killed standing on the top step of his bus while it sits idling. A witness tells police that a masked man, with what appeared to be a rifle, ran from a grassy area into an apartment complex. Investigators scour the grounds and find another letter.

- The letter reads: "Your incompetence has cost you another life."
- All highway exits, side streets and interstate bridges connecting Maryland and Virginia are shut down.
- Chief Moose press conference: "We have not been able to assure anyone of their safety." And at another one later in the day, Chief Moose releases the letter's postscript: "Your children are not safe anywhere at anytime."
- Asked about the possibility of the FBI taking over the case, Gary Bald responds: "This continues to be a joint investigation by a large number of state, local and federal agencies . . . the cooperation that we have is unprecedented in this case."
- Chief Moose press conference (to snipers): "It is not possible electronically to comply in the manner that you have requested. You indicated that this is about more than violence. We are waiting to hear from you."

DAY 22: Wednesday, October 23, 2002

- A picture of John Muhammad (from an out-of-state Department of Motor Vehicles office) is faxed to the sniper task force.
- Investigators identify the make, model and tag number of the Chevrolet Caprice Muhammad is driving.

- Investigators in Tacoma, Washington begin a grid search of Robert Holmes' house where Muhammad and Malvo had stayed and done some target shooting in May 2002.
- That night, a BOLO alert is issued for both Muhammad and Malvo and their Caprice.
- CNN is the first to pick up on the BOLO and the Caprice's tag number. Almost two hours after the BOLO is issued over the police radio, FOX News releases the make, model and tag number of the Caprice to the nation's public.
- Chief Moose press conference: He announces that the police want to speak with Muhammad about the "alleged violation of firearms law" and that he is "armed and extremely dangerous," but that he merely "may have information material to our investigation." Also, at Muhammad's request, Chief Moose announces (to the sniper), "You've asked us to say, quote, 'We have caught the sniper like a duck in a noose,' end quote."
- The ATF issues an arrest warrant for Muhammad based on federal firearms violations.

DAY 23: Thursday, October 24, 2002

Approximately 12:54 A.M., Interstate 70, Westbound Rest Stop, Mile Marker 39, Myersville, Maryland. Suspects Lee Boyd Malvo and John Muhammad are spotted sleeping in the Caprice by a civilian who heard the suspects' vehicle and tag descriptions over his van radio. Maryland State Troopers immediately shut down I-70 in both directions. Federal, state and local law enforcement officers converge on the rest area. More than two hours later, a combined SWAT operation of officers from the Maryland State Police, Montgomery County Police and the FBI take Malvo and Muhammad into custody.

- A citizen, Whitney Donahue, having heard about the Caprice on a radio talk show, spots the car at a rest stop near Frederick, Maryland.
- Tactical officers from the MCPD, MSP and FBI extract Muhammad and Malvo from the car and take them into custody at approximately 3:30 A.M.

- The Bushmaster rifle is discovered in the trunk of the car.
- Chief Moose press conference: He introduces the top ranking members of the Task Force, saying, "Certainly this team is larger [than those standing here] but its unprecedented cooperation has made this case [resolution] possible."

High-Profile Investigations

INTRODUCTION

LOCAL LAW ENFORCEMENT AGENCIES have long been scrutinized for how they handle large-scale, complex criminal investigations—often those involving serial, spree or mass murderers or violence against national leaders or celebrities. Many of these notorious crimes were investigated within a task force structure, involving multiple agencies, jurisdictions or levels of government. These crimes shared a number of characteristics that called for complicated, demanding investigations that challenged the agencies tasked with solving them in unprecedented ways. Crimes that draw intense media and political attention often are deemed to be “high-profile cases,” creating significant internal and external pressures.

THE SNIPER CASE¹⁰

The Sniper Case has become one of the best known complex, multijurisdictional investigations. While the case had many of the characteristics that typically place substantial demands on law enforcement agencies engaged in a multi-incident investigation, there were unique elements that exacerbated the many challenges they faced. Some of the factors that made this case so difficult include the following:

- *Sniper*—Homicides and shootings occur every day in large metropolitan areas. Killing sprees and serial murders are also committed, although far less frequently.¹¹ The sniper case was unusual, in part, because of the nature of the shootings—a series of seemingly random attacks from concealed locations and at

distances of about 100 yards, with six homicides in one 24-hour period. Law enforcement has had to respond to and investigate “sniper” shootings before, but their rarity alone made this case unusual.

- *Multi-agency and multigovernmental*—Multiple law enforcement agencies were involved in the investigation. Dozens of local agencies from Maryland, Virginia and the District of Columbia responded, as well as two state police agencies and virtually every major federal law enforcement agency. The complexity of this case grew as numerous agencies with overlapping jurisdiction became engaged at every level of government—each with significant capabilities and resources.
- *Ongoing*—The initial killing spree was followed by a series of shootings over a three-week period in several jurisdictions. Law enforcement agencies had to simultaneously conduct criminal investigations of the shootings, try to prevent additional shootings and respond to the scenes of new incidents as they occurred, along with managing the day-to-day operations of the agency and calls for service

¹⁰ A number of different names have been associated with this investigation, including “Serial Sniper,” “D.C. Sniper,” “Beltway Sniper,” and even “SNIPEMUR,” which was the case name assigned by the FBI.

¹¹ At this writing, definitions of serial, spree and mass murders can be found at the following website http://www.wordiq.com/definition/Serial_killer.

not associated with the investigation. This multifaceted and dynamic law enforcement operation required flexibility that most after-the-fact investigations do not.

- *Media sensation*—Media coverage of the event escalated from routine local coverage to extensive reporting in three local media markets¹² and then to national and international media outlets. On-site media totaled more than 1,300 individuals, and included print journalists, television and radio reporters as well as talk show hosts and Internet entrepreneurs. The media significantly influenced agency strategies and operations, particularly when they created their own news stories by revealing information they uncovered about the investigation on their own, in addition to updates released by police and other spokespersons.
- *Community fear*—At times, community fear was so great it seemed to verge on panic. The fear grew stronger each day, fueled by the random nature of the shootings and frequently exacerbated by constant, and sometimes sensational, media coverage. Many residents said in media interviews during the case that when venturing out of their homes they felt like potential victims.
- *External pressures*—Local law enforcement leaders and their agencies were under intense pressure to end the shootings. These demands were driven by constant media attention and criticism, community fear and suggestions from government leaders to transfer responsibility for the investigation from local to federal law enforcement. In addition, many national government leaders live in the jurisdictions in which the shootings occurred.
- *Terrorist threat*—Many commentators discussed the possibility that the shootings could be the work of terrorists, both because of the nature of the attacks as well as their proximity to the nation’s capital. In the aftermath of September 11, and facing ongoing threats of terrorism, the investigators had to consider

whether the shootings could be a terrorist tactic. And, while authorities did not deem the shootings to be terrorism in the conventional sense,¹³ they did effectively terrorize three major metropolitan areas as schools were closed and outdoor activities cancelled, citizens avoided gas stations and parking lots, and others simply hid in their homes.¹⁴

The sniper case clearly goes far beyond a routine investigation, a major case investigation, or even most multi-agency investigations. This case was so complex that the term “investigation” does not fully reflect the challenge that law enforcement faced. Cases like this are more than criminal investigations; they are “events.” While the criminal investigation is an essential element, it represents only a small part of the law enforcement response in these intricate cases.

The sniper case required those local agencies affected by shootings to engage simultaneously in emergency management, case management and incident management. The emergency management component comprised the on-scene response to the shootings; the case management component included the criminal investigation; and the incident management component consisted of coordinating the resources of dozens of agencies, reducing public fears and working with the media. The ultimate goal, of course, was to solve the case—requiring the majority of resources to be devoted to the criminal investigation. At the same time, agency resources were used to manage crime scenes, close roads, calm the community and construct a well-supported task force of thousands of local, state and federal law enforcement

¹² The three media markets were Washington, D.C.; Baltimore, Maryland; and Richmond, Virginia.

¹³ The FBI cites the Code of Federal Regulations in defining terrorism as “[t]he unlawful use of force against persons or property to intimidate or coerce a government, the civilian population or any segment thereof, in furtherance of political or social objectives (28 C.F.R Section 0.85).”

¹⁴ Sniper suspect John Allen Muhammad was prosecuted and convicted under a new Virginia law that classified him as a terrorist because of the fear inflicted on the community, coupled with his demands for \$10 million.

officials. Law enforcement executives (i.e., police chiefs, sheriffs, and special agents in charge) found that nearly every one of their agency’s units or functions were drawn on to deal with the impact of the shootings.

MAJOR THEMES

How other agencies will prepare for and respond to these complex cases in the future is a significant challenge facing law enforcement—whether they are acts of terrorism or a series of violent crimes that destabilize entire communities. The profession must hone its expertise in each of the three component areas (emergency management, case management and incident management) to manage these demanding, high-profile events successfully. It is important to blend these different components into one coherent strategy that allows law enforcement agencies to conduct an effective criminal investigation.

We know that cases similar to the sniper case will be fast-paced. They will be full of surprises, delays, confusion and problems that will test the patience and expertise of law enforcement officials. A significant factor in being effective in these complex cases is realizing that fully “taking charge” may not be possible. Rather, executives will need to focus on creating order out of chaos and keeping their agencies flexible in order to respond quickly and effectively to unexpected developments.

“Don’t be bound by traditional structures, mechanisms and resources.”

*Chief Charles Moose,
Montgomery County Police Department*

While there is much we cannot anticipate about future multijurisdictional cases, there are some measures that executives now know are crucial to success. As a result of the interviews with law enforcement officials involved in the sniper case and other similar investigations, PERF project staff identified dozens of “lessons learned” and recommendations to help other agencies prepare for

similar investigations. From these lessons and recommendations, four significant factors emerged as crucial to an effective law enforcement response. They represent overarching themes discussed in more detail and illustrated with specific examples throughout the report. While these efforts do not account for all of the successes in this investigation, they were the cornerstones.

- Careful Planning and Preparation
- Defining Roles and Responsibilities
- Managing Information Efficiently
- Maintaining Effective Communication

Careful Planning and Preparation

Preparation and pre-event planning can be critical to mobilizing resources when they are needed. In the sniper case, for instance, the Central Virginia (Richmond area) police and sheriffs agencies observed how other nearby agencies responded to the shootings, and then developed plans based on what they saw unfold in Northern Virginia and Montgomery County. Even with this assistance, they could not fully anticipate the extent to which federal agencies would participate in decision making and providing resources. Yet the preparation still allowed the Central Virginia agencies to develop operations orders, coordinate tactical operations and review staffing requirements in the event of a shooting. In another example, Spotsylvania County made preparations (though not derived from other sniper sites) that enabled the Sheriff’s Office to make immediate progress in its two shooting investigations. That success was based on relationships formed with federal officials in a previous task force investigation of a serial homicide case.

As much as possible, agencies should develop plans and policies before an incident. (See Chapter Two for more information on Memoranda of Understanding (MOUs) and other mechanisms for building relationships.) For example, agencies should determine ahead of time how they will manage crime scenes, implement roadblocks and interview suspects. Even if those plans and policies are not perfectly suited to the investigation that unfolds, they provide a foundation upon which modifications or additions can be easily made.

“Expect the unexpected. A script cannot be written. The lesson from this case is that we can identify issues that might arise, but we cannot predetermine the answers.”

SAC Gary Bald, FBI

Agencies should develop agreements with other agencies likely to provide resources and assistance during a crisis. This process helps officials better assess the nature and scope of their collective resources. These agreements can address how the agencies will interact beyond resource sharing. Some officials from some of the smaller agencies interviewed, for instance, felt that the larger agencies did not afford them professional respect because they could not contribute as many resources. In addition, agency officials need to think about issues such as officer overtime, line-of-duty injuries and use-of-force policies and how they apply to loaned officers from other agencies. These types of concerns can and should be proactively addressed in a less stressful environment so that when a crisis occurs, response can be immediate. When agencies develop MOUs and response plans, they must ensure that key personnel are aware of them and know how to implement them.

According to those officials who were involved in the sniper case, agencies should not only develop response plans, but also practice them. Just as some agencies conduct mock exercises for critical incidents, they should hold exercises for complex investigations, and should include those agencies with which they would likely partner. Neighboring agencies could form a working group that would meet regularly to discuss multi-agency responses and even arrange mock exercises. Any plans should address how resources from each agency will be integrated as well as how key personnel will work with each other.

Defining Roles and Responsibilities

During complex investigations, law enforcement personnel from chiefs to officers need to understand their roles and responsibilities and adhere to them.

The unique demands of these types of cases, however, can pressure individuals to modify traditional roles or to develop new ones. For example, many investigators in the sniper case found it unsettling when managers and executives became involved in investigative responsibilities. Managers began performing investigator’s tasks, which left detectives uncertain about their role and how to make a meaningful contribution to the investigation.

New roles and responsibilities will almost certainly arise during these investigations, and agencies may find they lack either the positions to assume these responsibilities or the personnel to fill them. Temporary positions may need to be created, especially when operating a multi-agency command center. Planning and preparation can surely help mitigate confusion about roles and responsibilities for such crucial personnel as executives and investigators, as well as define new positions or duties.

Federal law enforcement officials may participate in high-profile investigations, and certainly will participate if the crime is a terrorist act. The involvement of federal investigators can cause anxiety among local and state officials who may not want to cede authority over the investigation, thereby creating resistance among investigators working leads. This happened in the sniper case, but the initial friction quickly dissipated to the point that “everyone wore the same badge,” according to several individuals interviewed for this project.

“Before September 11, federal agencies and local law enforcement worked together halfheartedly. This investigation is an example of how law enforcement will be done in the future.”

SAC Michael Bouchard, ATF

Clearly defined roles and responsibilities can also help personnel from different agencies identify with whom they should develop relationships. Some of those relationships should be built before a crisis occurs, though others will certainly develop during an event. Pre-existing relationships are a

critical component to effective crisis management and event response, and their importance cannot be overstated.

Managing Information Efficiently

Reliable information flow is crucial to the success of any major investigation. The ability to collect, analyze and disseminate tips, leads, intelligence and criminal histories can mean the difference between a quick apprehension and a prolonged, frustrating effort.

Involving multiple agencies in an investigation complicates the management of information significantly. While the amount of potentially valuable information may increase substantially with each agency that joins the investigation, there is a commensurate increase in the demand for efficient analysis. The sheer amount of material can overwhelm investigative personnel. Incompatible information management systems impede the sharing of raw information or intelligence. For example, in the early stages of the sniper case, many of the telephone tips had to be hand-carried to command posts just to be entered into a centralized management system for leads because there was no integrated system that call takers could use for one-time data input.

Similarly, successfully assigning and tracking thousands of investigative leads requires sophisticated investigative management systems. Without those systems, leads can be lost, investigated repeatedly when unnecessary or simply forgotten. Law enforcement needs systems that allow multiple agencies in complex investigations to exchange and analyze information. In the sniper case, talented and dedicated information systems specialists and crime analysts were forced to patch together portions of different systems to create an information analysis system that eventually provided the investigation with robust intelligence capabilities.

Even with a state-of-the-art automated system, however, effective information management requires compliance with consistent protocols and the ability to overcome institutional barriers to information sharing.

Maintaining Effective Communication

Virtually every person interviewed during this project stressed the importance of constant communication by law enforcement leaders. Representatives involved in such multifaceted investigations need to communicate daily on a tactical and a strategic level. They need to communicate with personnel in their own agency and with officials from other agencies. Leaders must strive for continual information exchanges and feedback. Some police leaders argued that any information is better than none at all, while others insisted that information must be accurate before imparting it to others.

Regardless of the amount or quality of information that agencies disseminate, some individuals will still believe they are not receiving enough. In the sniper case, many patrol officers thought that law enforcement leaders were withholding information, leading the officers to misperceive that they were inconsequential to the investigation. Leaders found it difficult to correct that misconception, and felt particularly frustrated when the media reported officers' beliefs that executives withheld information they should have shared with them.

Agencies need a mechanism for providing a daily briefing to staff. In the absence of official information, rumors will proliferate and, if left unabated, will require agency officials to spend significant time trying to convince personnel of the facts.

Agency leaders also must communicate with residents, government leaders and the media. The demands for information from these external sources will be tremendous, and each will require a different strategy for effectively meeting their needs. In the sniper case, residents were terrified of becoming the next victim and feared for the safety of loved ones. The fear was palpable. Residents wanted reassurances and looked to law enforcement leaders for information that would ease their concerns. They wanted specific directions about where it was safe to venture out and what types of activities should be avoided. Government leaders wanted information for many of the same person-

al reasons, but also so they could provide leadership for their communities. Some law enforcement professionals interviewed indicated that government leaders wanted information but were not in a “need to know” position. The media wanted both to inform the public and to outshine their competitors. Many reporters did not wait to receive information from law enforcement, but aggressively sought it from many sources, which often put law enforcement officials on the defensive.

Communication was clearly the most compelling concern in the sniper case. Investigations of this kind succeed or fail based on executives’ ability to effectively manage and communicate information in a timely manner.

CONCLUSION

The sniper case was one of the most infamous crimes in the recent history of American law enforcement, instilling fear in thousands of people. The law enforcement response and investigation were unparalleled. Agency officials learned valuable lessons from their experiences, sometimes because they did the correct thing and sometimes because they discovered more effective strategies and approaches after the fact. Several agencies identified additional lessons by conducting debriefings and writing after-action reports. From those efforts, they realized the importance of careful preparation, clear roles and responsibilities, integrated information systems and effective communication.

Leadership

INTRODUCTION

Multijurisdictional crimes involve myriad law enforcement executives who must manage the chaos and provide the leadership needed to reduce fear, support police personnel and coordinate complex efforts. The sniper case demanded effective leadership on two levels—at the task force level and at the individual agency level. The seven local jurisdictions that experienced a homicide or shooting investigated the incidents as they would any other local crime. Yet, each of the seven agencies also combined resources to form a parallel investigative task force that eventually included several dozen law enforcement agencies. Achieving the proper balance between providing leadership for an individual community and contributing to the Montgomery County task force was an ongoing challenge for law enforcement executives. This chapter describes the challenges and responsibilities the executives faced in the sniper case, which underscore the importance of applying sound leadership principles in any similar investigation. The chapter contains two main sections, Task Force Leadership and Agency Leadership, that focus on the following matters:

- Determining the Task Force Leader
- Coordinating Multiple Task Forces
- Structuring a Task Force
- How To Be an Effective Task Force Leader
- Working with Other Law Enforcement Executives
- Defining Executive Roles and Responsibilities

During the three-week sniper investigation, law enforcement executives, as well as government leaders at the local, state and national levels, grappled with numerous questions about leadership and its role in solving the crimes and addressing community fear about the shootings. Some of the more challenging questions included the following:

- How is the leader of a multi-agency task force determined?
- Where should a task force be headquartered?
- Under what circumstances, if ever, does task force leadership change?
- How do multiple task forces coordinate investigations?
- Is there one best model for task force leadership?
- How do task force members make key decisions?
- What is the role of executives who are not the leader of the task force?
- What are the characteristics of an effective task force leader?
- How can an executive provide effective leadership for his or her agency and community while participating in a multi-agency task force?

Answering these questions while the investigation was underway sometimes proved difficult, especially in the face of criticism by the media, government leaders, community members and even other law enforcement professionals. For the most part, however, law enforcement officials answered the questions satisfactorily, and those answers provide valuable lessons for how others might approach similar investigations.

TASK FORCE LEADERSHIP

Determining the Task Force Leader

Who is in charge? If the investigation is limited to one jurisdiction, the answer is obvious—the chief, sheriff or other top local law enforcement executive of that jurisdiction. But if the investigation crosses jurisdictional or state lines, or involves law enforcement agencies from other levels of government, the answer may not be so self-evident. Determining who is in charge will also influence where the task force will be located. Attempting to answer one without considering the other may create significant problems.

“Someone has to ultimately be in charge.”

Colonel Gerald Massengill, Virginia State Police

The sniper task force was headquartered in Montgomery County because it was the site of the first shooting, as well as four homicides on Day 2, and ultimately had the most incidents. Even when a shooting occurred in the District of Columbia on the evening of Day 2, Chief Ramsey of the Washington Metropolitan Police Department did not question that the task force was headquartered in Montgomery County, agreeing that it was the logical location.

“No one had a problem folding into the Task Force once they had a shooting.”

*Chief Charles Ramsey,
Washington Metropolitan Police Department*

The Sniper Task Force leadership rested with three individuals—Montgomery County Police Chief Charles Moose, FBI SAC Gary Bald and ATF SAC Michael Bouchard.¹⁵ Chief Moose was the primary spokesman because of his agency’s legal authority to investigate the murders. These three men were the chief executives of the law enforcement agencies that initially dedicated the most resources to the investigation. They did not pre-

plan a shared leadership role, but quickly found that it was the most logical arrangement. Indeed, Moose and Bald had never met, for Bald had been in his position just a few weeks when the first shooting occurred. (Bouchard and Bald also had not met.) They quickly recognized the need to work together as a team and to always show a united front to the public.

“We should have communicated earlier and more clearly with local chiefs in surrounding agencies.”

SAC Michael Bouchard, ATF

At times, however, some law enforcement personnel expressed concerns about whether the leadership was united or who, in fact, was the “true” leader. These uncertainties grew stronger as the investigation wore on, and as the distance from Montgomery County of the subsequent shootings increased. During the second week, as the toll of victims grew and as the shootings moved into northern and central Virginia, some law enforcement and government leaders questioned whether the leadership should be changed. Various political leaders, noting the multistate impact of the sniper incidents, suggested through the media that the FBI should assume control of the investigation. In retrospect, each of the three leaders interviewed said they could have communicated more clearly to other law enforcement leaders and government officials their process for making decisions, which may have silenced some of the questions about who was in charge.

¹⁵ Gary Bald was the Special Agent in Charge of the FBI’s Baltimore Field Office and Michael Bouchard was the Special Agent in Charge of the ATF’s Baltimore Field Office. They each represented their agencies in this investigation because Montgomery County, despite its shared border with Washington D.C., is in the State of Maryland and thus the responsibility of the Baltimore—not Washington, D.C.—field offices.

As stated earlier, Chief Moose has since left the Montgomery County Police Department and Chief Manger has taken his position. Gary Bald is an Assistant Director of the FBI, and Michael Bouchard is the Assistant Director of the ATF.

The number of agencies involved in an investigation and the geographic range of crimes can complicate decisions about the location of the task force headquarters. Had the snipers moved 500 miles from the D.C. region and continued their rampage in another metropolitan area, for example, the task force leadership might have faced additional questions about maintaining its location and leadership. As it was, a single shooting in Ashland, Virginia (100 miles south of Montgomery County) caused some to challenge those decisions.

Although some executives considered the possibility of moving the task force or changing its leadership, they made it clear during interviews that, ultimately, the Montgomery County task force should not have been dismantled because it would have disrupted the investigation. The Montgomery County Police Department still had unsolved murders to investigate, and transferring an investigation from one agency to another is anathema to law enforcement.

“Investigations cannot be run from remote locations.”

*Chief Carl Baker,
Chesterfield County, Virginia, Police Department*

Another major challenge in multijurisdictional investigations is establishing the command center quickly and in the correct location so that it does not have to be moved. Moving a command center or a Joint Operations Center (JOC)¹⁶ after it has been up and running could destroy public confidence by sending the message that law enforcement is incapable of managing the investigation, and wasting valuable investigative time in moving to a new location. And, from a strictly practical perspective, JOCs are difficult to move once they have been constructed.

Although the decision to headquarter the task force in Montgomery County was relatively straightforward, in future cases the decision may not be so easy. Some of the factors that could

influence task force location or leadership include the following:

- The agency with the first shooting
- The agency with the most shootings
- The agency with the highest profile or most critical shootings
- The agency with the most or best evidence
- The agency with the most investigative expertise
- The agency with the most experience in multi-agency investigations
- The agency with a pre-existing JOC or local command center
- The jurisdiction that will prosecute the case
- The extent of federal involvement and the location of federal resources

Some law enforcement organizations abide by geography as the primary determinant for task force location. The FBI designates the lead Field Office and SAC based on the location of the crime—the “office of origin.” The exception to this would be terrorist activity and other “major” investigations, which would be run from FBI headquarters. (By contrast, project staff learned that in the United Kingdom, the chief constables of agencies working together decide who will be the lead chief constable, and then designate an overall officer-in-charge. Other constabularies or agencies that join the task force after this decision is made must abide by the existing structure.)

Coordinating Multiple Task Forces

If the need arises, complementary task forces may be established as well. There need not be a single task force subject to transfer. In fact, the sniper case may have provided a model for multiple task forces since there were not just one task force, but five. They included the following:

- Montgomery County Task Force
- Spotsylvania County Task Force

¹⁶ A JOC is a command center protocol used by the FBI and ATF. The primary JOC in this investigation was in Montgomery County, Maryland, across the street from the Montgomery County Police headquarters. More information about JOCs is in Chapter Three.

- Prince William County Task Force
- Fairfax County Task Force
- Central Virginia Task Force

Each of the four task forces located outside Montgomery County had its own leadership and command center. They worked in consultation with the Montgomery County task force, and many of the agencies participating in these four task forces sent representatives to Montgomery County. But they also operated independently—though some more than others. They also shared many common characteristics with the Montgomery County task force. For example, the Central Virginia task force relied on a committee of executives, rather than one person, to provide leadership. As in Montgomery County, the chiefs, sheriffs and SAC there believed the committee structure was the most effective leadership choice for their group.

“We didn’t need more control of the task forces, we needed better coordination.”

Chief Terrance Gainer, U.S. Capitol Police Department

Some officials believe multiple command centers created problems for exchanging information and coordinating operations during the sniper investigation. They believe that only one command center should have existed, and it should have been the hub for receiving all information, coordinating resources and making decisions. They contend that greater efficiency would have been possible with just one command center. Other police professionals, however, argued that this arrangement does not account for the individual agencies’ need to maintain responsibility for investigating and prosecuting shootings that occur in their community. That is to say, it is possible and in fact recommended that agencies both investigate their own homicide(s) as well as participate in the larger task force investigation. These roles and responsibilities are not mutually exclusive.

This investigation showed that multiple task forces can operate simultaneously. However, their overall

effectiveness may be improved when they fully collaborate, especially by emphasizing interpersonal communication and investigative information sharing. A number of officials from local, state and federal agencies talked about the need for some type of task force coordinator to facilitate communication, investigative management and information sharing. At a minimum, task forces need to interact regularly, and when multiple task forces operate they should each send representatives to other task forces.

Structuring a Task Force

Governing a task force in a high-profile case can be a significant challenge, especially when the task force contains a large number of agencies. Law enforcement agencies are quick to provide resources and assistance to their colleagues. These “assisting” agencies may then be absorbed into any existing task forces. The challenge for task force leaders is to include these agencies but, at the same time, maintain an effective system for providing direction, making decisions and sharing information.

“I don’t remember a conflict that we couldn’t resolve.”

SAC Gary Bald, FBI

The task force leadership (whether it is one person or a committee) will face enormous challenges that may impede its capacity to move an investigation forward. The ability to provide direction and make decisions can be confounded by enormous pressures, either by assisting agencies or some outside stakeholders. Several executives spoke about the importance of establishing priorities to organize resources and assist with decision making. In the sniper case, executives most frequently mentioned the following priorities:

- Catch the sniper
- Manage the resources (i.e., officers/ investigators, materials, facilities)
- Maintain personal relationships

- Work with the public (i.e., community and media)
- Communicate with government leaders

The task force leaders need to remain focused on all priorities, periodically emphasizing certain ones over others to meet changing demands and conditions. The challenge is to balance these competing priorities while continuing to provide effective leadership for other agencies, including delineating their roles, responsibilities and duties. Some officials suggested the use of a unified command system as the basic model for consensus decision making, especially when working with multiple or satellite task forces.¹⁷

“We built the task force as it moved forward. No one had a chance to step back and critically assess what we were doing.”

SAC Michael Stenger, U.S. Secret Service

To assist leaders in making decisions and providing direction, the task force should be organized by criteria that determine agency participation. That is, some agencies will participate in the task force because one of the criminal acts has occurred in their jurisdiction, and others will be involved because they can provide assistance and resources. Still other agencies will join because, while they have not yet had an incident, they want to be prepared. Recognizing these differences in orientation and needs will facilitate effective leadership, communications and decision making, and will enable leaders to retain tighter control over the dissemination of information.

For example, a task force could be structured to recognize three different tiers for involvement:

1. Law enforcement executives who had incidents in their jurisdiction and/or the authority to investigate those incidents
2. Law enforcement executives from agencies bordering jurisdictions with incidents

3. Law enforcement executives from agencies offering assistance and resources, or who want to be prepared for an incident in their jurisdiction

The executives in the first tier could comprise an executive committee and be responsible for developing consensus and making decisions. Those in the other tiers would be vital members of the task force, but might not receive all investigative information or participate in all decision making. If their agencies subsequently had an incident in their jurisdiction, they would then become part of the executive committee. Absent some type of governing structure, high-profile task forces may find it exceptionally difficult to reach consensus and share information to the satisfaction of all participants.

Considering the Needs of Individual Agencies

Whenever new agencies join a task force, officials from that agency must understand the leadership structure, decision-making protocols and investigative methods. This is crucial to reducing uncertainty, confusion and even reluctance to fully cooperate. In an effort to help other agencies understand protocols, the Montgomery County task force developed guidelines. (See Appendix C, SNIPEMUR Task Force Recommendations, for a copy of these guidelines that were distributed to agencies when a sniper shooting occurred in their jurisdiction.) Whenever possible, task force leaders should provide written guidelines and protocols to help agencies assimilate into the existing structure.

Chiefs and sheriffs who were interviewed for this project expressed a deep, personal sense of responsibility for their jurisdiction’s residents. When a shooting (or other traumatic event) occurs in a community, that chief or sheriff will want to inform the residents about the incident and reassure them. When formulating communication and media protocols, task force leaders must balance the needs of the entire investigation with the obligations of participating local executives to

¹⁷ *The Incident Command System (ICS) is a standardized method of managing emergency incidents, relying on common terminology, common organizational structure and common operating procedures.*

be responsive to their citizens. In the words of one chief, “You cannot expect leaders to stop leading.”

In fact, it is possible and advisable for executives to both contribute to the work of the task force and be leaders in their own community. When the shooting occurred in Fairfax County, Virginia, Chief Tom Manger recognized the need to publicly brief Fairfax County residents (and the larger community) as well as the need to participate in the Montgomery County task force. These roles were not mutually exclusive and, in fact, overlapped to better serve the residents of the local community and the multijurisdictional task force.

Not achieving that balance between community responsibility and task force allegiance can create tension among task force executives.

Being an Effective Task Force Leader

Leading a task force can be quite different from leading an agency. Very few law enforcement personnel have been trained to lead a task force, and very few have experience actually doing it. Yet to be effective, the leader must be respected for his or her skills and know what to do. Many officials interviewed during this project identified four principles that can help task force leaders be successful:

- Task force leaders must balance the needs of individual agencies with those of the entire task force.
- They must make key decisions in consultation with leaders from participating agencies.
- Task force leaders must relinquish some control to obtain widespread support from participating agencies.
- They must distinguish between executive and operational responsibilities.

Most law enforcement executives will agree to recognize another agency head as the task force leader, and will provide him or her with the information and resources to be effective. Those participating agencies will contribute information with the expectation that the lead organization will reciprocate: Information must flow in both directions, or endanger support from participating agencies.

“Don’t manage the other task forces. Rather, make certain that every task force leader knows his or her obligations, which are to manage information, keep chiefs informed and follow up on leads.”

*Chief Charles Ramsey,
Washington Metropolitan Police Department*

Task force leaders have to ensure that communication channels remain open in order to facilitate the exchange of information. Otherwise, individuals in participating agencies may very likely perceive they are not receiving enough information from the task force leaders, regardless of the amount or quality of information. This perception may be difficult to fully dispel, but task force leaders must work to overcome it.

Individual agencies’ needs and concerns cannot be disregarded. A task force leader should not make decisions that affect participating agencies without consulting their leaders and including them in the decision-making process. Similarly, leaders of federal agencies should not make unilateral decisions about how they will operate or what they will do in a local jurisdiction.

Individuals who participated in the project’s Investigative Focus Group¹⁸ also explored what skills are required to lead a task force, and expressed a need to develop training and education programs to develop those skills in leaders. As a starting point, this group identified the following characteristics of an effective task force leader:

- Thinks in terms of “we”
- Is receptive to involving other agencies
- Is open to new ideas
- Puts the goal of solving the case first
- Is willing to change/improve when necessary
- Is willing to support staff

¹⁸ This two-day Investigative Focus Group was discussed previously on page 5.

- Publicly recognizes the good job people are doing
- Does not micromanage
- Lets competent people do their jobs
- Remains calm under pressure; even has a sense of humor under stress

The focus group emphasized that, in addition to these traits, law enforcement must work on identifying and fostering other requisite skills in effective task force leadership. Even the best leaders will be challenged to meet all agencies' needs, particularly when serving as a co-leader of a task force. When multiple individuals share leadership, they must be aware of the benefits and pitfalls of such an arrangement. Each of the leaders will bring a different perspective to the investigation, not only because of personality differences but also because of the sometimes-disparate interests of their organization. Ultimately, effective task force leaders will understand the differences between leading an individual agency and a task force. In particular, they will be able to integrate the various agencies, law enforcement resources and perspectives.

“You can’t deny, or ignore, the value of trust and longstanding friendships.”

*Chief Charlie Deane,
Prince William County Police Department*

Working with Other Law Enforcement Executives

Another lesson that emerged from this investigation is that local, state and federal agencies will work alongside one another, but the extent of their collaboration and the level of success they achieve will depend on several factors. Pre-existing relationships and partnerships, for instance, facilitate task force operations. Interviews revealed that, in the few situations in which agencies from the sniper case did not work well together or disagreed about strategies, it was due primarily to the lack of previous contacts with each other and the lack of a basis for trust. Geography was also a leading factor in how well agencies worked with one another

during the sniper case. The agencies in the D.C. suburbs had previously collaborated on operations or investigations, and the same held true for those agencies in the Richmond suburbs. As comfortable as these agencies were with their neighbors, unfamiliarity with their counterparts in other metropolitan areas contributed to their wariness about sharing information and decision making.

Of all the keys to success during this investigation, the one mentioned—indeed, strongly emphasized—by every executive was the importance of pre-existing relationships.

Building Relationships

Developing relationships prior to crises is crucial to fostering communication, coordination and the exchange of resources. A pre-existing relationship provides a foundation for agencies that may need to enter into a joint operation in response to an incident and engenders a basic level of trust—trust that can facilitate meshing resources. In the Richmond, Virginia area, eight chiefs and sheriffs, as well as their seconds-in-command, have a long-standing practice of meeting quarterly to discuss common problems and develop operational responses and policies that reflect the combined strengths of their organizations.

“We try to build relationships with local officials whenever we can. Just four weeks before the first sniper shooting, I was in Montgomery County and met with Chief Moose and Assistant Chief Walker to discuss some joint gun investigations.”

SAC Michael Bouchard, ATF

Most of the D.C.-area executives spoke of the high level of cooperation that existed among their agencies before the sniper case. These relationships were not limited to just a few agencies, but spanned across local, state and federal agencies. Several reasons were cited for these close relationships:

- Washington, D.C. is the site of large public gatherings, such as marches and protests. Surrounding local and federal agencies routinely engage in mutual aid with the Washington Metropolitan Police Department to help handle these events.
- When the Pentagon, which is located in Arlington, Virginia, was attacked on September 11, every agency in the D.C. metropolitan area provided assistance to the Arlington County Police Department and the federal agencies that responded to and investigated the incident.
- After September 11, executives from local and federal agencies began a weekly conference call to discuss the aftermath of the Pentagon attack as well as potential terrorist activity that could threaten the D.C. area. This weekly call was initiated by the FBI's D.C. Field Office and used telephone technology provided by the Washington Metropolitan Police Department. After the sniper investigation began, law enforcement officials increased the frequency of these calls to at least once a day to exchange information.
- Many of these law enforcement organizations work closely with the Metropolitan Washington Council of Governments (COG), a regional organization of D.C.-area local governments. COG is composed of 18 local governments surrounding the nation's capital, and area members of the Maryland and Virginia legislatures, the U.S. Senate, and the U.S. House of Representatives. COG provides a forum for action and develops regional responses, including public safety and transportation.

“We have close relationships in this area. It doesn't exist like this elsewhere. People pitch in with a good degree of comfort.”

*Chief Charles Ramsey,
Washington Metropolitan Police Department*

Previous task force experience was a key building block for agencies that had to work together again. In Spotsylvania County, the Sheriff's Department, the Virginia State Police and the FBI had just completed a task force investigation into the Silva and Lisk murders.¹⁹ This multi-year investigation employed a command center that was still functional at the time of the sniper shootings in that county. Relationships developed during that task force enabled executives, managers and investigators to reestablish connections immediately.

“The cooperation in the D.C. area is as good as anywhere in the country. We all know each other.”

SAC Michael Stenger, U.S. Secret Service

Building relationships with all task force agencies may not be immediately possible, but agencies will find that they can rely on their counterparts in other individual agencies, taking advantage of long-standing relationships or natural alliances for sharing resources and exchanging information. Neighboring jurisdictions can easily conduct conference calls or meet with each other to develop common tactics or share what has worked and what has not. For example, just minutes after learning about the homicide in his jurisdiction, Prince William County Police Chief Charlie Deane telephoned Chief Tom Manger in neighboring Fairfax County to invite personnel to the crime scene in Manassas. The purpose of the invitation was to allow Fairfax County investigators to observe the operation and gain insights that they could apply if a shooting were to occur in their jurisdiction. These two jurisdictions had also jointly pre-planned tactical operations should either one have a shooting.

¹⁹ *In the fall of 1996, Sofia Silva, 16, and sisters Kristin and Kati Lisk, 15 and 12, were abducted from their homes in Spotsylvania County, Virginia. All three girls' bodies were discovered shortly after their abduction. In June 2002, suspect Richard Marc Evonitz fatally shot himself following a police pursuit. He was later linked to the Silva-Lisk murders. At the time of this writing, more information on the Silva-Lisk murders can be found at <http://www.angelfire.com/va2/kkscases>.*

“You have to know your limitations. If you don’t ask for help when it is available, you shortchange your community.”

*Sheriff Ronald Knight,
Spotsylvania County Sheriff’s Office*

Agencies cannot be reticent about asking other agencies for help, resources and ideas. At the same time, agencies must realize they may receive more assistance than needed, and it may even come unsolicited. A significant investigation like this can create an unusual condition—seemingly unlimited resources—in which agency personnel may find it difficult to integrate and adjust to the abundance.

When agencies request assistance or resources from each other, they have to ask at the proper time. That is, agencies cannot ask for help too soon. It is especially important that loaned personnel have meaningful tasks to perform upon their arrival at another agency. When agencies ask for assistance, they must have a clear need for specific resources, and a plan for using those resources the moment they arrive. In addition, they may want to designate an individual to be responsible for making those requests for assistance and for managing the logistics associated with the arrival of loaned personnel or resources.

Regular Communication

Possessiveness is a common behavior in many governmental agencies, and law enforcement is not immune. Sharing resources and especially information is not always practiced. Indeed, safeguarding information is such a high priority in law enforcement that even units within the same agency often do not share information. So it may be unrealistic to expect agencies working together for the first time to freely exchange criminal information and intelligence. Yet, effective multi-agency investigations will require agencies to carefully consider how they can overcome these barriers.

During multi-agency investigations law enforcement executives should develop and adhere to regularly scheduled briefings, and should engage in

strategic assessments of the investigation’s progress, success and obstacles. One of the ways this was done in the sniper case was through conference calls. Building on existing weekly conference calls among area law enforcement executives to discuss terrorism, the calls occurred at least every morning, and then sometimes several times a day. The conference calls helped agencies exchange important information, and their quality improved over time as participants became more focused on critical issues. Interviews revealed, however, that one problem with the conference calls was the large number of participants. Because it was unclear who had access codes, and because participants could conference in and out of the call, no one ever knew exactly who was on the call at any given time.

Particularly troubling for many conference call participants were the frequent leaks that resulted in “news flashes” on cable news stations containing confidential information discussed during the conference call. These updates occurred right after or sometimes even during the calls, suggesting that someone was either leaking information or that unauthorized individuals were on the calls. Although access codes were changed several times, leaks persisted. Participants hesitated to share extremely sensitive information, and fueled doubts about whether those on the call were improperly sharing crucial information. For example, one agency withheld the true name of witnesses and suspects, relying on fictional aliases instead. Within a few days, reporters had learned the aliases and used them in conversations with law enforcement personnel.

“Everybody can’t know everything all the time.”

*Chief Charlie Deane,
Prince William County Police Department*

In an effort to build more open and better-managed communications, two strategies were used: face-to-face meetings and invitation-only conference calls. While the latter can be helpful and nec-

essary to discussing certain issues, the downside is that some individuals can perceive them as exclusive, and therefore divisive. Agencies need to find a middle ground that allows them to have secure communication with relevant stakeholders while at the same time not alienating other participating officials. Similar or like-minded agencies may be tempted to have secret communications, while objecting to their counterparts in other agencies doing the same. All agencies need to consider how these private communications may undermine trust and cooperation, and should assess the appropriateness of invitation-only communications.

“You just can’t do it all through conference calls.”

*Chief Charles Moose,
Montgomery County Police Department*

During the sniper investigation, face-to-face meetings were extremely beneficial although infrequent because of the amount of time they required. On two occasions, once in Maryland and once in Virginia, executives and agency representatives convened in larger groups in auditoriums to discuss case developments, plan coordinated operational responses and air differences. Most other face-to-face meetings involved only a small number of executives and were used to discuss critical issues. A number of executives stressed that these in-person meetings were helpful in resolving conflicts and addressing confusion and uncertainty.

Memoranda of Understanding and Joint Policies

Whenever possible, agencies should develop mutual aid agreements prior to any major incident or investigation. Local law enforcement agencies need to determine the extent to which they can provide mutual aid to other agencies, and develop Memoranda of Understanding (MOUs) to formalize those agreements. Some states may have limitations on mutual aid. In Virginia, until just a few years ago, mutual aid agreements were possible only if local departments shared a common border.

“A history of joint pre-planning allowed us to set aside turf concerns.”

Colonel Gerald Massengill, Virginia State Police

In central Virginia, the Ashland Police Department and the Hanover County Sheriff’s Office had a mutual aid agreement in place that contained procedures for the Sheriff’s Office to assume control of investigations of serious crimes, such as shootings.²⁰ Agencies should work with statewide or regional chiefs/sheriffs associations to identify resources in larger departments or those with a special expertise that could benefit other agencies. If those associations do not exist, executives should form regional groups designed to engage agency representatives in meaningful discussions about policy, practices, operations, plans and mutual aid.

Any MOUs that include provisions for detailing personnel to other agencies must stipulate the policies and work conditions that will govern the conduct of loaned employees. Personnel who work in another agency and use that agency’s equipment should be provided with and abide by that agency’s policies and leadership structure. Legal representatives from the law enforcement agency or governing body should be involved in developing MOUs.

INDIVIDUAL AGENCY LEADERSHIP

Defining Executive Roles and Responsibilities

A police chief or sheriff provides public safety leadership to his or her agency and community. The duties and burdens of a complex investigation, such as the sniper case, can overwhelm and hinder the ability of executives to provide that leadership. A

²⁰ *The Town of Ashland is an independent town located within Hanover County. The Ashland Police Department is a full-service law enforcement agency, but only has 22 sworn members. The Hanover County Sheriff’s Office has 180 sworn officers, and has concurrent jurisdiction in the town. Due to the intensity of the sniper investigation and the need for significant investigatory help, the Ashland Chief of Police and the Hanover Sheriff agreed that the Hanover County Sheriff’s Office would be the lead investigative agency for this case.*

crucial part of successfully leading these investigations is for executives to determine when and where they should devote their attention. Executives interviewed for this project stressed the importance of thinking carefully about their roles and responsibilities and adhering to them during the investigation. In separate interviews, Chiefs Deane, Moose and Ramsey, and Sheriff Cook identified very similar responsibilities for chief executives to consider, including the following:

- Make order out of chaos
- Remain flexible and help others be flexible
- Focus on the entire agency
- Let a competent workforce do its job
- Get personnel the resources they need
- Work with external stakeholders

Chaos and Flexibility

Every chief, sheriff, and law enforcement professional knows that managing a complex, high-profile investigation is very different from the day-to-day running of an organization. Executives operate in a crisis management role fraught with uncertainty and fast-paced developments. In all likelihood, other agency personnel will be operating in the same environment. Executives know that staff and officers will look to them for leadership and guidance, and can meet this need only by quickly and continually making order out of chaos. By drawing on past experiences, conferring with executives in other jurisdictions, or using tailored organizational plans, executives can create structure.

“While someone had to be in charge there was leadership at every level. People stepped up and all felt a responsibility to contribute. An incredible team effort.”

*Chief Thomas Manger,
Fairfax County Police Department*

At the same time, executives need to be flexible in order to deal with the uncertainties of the case. Chief Charles Ramsey recommended that when confronted with unfamiliar problems or decisions

for which chiefs do not have previous experience, they should consider a perspective different from the typical law enforcement paradigm and look for creative solutions. They may find it helpful to rely on experts in other fields—maybe a business leader or a school administrator. During stressful times, it can be difficult to try a new approach to solving problems and making decisions. However, it might be the one thing that makes an executive more effective than he or she might otherwise be.

Focus

Because chief executives will encounter competing demands for their time and attention, they may find it difficult to fulfill all responsibilities equally. Some of the executives spoke about how they caught themselves spending too much time on one responsibility at the expense of others. The challenge for many executives will be to consider what is occurring in the entire organization, and not become preoccupied with the media, the investigation or any one aspect of the case. Executives should not become so focused on the initial incident that they lose sight of the fact that the investigation could go on for days, weeks and even months. They must realize that their agencies may have to respond to and investigate multiple incidents, as was the case in Montgomery and Spotsylvania Counties. The ability to effectively lead a complex investigation is dependent on how well executives see the big picture.

“Chiefs have to be willing to give up some control. Admittedly, this is difficult for chiefs, sheriffs and SACs, but unless it is done the investigation won’t succeed.”

*Chief Charles Ramsey,
Washington Metropolitan Police Department*

At the other extreme, executives can take on too many responsibilities or work too long. A number of subordinates and outside observers stated that many of the executives became highly fatigued as the investigation wore on, mainly because they tried to do too much. Montgomery County Assistant Chief Dee Walker, for one, described in an interview how, by trying to keep others from doing too much, leaders assumed too many responsibilities themselves.

Competent Workforce

An important part of seeing the “big picture” is to rely on subordinates by delegating responsibilities to them. Effective leaders do this in non-crisis times, and will probably find that the need for this is greater during complex investigations. The consensus among those interviewed for the project was clear: Executives should let competent people do their jobs.

Executives can also rely on commanders to help take the pulse of the law enforcement personnel in their agencies by soliciting comments from a wide range of individuals about the case, regardless of their rank or function. Many rank-and-file personnel in several agencies spoke about how the lack of face-to-face contact with supervisors diminished their morale. This need for close communication was corroborated by such agencies as the Prince William County Police Department, where officers spoke about how personal contact and constant communication (even if there was nothing significant to report) was reassuring and made them feel connected to the rest of the agency and the investigation.

“The chief needs the discipline to not micromanage.”

*Chief Charles Moose,
Montgomery County Police Department*

Another way that subordinates can help a chief executive is to serve as a sounding board for the chief. An executive officer or a trusted subordinate can help the executive stay focused and provide feedback on difficult issues.

The executive should monitor the investigation, but not get involved in the daily activities of managing it. This project’s investigative focus group revealed that in the 2003 Baton Rouge, Louisiana serial murder case, the police chief delegated key decisions to investigative coordinators and provided them with the resources they needed to do the job, a fact corroborated by the coordinators. Executives should push responsibilities down, give

personnel the resources they need and then hold them accountable. At the same focus group, the Baltimore County police chief, who led his agency during a 10-day investigation of a case involving multiple murders, kidnappings and a hostage/barricade incident, described how he attended investigative briefings to assess his team’s progress, but remained prepared to make changes to the investigative team if the job was not getting done.

“The investigation succeeded because everybody did their job.”

SAC Gary Bald, FBI

Resources

By monitoring the entire agency, executives are well positioned to reallocate existing resources or acquire new ones as the case progresses. Investigative developments, additional crimes, or community apprehension may require an agency to shift resources from one challenge to another, sometimes with little warning. The role of the executive is to monitor all developments and ensure that commanders have the personnel and equipment to be effective.

Once the investigation is concluded, or at least winding down, executives may find that agency personnel need a transition period or even the opportunity to vent frustrations or other feelings. Executives should ensure that adequate resources are available to support personnel during this critical stage of wrapping up an investigation. In Virginia, the Arlington County, Fairfax County, Prince William County and Hanover County agencies conducted after-action reviews to learn what worked and what did not during the sniper investigation, and to give employees an opportunity to discuss frustrations or contentious issues that had to be shelved during the heat of the investigation. Executives should also ensure that personnel get support for any trauma or stress associated with the incident. This was done in Montgomery and Prince William Counties where personnel had access to crisis counseling services from in-house resources or through county mental health agencies.

Individual agencies can also benefit from after-action retreats such as the one hosted by the FBI that involved the principal participating agencies.

External Stakeholders

Executives should anticipate increased interaction with external stakeholders during a high-profile investigation. A significant part of letting a competent workforce do its job is shielding it from distractions. Personnel investigating the case should be removed from interactions with government leaders, the media and others. A number of supervisors and investigators spoke about how one of the most crucial responsibilities an executive can assume is to absorb and address all external sources of pressure.

“The County Executive²¹ shouldn’t come to all the law enforcement briefings. He needs to maintain some distance should he have to eventually judge whether I was effective.”

*Chief Charles Moose,
Montgomery County Police Department*

Police chief executives must not forget the need to remain responsive to elected or appointed local leaders. Although in the middle of an investigation it may be difficult, chiefs must communicate with their bosses about how and why the police department is operating as it does. This will be easier early in a relationship, and before a crisis, if the chief has fully briefed his or her boss. An informed mayor, county administrator or governor may be able to provide support and not feel the need to get involved in decisions best left to law enforcement leaders.

All executives need to consider how they will work with government leaders to provide them with information and include them in decision making. Government leaders need to take a visible leadership role, which may create challenges for law enforcement executives. In the sniper case, law enforcement executives held conference calls with government leaders and school officials to help

keep them informed and solicit their views on decisions that affected them.

CONCLUSION

Effective leadership in a multijurisdictional investigation is essential to a successful conclusion. Yet, determining who should be the leader, as well as the protocols for how law enforcement agencies should interact with one another, can be exceedingly difficult. No template exists to guide law enforcement, although the sniper case has provided a number of lessons for how other executives may want to approach leadership challenges in any future high-profile investigation.

Law enforcement needs to explore how to better manage investigations and task forces involving multiple agencies and levels of government, especially in light of possible terrorist activity. Law enforcement should consider varying task force structures for different levels of government. A structure developed by, and appropriate for, federal agencies may not always be the best structure for local law enforcement. In addition, law enforcement needs to think about varying task force structures for different phases of investigations. One structure may be appropriate for an initial response, which is primarily a local function, and another structure may be more effective for investigative follow-up and management, which includes state and federal agencies.

LESSONS LEARNED

Determining the Task Force Leader

- Executives should clearly establish who is in charge, as well as the scope and nature of their authority, including which decisions they will make on their own and which decisions will require consultation with others. Executives should engage in candid and clear discussions as early as possible in an investigation about who is authorized to make decisions on behalf of the task force.

²¹ *The county executive is the elected chief administrative officer of the county, analogous to a city mayor.*

- Multi-agency task force leaders should always speak with one voice throughout the course of the investigation.

Coordinating Multiple Task Forces

- When possible, a task force coordinator should be used to facilitate communication, investigative management and information sharing among complementary efforts.
- At a minimum, task forces need to interact regularly and should exchange representatives.

Structuring a Task Force

- To assist the task force leader, the participants should establish criteria and be organized in a way that accounts for why particular agencies are involved and that defines their level of involvement.
- Recognizing the differences in agencies' involvement will facilitate effective leadership, communications and decision making, as well as enable the leaders to retain necessary control over the dissemination of information.
- The task force governing structure must be flexible enough to balance its many different priorities and adjust to the investigation's changing demands and conditions.
- The task force should also have a clear delineation of roles, responsibilities and duties for each agency.
- A unified command structure, such as that used in the Incident Command System, can be used as a model for consensus decision making.
- One approach to governing task forces is to establish an executive committee consisting of those law enforcement chief executives who had shootings in their jurisdictions (primary agencies). A second level would include those departments that bordered agencies with shootings, with a third tier for those agencies that want to provide assistance. Information sharing and other protocols could vary by task force level.
- Agencies that join the investigation need to work with the existing leadership structure in place at that time.
- When formulating communication and media protocols, executives participating in a shared leadership arrangement must balance

the needs of the entire investigation with the obligations of local executives to remain responsive to their own communities.

Being an Effective Task Force Leader

- Law enforcement needs to further identify and create training and education programs to teach executives the skills that will make them effective task force leaders.
- The key to effectiveness in complex cases is realizing that taking full control may not be possible. Rather, executives will need to create order out of chaos and keep their agencies flexible to adapt to changing developments.
- Task force leaders have to ensure that communication and meaningful information flow both into and out of the task force.
- Task force leaders must work to overcome participating agencies' perceptions of unequal or untimely information sharing.
- Neither task forces nor individual agencies should make decisions affecting other jurisdictions without involving them in the decision-making process.
- Task force leaders must balance the needs of individual agencies with those of the task force—even if that means relinquishing some control.

Working with Other Law Enforcement Executives

- Developing interagency relationships before a crisis is crucial to effective coordination, communication and resource sharing.
- Agencies must not be reticent about asking other agencies for help, resources and ideas. They must be prepared for the possibility that they will get more assistance than needed, sometimes even unsolicited.
- Because loaned personnel must have meaningful tasks to perform upon their arrival, when one agency asks another to loan personnel, the requesting agency should have a plan in place for the personnel when they arrive, and a clear organizational structure for managing them.
- During multi-agency events, law enforcement executives should develop and adhere to regularly scheduled briefings and engage in strategic assessments of the investigation's progress,

success and obstacles. This could include conference calls or face-to-face meetings to develop common tactics to share lessons learned with another agency.

- Executives should schedule conference calls with government leaders, school officials and other relevant stakeholder groups to keep them informed and involved in key decisions that will affect them.
- Scheduling conference calls and meetings requires a dedicated staff. This task cannot be performed ad hoc. It requires planning, commitment and follow-up. All conference calls should be on secure phones and measures should be taken to track who is on the phone at all times.
- Local law enforcement agencies need to determine the extent to which they can develop Memoranda of Understanding (MOUs) or mutual aid agreements with other agencies. Whenever possible, these agreements should be formed prior to a major incident or investigation.
- Executives should encourage regional or statewide law enforcement associations to engage in meaningful discussions about policies, practices, operations, plans, and mutual aid in the anticipation of a multijurisdictional incident. Agencies should work with these associations or create groups to identify resources in larger departments and special expertise in other agencies that could be of benefit.

Individual Agency Leadership: Defining Executive Roles and Responsibilities

- Executives must swiftly determine their roles and responsibilities and focus on addressing the following six immediate tasks:
 - Make order out of chaos
 - Remain flexible and help others to be adaptable
 - Focus on the entire agency
 - Let a competent workforce do its job
 - Provide personnel with the resources they need
 - Work with external stakeholders
- Executives must recognize that the investigation may become a long-term endeavor, especially in

the case of a high-profile crime when the agency responds to and investigates multiple incidents.

- Executives must make a concerted effort not to neglect the entire agency when focusing on the media, the investigation or any one aspect of the case. The executive should monitor, but not get involved in, the daily activities of the investigation and other key operations.
- Executives should use personnel to assume responsibilities, and may want to rely on an executive officer or trusted employee to serve as a sounding board and to address any concerns about his or her performance.
- Executives should pay attention to what is happening throughout the organization by soliciting comments from personnel in the agency, regardless of rank, and checking on the personal well-being of agency members. Executives should also ensure that those in supervisory positions do the same.
- Executives should push responsibilities down and give personnel the resources they need to do their job. This duty, however, does not end when suspects are arrested. For example, it is imperative to conduct after-action reports to see what worked and what did not, and to ensure that personnel get support for trauma or stress associated with the incident.
- Executives cannot forget their responsibilities to interact with and manage external stakeholders. Police chiefs must remain responsive to elected or appointed local leaders, the media and the community.
- Law enforcement executives should shield the workforce from external pressures and distractions, allowing a competent work force to concentrate on its responsibilities.

The Future of Task Forces

- Law enforcement should determine the appropriateness of different task force models for different levels of government (a federal model may not always be appropriate for state and local agencies), as well as different task force models for different phases of an investigation (initial response may be handled locally while investigative follow-up and management may combine local, state and federal resources).

Federal Law Enforcement Resources

INTRODUCTION

This chapter discusses how federal law enforcement agencies can assist local and state agencies in high-profile investigations, including these matters:

- Accessing federal resources
- Coordinating federal resources
- Understanding federal expertise
- Engaging the Critical Incident Response Group (CIRG)
- Working with the Critical Incident Management Response Team (CIMRT)
- Setting Up Joint Operations Centers (JOCs)
- Employing military assets

Because of the incredible array of federal resources, and because a number of the local agencies involved in the sniper case had never worked with federal agencies so extensively, law enforcement officials had a number of questions to consider during the investigation, such as the following:

- When do the FBI, ATF and other federal law enforcement agencies become involved in local criminal investigations?
- What is the role of these federal agencies and what resources would they bring?
- When does federal involvement in an investigation become federal control?
- What is a Joint Operations Center and how does a local agency implement one?
- What is the division of labor in a Joint Operations Center?

This chapter will answer these questions by describing the decisions and actions of law enforcement officials during the sniper investigation.

“We created a new corporation, complete with mergers and acquisitions.”

*Assistant Chief William O’Toole,
Montgomery County Police Department*

Background

Some local law enforcement agencies may simply lack the resources or means to fully conduct a high-profile investigation and/or manage the associated activities. In some cases this may be a reflection of the size or function of a local agency—it may simply not have enough personnel, or personnel with the right expertise. Jurisdictions that are not located in such resource-rich regions as MCPD and other D.C.-area agencies will not necessarily have access to as many federal and other law enforcement assets. Even for agencies with hundreds of personnel and seasoned investigators, local agencies may find they are somehow hindered from conducting a comprehensive investigation. For example,

- local agencies face significant obstacles to conducting investigative or law enforcement operations outside their jurisdiction. Federal agencies can help simply because they have a national network of field offices throughout the country that can assist with communication or coordi-

- nation, or apply federal laws and different procedures to aid a criminal investigation (e.g., obtaining search warrants in another state);
- local agencies may lack a mechanism for searching for and identifying criminal information and intelligence outside their jurisdiction that can help them with their case; and
 - local agencies sometimes lack specialized expertise or resources (e.g., forensic laboratories or electronic surveillance equipment) that can be crucial to an effective investigation.

“Our role is to support the local agency’s homicide investigation.”

SAC Michael Bouchard, ATF

Each federal agency possesses its own unique set of responsibilities and expertise. This was made abundantly clear during the sniper case when federal law enforcement responded in force and provided a variety of assistance to local agencies. Indeed, some of the federal resources seemingly appeared out of nowhere, without ever being solicited. The following agencies participated in some aspect of the operation:²²

- The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- The Drug Enforcement Agency (DEA)
- The Federal Bureau of Investigation (FBI)
- The Federal Protective Service (FPS)
- The Immigration and Naturalization Service (INS)
- The U.S. Capitol Police
- The U.S. Customs Service (USCS)
- The U.S. Marshals Service (USMS)
- The U.S. Park Police
- The U.S. Postal Inspectors
- The U.S. Secret Service (USSS)

In addition, the U.S. Department of Defense provided technology and equipment for surveillance operations. Local law enforcement must understand how to access and when to employ these available resources. These issues are addressed in the following section.

ACCESSING FEDERAL RESOURCES

Police chiefs, sheriffs and investigators in the sniper case spoke in grateful terms of how the resources and expertise provided by federal agencies contributed to a successful conclusion of the investigation. However, not everyone at the local level had a clear understanding of the role of federal agencies. The FBI obviously has protocols for its own investigations, but local officials were not clear about whether similar protocols applied when federal agencies assist local law enforcement. After the investigation, local executives recommended that federal agencies delineate and disseminate their protocols for providing assistance in high-profile, complex or multi-agency investigations.

“I learned a long time ago that relationships—both professional and personal—are the key to building trust. When the sniper incident hit we had already established close working relationships built on personal trust so it was easy to know what each of our resources and strengths were and what we could all contribute. It made all the difference.”

*Assistant Director In Charge Van Harp,
FBI Washington Field Office*

A number of federal law enforcement agencies participated in the sniper investigation. They came to be a part of the investigation because of their commitment and unique expertise to assist other law enforcement agencies.

ATF was one of the three lead agencies. Its role did not end there, however, as it provided hundreds of

²² Since the conclusion of the sniper investigation, the enforcement arm of the INS was transferred from the U.S. Department of Justice to the U.S. Department of Homeland Security (DHS) and renamed the Bureau of Immigration and Customs Enforcement (ICE). Readers should note that several other agencies have also been transferred to DHS.

agents who worked investigative leads with local law enforcement officers, formed tactical teams that handled high-risk calls for service, conducted surveillance, assisted with suspect negotiations and filled key roles in the organization and running of the JOC. ATF's expertise in conducting the majority of the fingerprint analyses of all firearms-related evidence, as well as trajectory analysis, was crucial, ultimately linking the projectiles fired by the snipers. ATF provided ballistics and explosive-detecting canines and other resources for identifying and collecting evidence.

The be-on-the-lookout (BOLO) alerts for the snipers were based on a federal firearms warrant. Muhammad was prohibited under law from possessing a firearm because of a previous domestic violence complaint in Washington State, and Malvo was sought as a federal material witness. When these warrants were obtained, sufficient probable cause did not yet exist for state murder warrants.

Like other federal agencies, the U.S. Secret Service assigned agents to track investigative leads. Agents also lent their unique expertise in the areas of dignitary protection and site security, assuming many of the responsibilities for protecting participants in the outdoor press briefings, issuing credentials to the hundreds of media representatives as well as to the law enforcement personnel with access to the JOC. Finally, the Secret Service processed and analyzed the notes left by the snipers at the shooting scenes, using handwriting, paper and ink analysis to link the different notes left by the snipers.

The U.S. Marshals Service provided investigative resources consistent with its mission of tracking and apprehending fugitives. Agents were assigned to work with local law enforcement officers in tactical teams that responded to calls for service in high-risk areas, such as in Prince William County. The Marshals Service relied on its extensive access to criminal and public records to obtain photographs of the snipers. In addition, the marshals used their sophisticated electronic and telephone surveillance resources to help track the location of telephone calls made by the snipers.

Other federal agencies contributed investigators, such as the DEA and the INS. And, while their overall contribution may not have been on the same scale as other agencies, their resources and expertise played crucial roles in solving the case, such as the identification of suspect Malvo through a fingerprint taken by the INS almost a year before the shootings. The task force was also grateful for the significant contributions of the U.S. Customs Service, Federal Protective Service, U.S. Capitol Police, U.S. Park Police, U.S. Postal Inspectors and others.

Local, state and federal officials agreed that more work is needed to ease the integration of federal agencies and resources into ongoing investigations. This is especially true because of the changing nature of cases and the varying arrangement of federal, state and local resources required for response and investigation. In the sniper case, Montgomery County Police Chief Charles Moose formally requested assistance from the U.S. Department of Justice through Title VII, Section 701—the “Serial Killing Law.”²³ Prior to this investigation, Chief Moose was unaware of the statute and its ramifications. Chief Moose's letter of request led to investigative resources from the FBI and prosecutorial assistance from the U.S. Attorneys Office (see Appendices D and E for the serial sniper law and the letter of request). Local executives need to improve their understanding of federal resources and how to access that assistance. This is especially true in light of the threat of terrorism.

Chief Moose was challenged to balance the need for assistance from the FBI and other federal agencies against the need to keep control of the investigation. Before asking for federal help, he

²³ *The Bureau of Justice Statistics defines a serial killing as: "[involving] the killing of several victims in three or more separate events. This definition is especially close to that of a spree killer, and perhaps the primary difference between the two is that a serial killer tends to 'lure' victims to their death; whereas, a spree killer tends to go 'hunting.'" At the time of this writing, these definitions could be found at http://www.wordiq.com/cgi-bin/knowledge/lookup.cgi?title=Serial_killer.*

consulted with his assistant chiefs and investigative managers—all agreed that the size and complexity of the case warranted federal assistance. Other chiefs interviewed for this project stated that they did not see a request for federal assistance as relinquishing control, but also said their comfort working with federal authorities was a function of long-standing relationships with them. If faced with a similar multijurisdictional case, law enforcement executives will wrestle with determining the best timing for requesting outside assistance. If the request comes too late, the chiefs may look like they cannot succeed. If they ask too early, they look like they do not have faith in the skills of their own people to handle the case. It is a delicate balancing act.

“Ask for federal assistance early in the investigation. If you ask too late you look like a failure.”

*Chief Charles Moose,
Montgomery County Police Department*

If the sniper case had been identified as a terrorist act,²⁴ the complexion of the entire case would have changed. The relationships between local agencies and the FBI would have been very different. For example, the FBI would have assumed control of the investigation, just as it would for any terrorist act. Federal intelligence agencies would have become involved, which would have dramatically affected the dynamic for exchanging information between federal and local agencies. Classified information would have been exchanged with local and state law enforcement officials consistent with security clearances and the need-to-know doctrine. Clearly, some of the working relationships in the sniper case stood out as a study for symmetrical relationships and sharing of investigative information—a study that could also be applied to a terrorist investigation.

“Unless the legal authority rests with the federal government, the role of federal law enforcement is to complement local law enforcement and not compete with it.”

SAC Michael Stenger, U.S. Secret Service

If a sniper case scenario were to happen elsewhere, it could also have dramatic effects on the relationships among law enforcement agencies. Accordingly, local, state and federal agencies need a plan for determining responsibilities, integrating resources and sharing information in a variety of possible scenarios.

COORDINATING FEDERAL RESOURCES

In the sniper case, local agencies were inundated with resources from neighboring jurisdictions and state authorities. Similarly, federal resources often arrived in abundance—sometimes in overabundance. To a certain degree, when it came to federal resources, local agencies faced a conundrum. They wanted the assistance federal agencies could provide, but they did not always have the resources to manage those assets.

Not only did local executives and managers need to coordinate the many different federal resources, but they sometimes had to deal with the fallout of disagreements among federal agencies. Local and state agencies learned that, much like local and state law enforcement, federal agencies operate independently. Local officials interviewed about the sniper case said federal law enforcement agencies need to give more thought to how they should coordinate with each other to best help local agencies.

²⁴ *At the time of the investigation, federal law enforcement officials determined that the crimes did not rise to the level of terrorism as defined in 28 C.F.R. Section 0.85 (see Chapter One for additional discussion of this issue). The suspects were charged and prosecuted as terrorists, however, under a State of Virginia law enacted after September 11, 2001, addressing acts of terrorism.*

“The level of trust between agencies and individuals affects coordination. Prior history and relationships on other cases allowed for the seamless integration of agency resources.”

SAC Don Thompson, FBI

Local agencies need to plan for how they will manage the large number of investigators that could arrive from the FBI, ATF, U.S. Secret Service and Marshals Service. In Prince William County alone, almost 50 marshals from around the country arrived within two days of a request by Chief Charlie Deane. Many officials at all levels of government suggested that multiple federal law enforcement agencies should be placed under the leadership of one federal agency or person during these complex investigations. This would facilitate coordination and control, especially for the lead local agency. Determining which federal agency would lead could be difficult, but it need not be the same federal agency every time. Rather, the type of case, the extent of initial federal involvement and even pre-existing relationships between a local and federal agency could determine which federal agency takes the lead. To the extent possible, at least an informal understanding among federal agencies on this subject should be developed well before the inception of any such investigation.

UNDERSTANDING FEDERAL EXPERTISE

Forensics

One area in which federal law enforcement can provide valuable expertise is forensics. Federal agencies often have the country’s best experts and facilities, but their forensic expertise may be in specific specialty areas. They also may have different approaches to, and protocols for, managing crime scenes and collecting evidence, as well as very different capabilities in their laboratories. In the sniper case, the Montgomery County Police Department had to learn about the different federal agency capabilities, and then work with those federal agencies to develop evidence collection and

analysis protocol (learning points of contact, chain of evidence protocols, etc.). As mentioned earlier, the following agencies handled specific forensic responsibilities:

- ATF processed and analyzed ballistics and firearms
- FBI processed and analyzed DNA; hairs and fibers; trace evidence; fingerprints; audio and video enhancements; as well as conducted computer forensics examinations and financial forensic analysis
- Secret Service processed and analyzed handwriting, paper and ink

External forensic expertise should be brought—as it was in the sniper case—into an investigation as soon as possible to ensure that the proper evidence is collected, analyzed and shared. For instance, the Montgomery County Police Department did not have a firearms analysis unit capable of conducting projectile and shell casing analyses. The department had several options for obtaining this analysis, including the Maryland State Police or a local agency with the necessary expertise. Yet, the department turned to the ATF because of its expertise and because of familiarity—one of its two national laboratories was within two miles of MCPD headquarters.

Federally Deputizing Local and State Officers

During task force investigations involving federal, state and local agencies, it may be necessary to federally deputize non-federal officers. Deputized status allows non-federal officers to participate in federal law enforcement efforts, including serving search warrants and making arrests. The status also provides officers and agencies with legal protections.

Any federal law enforcement agency can request the authority to provide federal deputy status from the U.S. Marshals Service (U.S. Code, Title 28, Section 566(c)). The following matters should be considered when seeking deputy status for local law enforcement officers:

- A federal law enforcement agency must sponsor the officer.

- The U.S. Marshals Service has to receive a letter from the sponsoring federal agency requesting deputization.
- U.S. Marshals Service personnel have to personally swear in the officer(s).
- Length of term of service would normally not exceed one year or the completion of the pertinent investigation.
- With appropriate documentation and concurrence, deputization can be accomplished within 24 hours.

ENGAGING THE CRITICAL INCIDENT RESPONSE GROUP (CIRG)

The FBI's Critical Incident Response Group (CIRG) facilitates the Bureau's rapid response to, and management of, crisis incidents. CIRG was established in 1994 to integrate tactical and investigative resources and expertise for critical incidents that require an immediate law enforcement response. Located in Quantico, Virginia, CIRG can deploy investigative specialists to respond to terrorist activities, hostage takings, child abductions and other high-risk, repetitive, violent crimes. Other major incidents CIRG may respond to include prison riots, bombings, airplane and train crashes, and natural disasters.²⁵

CIRG has three major branches: Operations Support, Tactical Support and The National Center for the Analysis of Violent Crime. Each branch provides distinct operational assistance and training to FBI field offices as well as state, local and international law enforcement agencies. CIRG personnel are on call around the clock, seven days a week, to respond to crisis incidents. Listed below are some of the units that might provide valuable assistance to state and local law enforcement during a high-profile investigation or critical incident.²⁶

Operations Support Branch

- The **Crisis Negotiation Unit (CNU)** maintains an around-the-clock, immediate operational response capability to conduct and manage on-scene negotiations during any significant crisis in which the FBI is involved. CNU negotiators also routinely provide telephonic assistance to both FBI field negotiators and domestic police negotiators during crisis

situations. The FBI has approximately 340 crisis negotiators in the 56 field offices. The CNU is responsible for managing these assets and providing whatever training and equipment is necessary for the field office negotiators to successfully resolve crisis situations.²⁷

- The mission of the **Crisis Management Unit (CMU)** is to operationally support FBI headquarters and field entities during critical incidents or major investigations by establishing Joint Operations Centers. The CMU also conducts crisis management training and related activities for the FBI, and other international, federal, state and local agencies or departments. In support of this mission, the CMU conducts several regional field-training exercises each year. Each exercise involves multiple field offices and hundreds of employees.
- The **Rapid Deployment Logistics Unit (RDLU)** is responsible for the coordination of all Rapid Start Information Management System (RSIMS) matters in support of major investigations and operations. This system is designed to provide law enforcement personnel with the capability to manage large volumes of investigative leads in major cases and crisis incidents. It allows the user to build a case-specific database and track leads into a variety of reports. The RDLU manages a cadre of RSIMS data loaders, Rapid Start specialists and systems facilitators for the CIRG to augment offices during crisis incidents, major training exercises and special events.

²⁵ The ATF Critical Incident Management Response Team (CIMRT) has similar types of assets that were deployed during the sniper case.

²⁶ These descriptions of FBI resources are adapted from material found on the FBI's website at www.FBI.gov.

²⁷ According to ATF, the Negotiations Operations Center (NOC) located in the JOC was staffed by a combination of FBI, ATF and MCPD personnel. The ATF Crisis Negotiation Unit's CIMRT representatives, as well as ATF crisis negotiators from the field, provided an ATF presence in the NOC. There was an orderly division of labor and all three entities provided necessary personnel and expertise during all shifts.

Tactical Support Branch

- The **Hostage Rescue Team (HRT)** is a full-time, national-level tactical team, headquartered in Quantico, Virginia. The mission of the HRT is to be prepared to deploy to any location in the nation within four hours of notification by the Director of the FBI or his designated representative, and conduct a successful rescue of U.S. persons and others who may be held illegally by a hostile force, be it terrorist or criminal in nature. The HRT is also prepared to deploy to any location and to perform other law enforcement activities as directed by appropriate authorities.

National Center for the Analysis of Violent Crime (NCAVC)²⁸

- The mission of the **Behavioral Analysis Unit (BAU)** is to provide behavioral-based investigative and operational support by applying case experience, research and training to complex and time-sensitive crimes, typically involving acts or threats of violence. The BAU receives requests for services from federal, state, local and international law enforcement agencies. BAU services are provided for on-site case consultations, telephone conference calls, and/or consultations held at the BAU with case investigators.

BAU also provides assistance to law enforcement through “criminal investigative analysis,” a process of reviewing crimes from behavioral and investigative perspectives. BAU staff—commonly called profilers—assess the criminal act, interpret offender behavior and/or interact with the victim for the purposes of providing crime analysis, investigative suggestions, profiles of unknown offenders, threat analysis, critical incident analysis, interview strategies, major case management, search warrant assistance, prosecution and trial strategies, and expert testimony.

- The **Child Abduction and Serial Murder Investigative Resources Center (CASMIRC)** provides investigative support by coordinating and providing federal law enforcement

resources and training. It applies other multidisciplinary expertise, and assists federal, state and local authorities in cases involving child abductions, mysterious disappearances of children, child homicide and serial murder across the country. Along with establishing a national database and training programs, CASMIRC can coordinate the investigation of major or violent crimes with federal, state and local authorities by providing on-site consultation and advice.

- The **Violent Criminal Apprehension Program’s (VICAP’s)** mission is to facilitate cooperation, communication and coordination among law enforcement agencies and provide support in their efforts to investigate, identify, track, apprehend and prosecute violent serial offenders. VICAP is a nationwide data information center designed to collect, collate and analyze crimes of violence—specifically murder (additional information on VICAP is in Chapter Five).

Behavioral Sciences²⁹

Although FBI profilers and negotiators work in CIRG, they can take different approaches to communicating with suspects during an investigation or a hostage/barricade incident. For some cases, profilers’ and negotiators’ approaches may be the same, but for many others they will pursue divergent strategies. As one federal manager said, “negotiators want to engage the suspects, and profilers want to determine the suspects’ next move.” It is important for local law enforcement to understand these differences and how they can affect decision making. For example, when advising the leadership on how to communicate with the shooters, negotiators may stress a firm approach with the suspects, and even suggest language that could be considered confrontational. Profilers, however, may encourage the use of low-key language that would suggest to the shooters that the

²⁸ Two ATF profilers have been assigned to this unit.

²⁹ At the time of this writing, information on the FBI’s Behavioral Science Unit could be found at <http://www.fbi.gov/hq/td/academy/bsu/bsu.htm>.

leadership is approachable and willing to talk things through. These different strategies may not hold true in every case, but law enforcement leaders must realize they may receive conflicting advice from profilers and negotiators.

WORKING WITH THE CRITICAL INCIDENT MANAGEMENT RESPONSE TEAM (CIMRT)

In 1995, the ATF took measures to enhance its capabilities and readiness regarding critical incidents, both proactive and reactive. After much research and development, the ATF established a Critical Incident Management Systems (CIMS) Program to train a broad spectrum of ATF personnel in crisis management and critical incident resolution.

The Special Operations Training Branch, Career Development Division, Office of Training and Professional Development developed a long-range crisis management training program, which was instituted in 1998. The training consisted of both classroom instruction and practical exercises, all of which provided employees with a sound foundation for establishing and maintaining Critical Incident Command Post operations, whether in an ATF-specific environment or as part of a JOC. Additionally, a Critical Incident Management Response Team (CIMRT) consisting of specially trained Headquarters personnel was established. This team, consisting of personnel from the ATF Training Division and Special Operations Division, is available to respond to the field and assist in command post operations as well as tactical responses during critical incidents. Command post operations specialists as well as Special Response Team personnel (including a crisis negotiations and medic component) are available.

The ATF Critical Incident Management System has been implemented on numerous occasions since its inception. The ATF response to the attacks of September 11, 2001 provided ATF entities throughout the country with a coordinated and proactive response to this catastrophic event.

SETTING UP JOINT OPERATIONS CENTERS

Location and Facility

The FBI and ATF were responsible for establishing a Joint Operations Center in Montgomery County to better coordinate the law enforcement efforts during the sniper case. Logistical support was provided by the Montgomery County Police Department. In Richmond, the FBI and ATF established JOCs, and in Spotsylvania County a task force was re-established that previously investigated a serial homicide case.

By October 4 (Day 3), hundreds of investigators were assigned to the sniper case, operating out of the Montgomery County Police Department Major Crimes Division on the first floor of headquarters. Constrained by space for equipment and personnel, Incident Command decided that it was essential to establish a JOC suitable for managing such a complex case. In order to accomplish this task, the leadership determined that members of the FBI's Critical Incident Response Group from Quantico and those of the Critical Incident Management Response Team from ATF Headquarters would coordinate the establishment and maintenance of a JOC. In part, this decision was based on the FBI's previous experiences in Oklahoma City in 1995 and the Pentagon on September 11. It should be noted that the MCPD representatives associated with the Operations Group were initially unfamiliar with the JOC concept as envisioned by the CIRG and CIMRT personnel. However, federal personnel stressed that the MCPD's decision to include innovative and experienced middle managers among the Operations Group allowed them to become full and essential participants in the Operations Group activities.

This JOC was meant to provide more suitable space for the current group of investigators, and to accommodate the influx of command staff, patrol officers, investigators and equipment that would still arrive. Unfortunately, the MCPD lacked a facility with the necessary space for a JOC.

“The JOC was built without our full understanding of what it was. We had never been trained in how to establish or operate a JOC for a case of this magnitude.”

*Chief Charles Moose,
Montgomery County Police Department*

MCPD personnel were able to secure vacant office space adjacent to their headquarters. Once the space was leased, members of CIRG and CIMRT set about designing and constructing the JOC. Encompassing an open space of some 5,000 square feet on three levels, the building was divided into different workspaces. This task was accomplished in just over 24 hours. An integrated team of CIRG and CIMRT, along with personnel from MCPD, formed the JOC Operations Group. Working in shifts, this group maintained the operational integrity of the JOC through the duration of the critical incident.

The FBI agreed to pay for the building rental, tables and equipment, including projection screens, fax machines and telephones.³⁰ Miles of telephone line and computer cable were strung from the ceilings. Nextel donated cell phones with walkie-talkie functions. The FBI and ATF contributed substantial resources and equipment for the JOC. The MCPD made use of 800 MHz radios already purchased that were still in the box, pending training of personnel. Other computers and radios were taken from the MCPD’s inventories and added to the JOC. The ATF provided a server that held all of the data collected from the case and acquired a satellite television system to monitor media coverage. In just four days, the Sniper Task Force went from cramped hallways to a relatively spacious office building. Within just one week, however, the task force realized that even 5,000 square feet was not enough space.³¹

As mentioned earlier, on Day 3 the Spotsylvania County Sheriff’s Office and the FBI reconvened their recently disbanded Silva-Lisk serial murder task force in the FBI’s Fredericksburg Resident

Office using the FBI’s Rapid Start lead management system as the centerpiece. This Spotsylvania County task force then coordinated the investigation of the two sniper shootings in that jurisdiction.

On October 19 (Day 18), the central Virginia executives and the FBI set up a JOC in the FBI’s Richmond Field Office. This newly constructed building was centrally located, familiar to the users, and had ample space for conference rooms and executive meeting rooms, which facilitated the implementation of Rapid Start.

In each of these locations, the ability to gather personnel from different agencies in one space was critical to the effectiveness of the task forces, according to officials who worked in them.

“Federal resources were forthcoming without delay or questions.”

*Chief Carl Baker,
Chesterfield County Police Department*

Ideally, a JOC would be established after the initial critical incident is over and would be used to help support the investigation. Because the Montgomery County JOC was established in the midst of the event, not everything went as smoothly as it might have. Many individuals, especially those in local agencies with no experience in a JOC, went through a rigorous on-the-job-training program in command center management.

To help aid in the management of command centers, whether they are JOCs or local structures, local law enforcement must identify ways to

³⁰ *Federal agencies may not always be able to provide the resources provided in the sniper case for all complex, multi-jurisdictional investigations.*

³¹ *For information on how to construct an Incident Command Center, see Shores, Lisa. (forthcoming). Planning an Incident Command Center: The Value of Cross-Agency Comparisons, An example from the Charlotte-Mecklenburg (NC) Police Department, Prepared for the Department of Homeland Security, Office of Domestic Preparedness.*

develop training for command post managers, including functional organization, responsibilities of key personnel, room and space requirements and more.

Every agency executive should ask where and how a JOC should be established if such a need arises, and develop a plan for quickly operating the facility. Having to begin the planning process in the middle of an active investigation wastes valuable time that could be better spent focusing on the investigation than on building the infrastructure.

Agencies need to be able to identify a minimum of 5,000 square feet of space for an effective command post. Having one primary and several secondary sites is preferable. Facilities such as high school gymnasiums, community centers, National Guard armories, theaters, firehouses, or even a parking garage are possibilities. To the extent possible, the space should allow all the participants to be visible to each other, but should also include a number of private rooms for meetings.

When choosing potential sites, agencies should conduct a security survey of the facility and surrounding areas to assess the ease in which unauthorized personnel or the press could enter. Agencies need to have, or develop, a plan for site security, including access and identification credentials for such individuals as investigators, support staff and media. The Secret Service and ATF provided this function for the Montgomery County task force.

Prior to an incident, agencies should develop plans that consider how they will obtain resources necessary to operate a command center. Agencies should acquire, or know where to acquire, critical resources such as phone lines, computers, generators, tables, flip charts, chalk boards, paper, pens, food and beverages.

Managing Human Resources

The JOC was the second level of management, directly below the three executives who led the task force. An Operations Group ran the JOC on a daily basis. Like the three executives who led the task

force, the JOC operations group consisted of three individuals, one each from the MCPD, FBI and ATF. These individuals worked together, using a consensus model of decision making. To assist them in assigning work, the space in the JOC was divided according to function (see Appendix F for a floor plan template), and included a number of tables and desks arranged by focus. The primary functions in this JOC were the following:

- Intelligence
- Investigations
- Logistics
- Evidence
- Liaison
- Rapid Start
- Crime Analysis
- Tactical
- Negotiations
- Legal Team
- Command

Several hundred law enforcement personnel operated out of the Montgomery County JOC. Few of them had ever worked together before, and an even smaller number had ever worked in a JOC. Those who were responsible for creating order in the JOC pointed to the need to establish a division of labor and to staff all positions adequately.

A division of labor, based on functional responsibilities, is crucial to effective command post management. Individuals who will assume key responsibilities need to be assigned full time to the JOC and relieved of their routine responsibilities. Leaders have to ensure that no one person is taking on too much responsibility or stretching him- or herself too thin. To help with this, primary, secondary and relief positions are necessary for supervisory and coordinating functions.

Those working in the JOC need regular breaks to guard against burnout. It is imperative that people be sent home for rest, sleep, food and days off. All shifts should be fully staffed and provided a relief factor. Supervisors should remain on the same shift to ensure consistency with personnel. When changing shifts in the command center, managers

must ensure that the outgoing shift briefs the incoming shift. These briefings are paramount and must be held regardless of what else is occurring.

Liaisons or representatives from participating agencies stationed at the command center need to be at least middle managers, capable of making decisions for their agencies. This is especially true once an agency has initiated an investigation. Conversely, command center leaders must welcome all liaisons from those agencies with incidents and include them in briefings and decision making.

Whenever agencies send investigators to a command center they must also send an appropriate number of supervisors to accompany them, preferably adhering to ratios currently used by their agency. These visiting supervisors should have a point of contact in the host agency, presumably a supervisor of equal or greater rank.

Security and Logistics

Those interviewed for the project identified a number of helpful considerations when establishing or managing a command post. Though not exhaustive, this list provides a range of helpful suggestions that can guide others undertaking a JOC:

- The command post should not be in a facility used for normal resident walk-in business, such as obtaining traffic crash reports.
- A controlled front gate and badge system are needed to allow access into parking facilities.
- Limit access to only those individuals required to be in the command post.
- Set up a separate staging area and room for officers who will work surveillance and operational details.
- Designate a space that investigators can use to convene by themselves to review and discuss leads.
- Limit phones and radios in rooms during briefings as phones can be used as listening devices. This will limit distractions and opportunities for leaks.
- Compile a phone book of key people in the command post.

- Catered foods are essential for staff, but keep them out of the central command post. This helps staff take breaks away from their desks and keeps work areas clean.
- Wait a few days after the end of an event to break down the command post, just in case it has to go back into operation.

EMPLOYING MILITARY ASSETS

The unusual nature of the sniper case led to the involvement of unique federal resources—assets designed for military missions. The U.S. Army's RC-7 Airborne Reconnaissance Low Aircraft were used to provide aerial surveillance with night vision capabilities in an attempt to detect muzzle flashes from guns. The decision to use the military in a criminal case was highly unusual, notably because of the separations required by the Posse Comitatus Act that prohibits the military from performing civilian law enforcement functions. The separation was maintained in the sniper case by stationing law enforcement personnel in the aircraft to conduct analyses of surveillance results and make decisions about subsequent law enforcement operations. The request for the equipment came from the task force leadership through the FBI, and was authorized by Secretary of Defense Donald Rumsfeld.

CONCLUSION

Local and state law enforcement agencies need to be aware of available federal resources and how to access them. Agencies also need to consider how command centers should be managed and how they will function in the overall investigation. Implementing a large command post, like a JOC, will be a new experience for many law enforcement agencies. The command post may not be a usual part of how the organization does business, and it will pose challenges and demands never before encountered. One manager posed the question, "Does creating a JOC create the perception that the JOC is the most important element in the investigation?" In much the same way that an executive can spend too much time on one aspect of the investigation, agencies can become fixated on the centrality of the command post. An FBI official charged with establishing and managing a JOC

stated that the function of the JOC is to “manage, support and coordinate, but not take over the investigation.”

LESSONS LEARNED

Accessing Federal Resources

- Federal law enforcement resources can augment those of local and state agencies, especially in multijurisdictional investigations, without having to take control of the investigation.
- Local, state and federal law enforcement officials should work to develop a better understanding of how federal resources can assist state and local agencies. Federal agencies can help by delineating and disseminating their protocols for providing assistance in high-profile, complex, or multi-agency investigations. Federal officials must explain their responsibilities in the event a local crime is judged to be a terrorist act. Federal and local officials may need to consider a seminar for local executives on the Serial Killing Law and other federal resources.

Coordinating Federal Resources

- Federal law enforcement agencies need to coordinate their own responses when assisting local or state agencies. State and local law enforcement felt that federal agencies should consider being under the leadership of one agency or person during these complex investigations.
- To facilitate coordination and control, local agencies need to incorporate into their pre-planning how they will manage the large number of investigators that could arrive from the FBI, ATF, U.S. Secret Service, U.S. Marshals Service, other federal agencies, state law enforcement agencies and other local jurisdictions.
- Local, state and federal officials should meet during non-stress times to develop both informal and formal working relationships.

Understanding Federal Expertise

- The FBI, ATF, DEA and Secret Service, as well as other federal law enforcement agencies,

have specialized forensic abilities. Local law enforcement should understand these areas of expertise and draw upon those that match their forensic needs.

- The U.S. Marshal’s Service has the legal authority to federally deputize local and state law enforcement officers.
- Other federal agencies can also request that local law enforcement be deputized to assist in serving warrants outside the jurisdiction or state, making arrests and more.

Engaging the Critical Incident Response Group

- The FBI’s Critical Incident Response Group (CIRG) facilitates the Bureau’s rapid response to, and the management of, crisis incidents. CIRG integrates tactical and investigative resources and expertise for critical incidents that demand an immediate law enforcement response. CIRG assistance can be requested through FBI Field Offices’ Special Agents in Charge.

Working with the Critical Incident Management Response Team (CIMRT)

- State and local law enforcement should be aware of the resources that the ATF’s CIMRT can contribute to a multijurisdictional investigation. Personnel on this team have been trained in crisis management, critical incident resolution and joint operations.

Setting Up Joint Operations Centers (JOCs) and Command Centers

- Local agencies need to consider how command centers should be managed, and how they should function in the overall investigation. Implementing a large command post, like a JOC, may be a new experience for many law enforcement agencies. Command posts may not be a part of how the organization normally conducts business, and they will pose challenges and demands never before encountered.
- Local law enforcement should develop or obtain training in managing command posts, including the federal JOC, with particular emphasis on functional organization, responsi-

- bilities of key personnel, room and space requirements, and other basic decision making.
- Local and state agencies should identify a minimum of 5,000 square feet of space for an effective command post. One primary and several secondary sites are preferable and these may include high school gymnasiums, community centers, National Guard armories, theaters and even parking garages.
 - To the extent possible, the space should allow all of the participants to be visible to each other, but should also include a number of breakout rooms for meetings as well as staging areas for officers working surveillance and operational details.
 - Identify any security concerns for the facility and the surrounding areas. Agencies should develop a plan for site security, access and credentials for people who will be on site.
 - Prior to an incident, agencies should engage in a planning process that considers how they will obtain resources necessary to operate a command center. Agencies should be prepared to acquire critical resources such as phone lines, computers, generators, tables, flip charts, chalk boards, paper, pens, food and beverages.
 - A division of labor ensuring that no one person is taking on too much responsibility should be set in place with the requisite primary, secondary and relief positions necessary for supervisory and coordinating functions.
 - A full-time staff for the JOC should be set up with officers receiving regular breaks, time for rest, sleep, food and days off to help guard against burn-out.
 - Supervisors should remain on the same shift as investigators to ensure consistency.
 - When changing shifts in the command center, ensure that the outgoing shift briefs the incoming shift no matter what is happening.
 - Representatives from participating law enforcement agencies must be included in briefings and decision-making meetings.
 - When participating agencies detail investigators to a command center, they must also send the appropriate number of supervisors to ensure adequate staffing.

Employing Military Assets

- U.S. military assets can provide law enforcement with sophisticated technology, but can only be used in accordance with the Posse Comitatus Act.

Managing Investigations

INTRODUCTION

This chapter focuses primarily on the experiences and lessons learned from the ways investigative resources were organized and how the investigations were managed during the sniper case. The following topics will be covered:

- Defining the roles and responsibilities of investigative personnel
- Controlling and coordinating investigative resources
- Securing and processing the crime scene
- Managing leads
- Integrating the role of prosecutors

This chapter does not discuss evidentiary matters or assess investigative personnel’s decisions or actions. Rather, it identifies organizational and procedural challenges that law enforcement agencies will encounter when conducting an investigation of a highly visible crime or when partnering with other agencies to conduct combined investigations. It attempts to address some of the challenges that investigative personnel encountered during the three-week sniper spree:

- How should agencies manage a complex criminal investigation?
- How can officials focus on the investigation in the face of significant distractions?
- What are the roles and responsibilities for investigators, managers and executives in complex investigations?
- How can managers coordinate investigative resources?

- What should the size of the crime scene be?
- What are the obstacles to effectively managing crime scenes?
- How should investigative managers assign and track leads?

For the sniper case investigative personnel, these questions were not always anticipated or easily answered. For example, regarding the size of the crime scene, Prince William County Police Department officials had the foresight to pre-plan for an unusually large crime scene in the event of a sniper shooting in their jurisdiction. Despite their best efforts to predetermine an appropriate perimeter, officials were forced to increase the size of the crime scene once a shooting occurred.

“Whatever the size of the crime scene, double it.”

*Chief Charlie Deane,
Prince William County Police Department*

In another example, Fairfax County Police Department officials, who also engaged in careful planning for a potential shooting, never expected several hundred law enforcement officers (many of whom were federal agents) to show up at their crime scene. As with other efforts in this case, too many local, state and federal personnel acted independently, believing their presence would make or break the investigation. So, while Fairfax County officials had planned for a big turnout of law enforcement personnel, they did not anticipate

having to assign extra patrol officers to manage all those who showed up at the scene.

“When I arrived at the Home Depot crime scene, I looked at the parking lot and saw in excess of 200 law enforcement personnel and thought, this is going to be a challenge.”

*Chief Thomas Manger,
Fairfax County Police Department*

Based on the sniper case experiences, as well as the opportunity for law enforcement officials to retrospectively evaluate what worked and what did not, it is possible to extract lessons for other agencies to consider when investigating a high-profile crime. Of course, a complete appreciation of the challenges of such an investigation needs to be considered in conjunction with other aspects of agency or task force operations, such as leadership and task force governance (Chapter Two) and information management (Chapter Five).

Background

The following timeline shows the sequence of shootings in the jurisdiction in which they occurred.

- Day 1: one homicide in Montgomery County.
- Day 2: four homicides in Montgomery County.
- Day 2: one homicide in Washington, D.C.
- Day 3: one critical shooting in Spotsylvania County.
- Day 6: one critical shooting in Prince George’s County.
- Day 8: one homicide in Prince William County.
- Day 10: one homicide in Spotsylvania County.
- Day 13: one homicide in Fairfax County.
- Day 18: one critical shooting in Hanover County.
- Day 21: one homicide in Montgomery County.
- Day 23: two suspects arrested in Frederick County.

Seven agencies had to investigate a shooting or homicide in their own jurisdiction. Consistent

with existing protocols, each agency conducted its own investigation, but coordinated that investigation with the Montgomery County Task Force. These agencies sent information to and received information from this task force. Not every agency sent or received all information about their investigation, but selectively sent information according to their assessment of whether it would benefit the greater task force investigation. In an effort to enhance coordination, Montgomery County task force-based FBI, ATF and local investigators were assigned to each shooting regardless of location to review evidence and investigative results.

DEFINING THE ROLES AND RESPONSIBILITIES OF INVESTIGATIVE PERSONNEL

One of the striking differences in high-profile investigations like the sniper case is that the investigations were conducted in a “top-down manner.” Virtually every other law enforcement investigation, including homicides and other serious crimes, are “bottom-up”—that is, a detective has primary responsibility for conducting the investigation, making many of the decisions regarding collecting and analyzing evidence, managing leads and interviewing witnesses and suspects. In top-down investigations, law enforcement executives and managers primarily control the investigation. The best method will reflect a balancing of the two approaches—with executives providing leadership support and resources to the investigators who specialize in this work every day.

Investigators

Because it is so radically different from standard procedures, the top-down approach can create significant confusion in the management of the investigation. In particular, this approach plays havoc with the roles and responsibilities of key individuals. Investigators who are usually in charge of case investigations may find their roles changed in high-profile cases. Agency executives or investigative managers may take control, or exert substantial influence over the case; and primary investigators may have to accept that high-profile cases belong to everyone.

“As much as possible, I tried to treat this as a normal investigation.”

*Captain Barney Forsythe,
Montgomery County Police Department*

Because of the pressures they feel from external stakeholders during a high-profile case, executives and managers will want to get more involved in the decisions usually left to primary investigators. One manager also noted that the size and high-profile nature of the sniper investigation led to the involvement of hundreds of investigators, creating human resource management problems that primary investigators do not routinely handle.

Having to share decision-making responsibilities with others, or actually losing those responsibilities, may be difficult for local investigators to comprehend, and may leave them unsure of what to do. In the sniper case, several investigators said they were stuck handling administrative and even clerical duties. “We were told what to do rather than deciding what to do,” one investigator said. Not surprisingly, investigators who frequently had considerable autonomy in conducting an investigation felt their expertise was not used fully. Investigators interviewed for the project expressed their frustration at the uncertainty over their roles and the inability to contribute to the investigation. Some local investigators said their motivation sometimes waned because they could not be more proactive or could not receive vital information.

While investigators and managers acknowledged the human resource management challenges of such a large investigation, they insisted that agencies must begin with the principle that the primary investigator must have the support and latitude to be effective. To be a lead investigator requires a certain amount of skill, training and experience—experience gained by investigating crimes over several years. As one investigator said, “This is what we do every day. Why wouldn’t a chief want us to lead the investigation?”

Yet, in speaking to some of the chiefs and sheriffs involved, they indicated that because of the enormous public pressure and community fear they needed to be more involved than they normally would be in a homicide investigation. Other chiefs, however, felt it was critical to delegate authority to those who act as investigators day-in and day-out. The investigators may be most successful when they are given both the authority and resources to do what they do on a daily basis. This does not mean that the chiefs or sheriffs abdicate their roles; rather, like any effective leader, they need to manage all aspects of the investigation while not getting bogged down in the minutia of the investigation.

“Not every police official is capable of being a primary investigator.”

*Sergeant Roger Thomson,
Montgomery County Police Department*

Many investigators stressed their need to stay informed about developments in the case. This is especially important when other agencies get involved, and points to the need to develop protocols for sharing information with all key personnel. Some individuals believed that there were personnel from law enforcement agencies who withheld information from others because they thought they could make better use of that information or to control leaks. Information cannot be withheld from investigators for these reasons.

Investigators from different jurisdictions must commit to regularly communicating with one another to improve cooperation and information exchange. Sniper case investigators organized their own conference calls, separate from the executives’ conference calls. However, because of fears that reporters might gain access to the calls, they later organized face-to-face meetings. Both the conference calls and the in-person meetings proved valuable in keeping the investigators informed about case developments. A number of the investigators knew one another from working on previous cases together, while others were first-time collaborators. Those interviewed stressed that pre-existing

relationships among task force investigators can be vital to the investigation's success.

Building these relationships can be difficult because of regular turnover among investigative personnel. Law enforcement agencies must make the necessary effort to foster these positive relationships among key personnel and counter the effects of turnover.

Agencies must consider how they will use all investigators to achieve optimum effectiveness, which in many investigations will begin with their sharing information.

Managers

Investigative managers, like other key personnel, found that this high-visibility case placed enormous demands on them. The amount of work was overwhelming, and unfamiliar duties and responsibilities challenged even the most resourceful commander. However, managers believed they were well served by focusing on the tasks they normally fulfill in any investigation—manage workload, provide oversight and coordinate resources.

“Chiefs and managers need to realize they may never have a good feeling about these major investigations simply because they are so difficult to control.”

*Chief Terrence Sheridan,
Baltimore County Police Department*

A particular challenge for managers was to carefully assess how much work they assumed and the extent to which they became involved in tasks they do not normally perform. Many tried to adhere to protocols for other investigations. For example, a number of local agency commanders who did not normally investigate crimes said they tried not to get involved in investigative functions. Their true value, they believed, was to facilitate and coordinate the investigation, and procure resources for investigators.

The focus group revealed that in multijurisdictional cases in the United Kingdom, the investigative case manager is the primary investigator and

relies on a team of investigators to track leads and interview people. When several agencies join forces in a multi-agency investigation, case managers from those different agencies designate a lead chief investigator. American law enforcement agencies may want to adopt this protocol by appointing a supervisor or manager as the primary investigator. The primary investigator should have an executive or resource officer to help manage and follow up on details, such as making staffing charts, briefing executives and coordinating resources with other agencies. The primary investigator should focus on the work of detectives and the crime scene. Further, they could employ investigative coordinators to supervise several primary investigators and coordinate efforts with those in other agencies. These coordinators can ensure that support personnel and other resources are available to investigators. Coordinators may also act as a “buffer” between investigators and other agency personnel who want or need answers to questions or additional information.

“To be effective, a manager must see things through different eyes.”

*Captain Barney Forsythe,
Montgomery County Police Department*

Managing investigators' assignments and workload can be especially demanding when they demonstrate a strong personal commitment to solving the crime. Commanders must strike a balance between keeping a critical investigator in place for the duration of the investigation and ensuring that all investigators get rest and time off. Managers should come down on the side of providing adequate relief and replacement, especially if the investigation shows any signs of being prolonged. To prevent burn-out, managers must monitor investigators' workloads and any other demands on them, and get people the time off they need—even if they say they do not want it. As with investigator relief and back up, managers should ensure that crucial managerial and decision-making positions are adequately staffed.

Because the pace of these investigations can be so fast and the workload so taxing, even commanders with extraordinary recall may find that they simply cannot remember everything that has happened. For example, several managers from the Montgomery County Police Department spoke about how decisions were made and orders given without them ever being put in writing. While this practice was needed to keep pace with events, it made it difficult to recall later when and how decisions were made.

To guard against this, managers should task support personnel with maintaining an investigative log. The log should be a timeline of significant events, information developed, received and acted upon. Not only will it help managers remember what has transpired, it will facilitate information sharing among investigators. Commanders should routinely review this log.

An important lesson from the sniper case is that managers should avoid the tunnel vision that may accompany stressful investigations. One way to avoid this is to determine specific roles and delegate responsibilities. The overworked manager is far less capable of seeing the entire investigation. Another way is to rely on the expertise of investigators. Managers should be briefed by several investigators and not become too dependent on one or two investigators when staying apprised of case developments.

CONTROLLING AND COORDINATING INVESTIGATIVE RESOURCES

Maintaining Control in One Agency

Investigative coordination and control is crucial when so many resources from one agency are devoted to an investigation. The effect of a notorious crime and the resulting investigation can have an immediate and significant impact on an agency. In the sniper case, the Montgomery County Police Department reorganized criminal investigative units, sections, divisions and entire bureaus to meet the increased workload. Investigators were reassigned to handle the existing workloads of major case investigators who were focused on the

sniper shootings. Investigative policies and procedures were changed to reflect the reorganizations and reassignments. In addition, some ongoing but less critical investigations were suspended. The Fairfax County Police Department reassigned investigative personnel as well. However, Fairfax County (with just one shooting) did not have to reorganize as extensively as Montgomery County and left investigators in specialized investigative units (i.e., sex crimes, auto theft) to retain some investigative expertise in each unit to handle relevant cases.

“In retrospect, I would have initially sent only half the resources I did to avoid cluttering.”

*Superintendent David Mitchell,
Maryland State Police*

Coordinating Multiple Agencies

When several agencies are investigating related crimes, and when federal agencies provide resources and assistance, coordinating these resources can be an overwhelming task. Area agencies that are not immediately involved in a developing crisis can help a task force operation by developing a list of resources that are available to deploy if needed, advise the task force of them and then wait to be contacted.

In addition, to maintain control of investigators and coordinate among agencies, the leadership can form investigative teams comprised of two detectives from different agencies. The Montgomery County task force paired a local officer with a federal officer; and matched an “out of town” investigator with someone familiar with the area.

“We could not have solved this case as quickly as we did without the involvement of the FBI, ATF and other federal partners.”

*Chief Charlie Deane,
Prince William County Police Department*

Investigators and managers from local agencies spoke about the coordination challenges in the sniper investigation. As previously stated, some of those challenges included investigators from other local agencies being involved in the case. These extra personnel had an enormous positive effect on those agencies' ability to investigate the homicides and shootings. A number of these investigators, however, arrived without supervisors. Officials from every agency with a homicide or shooting praised the help of these "loaned" officers, but also pointed out how the lack of supervisory staff and a vague chain of command created control and coordination problems.

Federal investigators created other challenges because of their latitude to travel and work freely among the local jurisdictions, unlike investigators from the local agencies. Local agency personnel can "travel" anywhere, but lack authority to act in other jurisdictions. This distinction is important, as federal investigators may show up during similar investigations unexpectedly. According to many local and state representatives interviewed, federal law enforcement agencies provided valuable assistance and resources. Indeed, some of them believed the case might not have been solved so quickly without the help of federal agencies. Nonetheless, the presence of several hundred federal investigators challenged local investigative managers from a coordination standpoint. Some other related challenges for local managers included the following:

- Determining the roles of so many unexpected agents/investigators
- Duplicating investigative efforts
- Addressing agents' inexperience with homicide investigations or unfamiliarity with a particular local jurisdiction

"The investigative command and control in our task force went about as smooth as it could."

Colonel Gerald Massengill, Virginia State Police

Both local and federal officials cited numerous instances of a few federal officers (i.e., investigators, tactical teams conducting surveillance and counter-sniper operations) operating in local jurisdictions without the knowledge of the JOC, the respective local agency and even federal supervisors. These actions had no long-term detrimental effect on the investigation, but they did create work for local managers who were trying to coordinate local, state and federal resources. Perhaps more important, it gave the perception that not every federal officer was committed to the "team" approach that ultimately drove this investigation's success. This problem was not unique to federal agencies but was a concern with some local personnel as well.

"Everyone had good intentions for cooperating, but sometimes actual behavior complicated investigative operations."

Sheriff Stuart Cook, Hanover County Sheriff's Office

SECURING AND PROCESSING THE CRIME SCENE

As any law enforcement officer knows, a crime scene can provide a wealth of information that can help investigators solve a case. In the sniper case, the shooters left written messages at three of the crime scenes—messages that proved instrumental in solving the crimes, but also had significant effects on other aspects of the investigation, such as media relations and suspect negotiations.

**Monday, October 7, 2002
Benjamin Tasker Middle School,
Prince George's County
Bowie, Maryland**

In the surrounding woods 150 feet from the school, Prince George's County Police officers discover a death card from a tarot deck with a written message: "For you Mr. Police...Code: 'Call me God.' Do not release to the press." On October 8, local news station WUSA-Channel 9 and The Washington Post report the tarot card's existence, which led to a contentious press conference at which Chief Moose chastised the media.

Saturday, October 19, 2002

**Ponderosa Steak House, Hanover County
Ashland, Virginia**

Investigators conduct a grid search of the area and discover an envelope containing a letter from the shooters. They bag the envelope as evidence and send it to the FBI lab for analysis. To preserve critical DNA and fingerprint evidence, investigators needed to wait until the envelope was processed before opening and examining its contents. Had investigators opened the envelope immediately, the critical link would not have been made between the forensic evidence on the letter and the suspects. The letter would later reveal the shooters' message that they would call law enforcement at 9:00 A.M. the following day at a pay phone. Telephone contact was established later that day with the snipers.

This was the same letter that contained the post-script, "Your children are not safe anywhere at anytime" that caused Richmond-area schools to close for two days while those in northern Virginia and Maryland remained open.

Tuesday, October 22, 2002

**Montgomery County Ride-On Bus, Route 34,
Grand Pre Road
Silver Spring, Maryland**

The shooters leave a third message. In addition to other requests, it states simply: "Your incompetence has cost you another life."

Establishing, securing and managing crime scenes were enormous challenges for the local law enforcement agencies. The demands grew with each successive shooting, and seemed to be especially difficult for those shootings that occurred after sunset, perhaps because agents and investigators who were already home for the evening responded to the scene. The three greatest challenges for agencies were determining the size of the crime scene, managing/controlling law enforcement personnel and the media, and coordinating the resources of different agencies.

"Managing a crime scene consists of briefing bosses and providing leadership for investigators. Too often, these are conflicting responsibilities."

*Lieutenant Bruce Guth,
Fairfax County Police Department*

The weapon used in the shootings, the possible distances between the shooter and the victim, and uncertainty over the shooter's location created challenges for local agencies in determining the size of the scene. They quickly discovered the importance of establishing perimeters far enough out from the victim to ensure that the crime scene was large enough to allow for unimpeded processing. Several of the agencies had never managed such a large scene before, primarily because they had never investigated this type of long-range shooting.

While trying to determine the size of the crime scene, agencies also had to control access to and manage those people and resources that were allowed in the scene. These challenges were daunting.

"One of the most useful experiences for our agency was when [Chief] Charlie Deane invited our detectives to observe how [the Prince William County Police Department] was managing their scene."

*Chief Thomas Manger,
Fairfax County Police Department*

Pre-incident planning by the Fairfax County Police Department allowed its officers to designate the lead detective, crime-scene technician and on-scene supervisor ahead of time. However, as mentioned earlier in this chapter, more than 200 law enforcement personnel came to the scene of the Home Depot shooting, which was overwhelming despite preparation. Other agencies related similar experiences about the number of people at the scene.

A few agencies said that, in hindsight, they let too many people into the crime scene. For other agencies, their attempts to limit access to the scene were hindered by law enforcement personnel circumventing controlled access points.

Too many agencies drove their mobile command posts to the crime scenes. This created confusion and overcrowding, and frustrated efforts to communicate with agency representatives. Too often, personnel from other agencies did not gather at the primary crime scene command post, but stayed in their mobile command posts.

“You only get one opportunity to process the crime scene.”

*Captain R.T. Colgan,
Prince William County Police Department*

As part of any pre-incident planning efforts, agencies need to develop procedures to establish and preserve the crime scene. Procedures should include managing visiting agency personnel. Agencies should establish security for the crime scene and limit access to only those who need to be there. At least two, and maybe more, perimeters may be required. One suggestion is for visiting agencies to designate first-line supervisors to serve as communications liaisons to their personnel. Visiting supervisors could remain in the second perimeter and brief their investigators who would be in the outside perimeter. This would help to keep the scene clear of unnecessary people and enhance communication to investigators while assignments are determined. Agencies should also implement a secondary command post well outside the crime-scene perimeter as a staging area for non-essential staff.

Every agency involved in the investigation has to maintain discipline among its employees. Personnel have to realize that not everyone has to go to the scene, and not every person at the scene has to be briefed.

“Police work is local. Crimes are solved by a cop on the street or a vigilant citizen who passes on a lead, and not by a ‘super sleuth’ in a remote location.”

*Sheriff Stuart Cook,
Hanover County (VA) Sheriff's Office*

MANAGING LEADS

Too Much Information

Leads are the lifeblood of any investigation. In each agency that had a homicide or shooting, investigators tried to manage leads according to standard procedures. Agencies attempted to conduct and manage the investigation as they would any other major case. For example, in the Washington Metropolitan Police Department (MPD), all tips and investigative leads were filtered through one investigative supervisor. Internal tips and leads were assigned to MPD investigators who entered notes and details on a “lead sheet” that was then entered into an internal database. Tips that had implications for other agencies’ investigations were forwarded to the Montgomery County JOC after being entered into the MPD database.

In the Montgomery County JOC, however, managers had to consider the enormous number of leads and the large number of investigators when developing procedures. The basic JOC process consisted of supervisors distributing leads to 120 investigators, who then followed up on the leads, prepared notes on their findings and gave the notes to supervisors for review. Even with this process, investigators found that it was difficult to keep pace with the leads as they poured in. In virtually no time, the JOC was filled with boxes of reviewed but uninvestigated leads. For investigative personnel, lead management was a never-ending process.

“It was tempting to read every field interview card, but every time I have tried to micromanage something it has been a failure.”

*Chief Charles Moose,
Montgomery County Police Department*

Sharing Information

An important part of a multi-agency investigation is keeping all agencies informed about developments. Criminal leads and suspect information must be disseminated to affected agencies as quickly and accurately as possible. Not only is this information essential to the criminal investigation, it also can help to counter perceptions that information is being withheld. The sharing of information can be a delicate issue, but the eventual success of any multi-agency investigation may hinge on whether information is shared—or, the perception of whether information is being shared.

“Let the detectives be involved in the information analysis and sharing process.”

Detective June Boyle, Fairfax County Police Department

Some investigators (and patrol officers) believed that information was deliberately withheld from them. Some investigators said the leads they received were often missing critical information that would provide a context for the lead. But the JOC managers insisted that there was no intent to withhold information from investigators. Because information came in from multiple sources, and was not always available at the highest levels, the challenges to disseminating information to all involved was considerable. In fact, every effort was made to share information with investigators. Nonetheless, the perception remained throughout the investigation and, for some investigators, even after the arrests of the suspects. An important lesson from this case is that—rightly or wrongly—task forces have to recognize that some personnel will perceive that information is being “held back” and they need to proactively address those concerns early and often.

“The bottom line is that this case had very little investigative information to pass around.”

*Lieutenant Philip Raum,
Montgomery County Police Department*

Eventually the JOC came to rely on an Investigative Team, comprised of seasoned and experienced investigators who examined and evaluated leads before assigning them, and then again when investigators returned them. This team became adept at seeing the big picture and determining what actions were needed beyond current efforts. In essence, it performed a quality control function over field investigations by viewing developments perhaps more objectively than those so intimately involved in following up leads. Along with seasoned investigators (i.e., homicide, rape, robbery, violent crime task force), investigative teams like this can be more effective when they include intelligence personnel and crime analysts.

Protocols

When dozens or hundreds of investigators from different agencies work together, it will be necessary to develop protocols for investigative tactics. For example, investigators should follow the same protocol for verifying suspects’ alibis. These standard procedures help investigators do their jobs, and help supervisors or quality control personnel do theirs. Supervisors also need protocols for reviewing investigators’ work and making decisions about rechecking a lead, investigating other leads that grew from the first or moving in a different direction.

“We thought more and more alike the further we got into the investigation.”

SAC Gary Bald, FBI

Similarly, a task force should develop protocols for interviewing and interrogating suspects, including assigning investigators. While investigators from different agencies and jurisdictions were assigned to work together on investigating leads and for surveillance, several investigators said that when interviewing significant suspects, familiarity between investigators was important. An interrogation is not the time or place for investigators to try to develop a rapport. Instead, pairs or teams used to working with each other should conduct the interviews.

“Key suspects should be interviewed by a team of investigators that work together on a daily basis.”

Detective June Boyle, Fairfax County Police Department

The overwhelming number of leads caused some problems for investigators in the Montgomery County task force, and likely will do so for any similar investigation. These problems became obvious once the investigation was well underway, and procedures were then implemented to correct them. For example, the volume of leads contributed to redundancies, such as two or more investigators unknowingly interviewing the same person.

Managing the assignment of leads is essential, and investigators need to report to supervisors about the results of following up on leads, even when the effort proves fruitless. Unlike a “routine” investigation in which a lead would sit while an investigator was not working, in significant investigations, leads have to be worked around the clock. Informally handing off a lead to another investigator is not the solution. Rather, all leads have to be channeled through a lead management system for tracking and transferring.

INTEGRATING THE ROLE OF PROSECUTORS

During an ongoing multijurisdictional investigation, structured communication and coordination between law enforcement and prosecutors is critical. In the sniper case, law enforcement and prosecution officials consulted with each other. In Prince William County, police and prosecutors remained in continuous contact, beginning with the police chief calling the commonwealth’s attorney while at the crime scene. Throughout the investigation, police investigators and prosecutors discussed legal issues and investigative tactics. In Montgomery County, the JOC set aside a room for federal and local prosecutors. Prosecutors communicated with each other at the local and federal level as well as with prosecutors across jurisdictional lines.

Although these arrangements enhanced communication, in hindsight, those interviewed for this

project said a formal prosecution task force and conference call schedule early in the investigation would have enhanced information exchange and coordination between law enforcement and prosecutors. Prosecutors should be brought into a case as early as possible to facilitate cooperation and assist in an impartial and thorough investigation.

“It is essential for future cases of this magnitude that prosecutors have a structure in place to work together.”

Paul McNulty, U.S. Attorney, Eastern District of Virginia

One example of collaboration between law enforcement and prosecutors on high-profile cases is Washington State’s Most Dangerous Offender Program, which involves prosecutors early in an investigation. Prosecutors are provided pagers and respond to crime scenes along with investigators, allowing officers to continually consult with prosecutors and investigate cases consistent with both law enforcement and prosecutorial protocols. Early and continuous consultation between investigators and prosecutors is crucial to effective long-term case investigation.

A prosecutor task force may not require the same structure and leadership as a law enforcement task force. For example, the leader of a prosecutor task force does not have to be from the same jurisdiction as the leader of the law enforcement task force. The prosecutor who is least likely to prosecute the case may have the time and ability to serve as a strong facilitator.

During an ongoing multijurisdictional investigation, prosecutors in all affected jurisdictions need to communicate and coordinate resources in a structured manner. Prosecutors at the local, state and federal levels may have different views on legal issues that could assist others with their legal strategies and the ultimate prosecution of the suspect(s). Prosecutors also can provide resources such as investigative tools and even pre-trial investigators.

“Juries are the ultimate judges of an investigator’s work, but investigators don’t always look at the case from that perspective.”

Special Agent Brad Garrett, FBI

CONCLUSION

The successful investigation of major crimes is a fundamental function of local law enforcement agencies. In high-profile cases, the investigative function can undergo significant changes or it may even be neglected because of other case demands. To the extent possible, law enforcement agencies should try to use the same investigative model and procedures used every day for other investigations. Certainly, the creation of task forces and the attendant demands associated with coordination of resources and personnel will strain the investigative function even more. The pressures of the case and demands from external stakeholders will cause agency officials to bring every resource to bear to achieve a successful conclusion. All agency personnel must be aware of these forces at work, yet remain focused on how to maintain a carefully ordered approach that can be sustained over a long term.

“It’s not a question of if there will be another multi-agency investigation; it’s a question of when and where. Law enforcement needs to get ready for the next one.”

*Detective James Trainum,
Washington Metropolitan Police Department*

LESSONS LEARNED

Defining the Roles and Responsibilities of Investigative Personnel

Investigators

- Primary or lead investigators who are accustomed to taking ownership of their homicide cases should be prepared to accept that, in high-profile cases, managers or executives will have a greater need to be kept informed of the progress of the case and may from time to

time exert direction over the case.

- Agencies must support the primary investigator.
- Individual agencies and task forces need to assign investigators capable of handling complex or high-profile investigations.
- Agencies and investigators should establish an information protocol for following up leads at the outset of a multi-agency investigation.
- Information should not be withheld from primary investigators in an attempt to control media leaks.
- Conference calls and face-to-face meetings can help investigators from all involved agencies exchange notes and plan investigative tactics.
- Agencies should designate someone to serve as a liaison between the investigators and other agency personnel. This could be the role of an investigative manager or a resource officer.

Managers

- Managers must strike a balance between keeping critical investigators in place for the duration of the investigation and ensuring that they get rest and time off.
- Managers should carefully assess how much work they take on and the extent to which they get involved in tasks they do not usually perform. Investigators need a certain degree of freedom and independence to investigate a crime methodically.
- Individual agencies, and especially task forces, should consider appointing a supervisor or manager as the primary investigator.
- Supervisors who act as the primary investigator should have an executive or resource officer to help manage and follow up on details, and coordinate resources with other agencies.
- The lead manager should focus on the work of detectives and the crime scene.
- Managers should ensure that crucial oversight and decision-making positions are adequately staffed.
- Managers should seek the observations of many investigators, not just one or two.
- Managers should ensure the maintenance of an investigative log to record significant events, as well as what information is received, developed and acted upon.

Controlling and Coordinating Investigative Resources

- In dealing with high-profile incidents, specialized investigative unit expertise (e.g., gangs, drugs) should be retained to the extent possible.
- Assign investigators from different agencies to work as teams when investigating leads (i.e., a local officer with a federal officer, an out-of-town investigator with someone familiar with the area).
- When an agency loans personnel to another agency, it should send its own supervisors with its patrol officers and investigators.
- Task forces need secure communication capabilities for conference calls.
- Investigators should not leave their jurisdiction or track a lead in another jurisdiction without first discussing the matter with authorities in that jurisdiction.
- Federal investigators cannot “freelance” in local jurisdictions without first alerting local law enforcement and coordinating with command centers.

Securing and Processing the Crime Scene

- Be prepared to expand, sometimes dramatically, the size of the crime scene in the event of a long-range shooting.
- Designate a lead detective, crime-scene technician, and on-scene supervisor prior to an incident occurring in your jurisdiction.
- Develop procedures for establishing and preserving the crime scene, including managing visiting agency personnel.
- Establish security for the crime scene and limit access to only those who need to be there.
- Visiting agencies should designate supervisors to serve as communications liaisons to their personnel. They should also discourage their personnel from just showing up at a scene. Command and control structures exist to ensure that appropriate resources are obtained quickly and deployed effectively. An unexpected resource generates unplanned work for crisis managers.
- A secondary command post should be established well outside the crime-scene perimeter as a staging area to address any non-essential staff at the scene.

Managing Leads

- Leads and suspect information must be disseminated to affected agencies as quickly and accurately as possible.
- Officials should recognize and plan for the situation in which some task force members will perceive that information is being withheld, whether it is or not.
- Create an investigative team that serves a quality control function and views developments objectively.
- Investigators should report the results of investigations to their supervisors, even when the lead does not produce useful follow-up information.
- Agencies will need a comprehensive lead management system that includes tracking procedures for receiving, assigning, reviewing and transferring leads.
- Supervisors should not filter information (even in an effort to prevent media leaks) before passing it along to investigators.
- Supervisors need protocols for reviewing investigators’ work and making decisions about re-checking a lead, investigating other leads that grew from the first or moving in a different direction.
- Task forces should develop protocols for interviewing and interrogating suspects.
- Investigators who are not accustomed to working together should not jointly conduct interviews of significant suspects.

(See Chapter Five for more on information management.)

Integrating the Role of Prosecutors

- Law enforcement should invite prosecutors into an investigation as early as possible to answer questions, assist with search warrants, and provide guidance for what will eventually lead to a successful prosecution.
- Prosecutors should explore how prosecution task forces can influence high-profile investigations and determine the protocols necessary for effective coordination with law enforcement agencies.

Information Management

INTRODUCTION

This chapter discusses the collection, analysis and dissemination of information during the sniper case, and how these functions influenced that high-profile investigation. It is meant to be instructive for any agency facing a multijurisdictional effort. Specifically, the chapter focuses on the following:

- Ensuring telephone and radio communications
- Setting up tip lines and call center management
- Using case management systems
- Enhancing information management and intelligence analysis
- Accessing criminal information databases

These functions are so closely related, indeed interrelated, that determining where one system ends and another begins can be difficult. These functions also can have significant effects on an entire investigation, influencing the work of investigators, patrol officers and crime analysts. Organizing and coordinating these functions can be incredibly challenging, especially when a case is ongoing and dynamic.

“The sniper case started and ended with a call to 911.”

*Assistant Chief William O’Toole,
Montgomery County Police Department*

In fact, during the sniper case, not all of these systems were integrated to the degree that everyone

would have liked. The “1-800 Tip Line,” for instance, was never fully integrated with the FBI’s lead management system. This created considerable difficulties for tracking information during the investigation, including being able to identify which jurisdictions had leads and the progress they were making on them. Some of the questions that law enforcement officials tried to answer during the three-week shooting spree included the following:

- How can agencies handle the increased call volume associated with a significant investigation?
- Should telephone tip lines be established in one call center or multiple centers?
- How can agencies implement, staff and manage a tip-line call center?
- How should agencies collect, analyze and disseminate telephone tips?
- How do agencies synthesize information—motor vehicle, criminal, suspect—across jurisdiction and state lines and use it in a meaningful way?
- How can agencies analyze the vast amounts of information collected during an investigation?
- How can criminal and information databases be used during an investigation?

The information management challenges during this investigation were unprecedented. Though some individuals have criticized law enforcement agencies involved in the sniper case for failing to manage the extraordinary volume of information that this case generated, they often overlook that there was no capable information management system that could have accomplished those tasks.

ENSURING TELEPHONE AND RADIO COMMUNICATIONS

As with virtually any multijurisdictional, intergovernmental law enforcement operation, telephone and radio communications presented significant challenges for officials involved in the sniper investigation. Perhaps the largest telephone equipment concern occurred in the Montgomery County JOC. While the command center was housed in an existing office building, it lacked an electronic infrastructure. Thousands of yards (if not miles) of telephone and computer cables had to be pulled through the building, and telephones had to be installed.

The telephone system used in the Montgomery County JOC lacked an in-house switching capability and limited the ability of personnel to transfer calls within the JOC. The JOC would have benefited from a private branch exchange (PBX) phone system, which provides significant efficiencies in routing phone calls into the center. PBX is an in-house telephone switching system that connects telephone extensions to each other, as well as to the outside telephone network. It would usually include functions such as routing outside calls, call forwarding, conference calling and call accounting.

In addition to telephone problems, the lack of interoperability created significant radio communication issues among many local, state and federal agencies. A notable exception was the combined radio system used by virtually every local law enforcement agency in the Richmond area. But even this system did not preclude radio communication problems between local, state and federal agencies.

Interoperability among law enforcement agencies was limited in the Washington, D.C. area despite several efforts to improve communications. The MCPD distributed more than 40 800MHz radios to Maryland State Police troopers. Federal agencies distributed some portable radios with encryption capabilities to provide secure communications, but local clear channel radios could not be encrypted. Nextel wireless phones and Blackberry PDAs were also widely distributed and used for voice and e-mail communications.

SETTING UP TIP LINES AND CALL CENTER MANAGEMENT

Background

The Montgomery County Emergency Communication Center (ECC), the 911 center, answered citizen calls reporting the shootings on the first and second days. During the second day, the ECC began answering citizens' calls about tips and potential leads even before a tip-line was advertised. The county moved quickly to establish a separate call center to handle tips, but the volume of calls quickly overwhelmed the call-takers and the initial eight telephones, as well as a subsequent increase to twelve.

With assistance from the FBI and ATF, an ad hoc call center consisting of 15 and then 25 phone lines was next established in the JOC, but that, too, proved inadequate to handle the call load.

Eventually, the FBI's Washington Field Office (WFO) offered to assume responsibility for the toll-free tip line and established a stand-alone call center in the WFO, a 20-minute drive from the MCPD. The call center was not located in the JOC or any task force office. The field office relied on its experience running a tip line in the aftermath of the September 11 attack on the Pentagon and the anthrax letters sent through the U.S. Postal Service. The call center continually expanded until it was using 100 telephones. Throughout the investigation, the rate of telephone tips increased daily. However, the times and sequencing of the calls was unpredictable, although the calls always spiked in the hours after a shooting. Overall, the number of calls was staggering:

- On many days, more than 5,000 calls a day came into the call center.
- On one day, the center received 10,000 calls.
- On Friday, October 11, the center received more than 1,000 calls in one hour.
- During the course of the investigation, the telephone tip lines received more than 100,000 calls generating some 16,000 investigative leads.

“Along with sending agents to the affected jurisdictions, I volunteered my office to stand-up the call center. It was a difficult operation, but I felt our recent experience with tip lines could make a difference.”

Assistant Director In Charge Van Harp, FBI

Many of the calls did not provide credible information, although the call-takers tried to write down as much information as they could on the standardized forms. When a call produced credible information, the “tip sheet” was sent to the Montgomery County task force, one of the local task forces or directly to an agency, depending on where follow-up should occur. Most tip sheets were either hand-carried or faxed to the task forces or agencies because of an inability to network with the computerized lead management system, Rapid Start. Some of those interviewed indicated that the call center did not always document where the information went or note its eventual disposition.

A variety of individuals from the WFO answered calls. Some were FBI and ATF agents, but many more were secretaries, clerical workers, agents-in-training or civilian analysts. Most had never done this type of work before and some even had reservations about answering the calls. Eventually, a small number of retired FBI agents answered calls too. Because of how quickly this investigation developed, none of these individuals were provided any significant training as a call-taker. It was suggested that future operations should, at minimum, provide written instructions that can be shared with all call-takers.

Despite the centralized 1-800 number, many of the local agencies that investigated shootings established their own telephone tip lines and ran them from local facilities. Many local and state 911 centers received calls from citizens with potential tips during the three-week episode, even in jurisdictions without a shooting. In those jurisdictions that had a shooting, the volume of calls to the 911 centers increased in the immediate aftermath of the shooting, and then spiked again whenever

another shooting occurred. For example, on Day 10, when Kenneth Bridges was murdered, the Spotsylvania County Sheriff’s Office received some 1,900 tip calls. At one point, the calls arrived at a rate of 40 per minute. The same spike could be observed even in agency call centers in jurisdictions neighboring one where a shooting occurred.

Single or Multiple Call Centers

There were varying opinions about whether one or multiple centers are preferable. Many officials believe that telephone tip call centers should not be run from a centralized location far from local agencies, as this creates a disconnect between local demands and the resources (in this example, information) required to meet those demands. Others believe one centralized call center is more effective, as multiple tip centers in local agencies impede the ability of a task force to centrally monitor tips and leads.

The number and location of telephone tip centers will probably be a function of the number of agencies involved in the investigation as well as the geographic scope of the crime. A series of crimes in close proximity might only require one telephone tip center, while a series of crimes spread over a large area might require several call centers to handle the volume of calls. In the sniper case, residents said that when calling the toll-free tip line, they received a busy signal, which caused them to call 911 or even non-emergency numbers at local law enforcement agencies. Also, multiple call centers may be necessary to meet the desire of residents who, in the sniper case, expressed an outright preference for calling their local law enforcement agency rather than a centralized tip line or the FBI. If residents decide to call local agencies, those agencies have to be prepared to answer those calls by having protocols to collect information from the callers and forward it to the relevant task force. Finally, choosing where to locate multiple call centers may reflect the respective ability of call centers to collect the information and forward it to a local task force or agency. If a particular call center is unable to do that, agencies may feel compelled to establish another center with a different telephone number to receive and manage the calls.

Managing Telephone Tips

Closely related to the number of and location of call centers are the procedures for analyzing, disseminating and monitoring the information received from telephone tips. In the sniper case, the WFO call center's primary responsibility was to collect information from the callers and forward that information to the appropriate task force or agency based on a determination by call center managers. The call center personnel were not supposed to analyze the tips and develop an investigative strategy, nor were they to monitor action taken on the tips by other agencies. When an agency or task force received the telephone tip, staffers reviewed it and assigned it to an investigator for follow-up.

According to officials interviewed as part of this project, a call center would ideally be located in close proximity to the primary JOC, and would be under the control of the task force leadership or the primary agency. This would allow for a tighter connection between the call center and the lead management operation, eliminating problems such as incomplete tip sheets, tips going to multiple agencies and redundant investigations of the same tips. Preferably, this would be a seamless operation in which one command would monitor and track all telephone tips, leads and other information. A local or state agency, for example, has the potential to use a computer-aided dispatch (CAD) capability to integrate electronic tips into a case management system, eliminating the need to record tips on paper and then have someone else log information into a database. In the sniper case, however, that was difficult because of the geographic scope of the crimes.

As the investigation consumed more land area, some of the agencies felt their distance from the WFO call center constrained their ability to receive timely telephone tip information consistently. This became a frustrating challenge to the investigators. Many officials interviewed believe every telephone lead should be controlled and disseminated from one command-and-control center, assigned to an appropriate investigative team and tracked centrally. In essence, this is what each of the task

forces tried to do with every telephone tip and lead it received.

Coordinating multiple call centers and the lead management process creates a variety of problems. One of the most vexing is whether local agencies should be sending telephone tips they receive to a central lead management center. The preference of many local agencies would be to control all locally generated tips. The tip would be screened by the local agency, and if it affected another jurisdiction, it would be forwarded to the task force command center or a central lead management center. If the tip required investigation by the agency that first received it, then that agency would investigate the tip, and at least notify the central command of its actions. Ideally, all agencies receiving calls should use standard computer screens that could be shared via electronic file. Then, personnel could consolidate the data and include information about to whom each tip was referred for investigation. It is critical to organize this information.

Staffing Call Centers

Telephone tip calls require significantly more time to handle than the typical 911 call, which takes about 40 seconds, according to officials in the Montgomery County Emergency Communications Center. This extra time requirement has significant implications for using 911 operators to answer telephone tip calls while still expecting them to provide the usual level of service on routine calls. Maintaining an ordinary level of service in extraordinary times requires new strategies for handling calls. The 911 centers will need a significant number of additional operators and dispatchers, as well as additional supervisors, as they will undoubtedly receive some of the calls not answered by other call centers.

In the sniper case, several call centers, including 911 centers and dedicated tip centers, were unable to keep pace with the workload and may have inadvertently disregarded calls from the suspects because call-takers were overwhelmed, inadequately equipped or trained. Rockville, Maryland, for example, is an incorporated city within Montgomery County and has its own independent

police department. The Montgomery County task force and JOC were headquartered within the Rockville city limits. Consequently, the Rockville police emergency operators received hundreds of telephone tips, but could only advise the callers to hang up and phone the toll-free tip line because they lacked a mechanism for transferring the calls.

Call-takers may require reassurance to deal with higher levels of anxiety associated with the increased call workload and the stress of the entire investigation. Call-takers must have the proper training and be given procedures to follow. Retired police officers may be able to staff call centers during a high-profile investigation or critical incident. (The National Center for Missing and Exploited Children and the United Kingdom have successfully employed protocols for using a cadre of retired officers who have passed background checks and may be available to assist.)

Agencies may want to consider using a private company to handle a telephone tip line and should explore that option before a crisis occurs. In the Baton Rouge serial murder case, the law enforcement agencies contracted with a private telephone communications company to run their tip lines. The primary reason for this decision is that the company had the expertise to handle the calls, including sufficient telephones, the capacity to digitally record every call, and trained and experienced call-takers. The law enforcement agencies involved in the investigation developed protocols for the company to use when answering calls, including how to handle “hot calls” that required immediate law enforcement attention.

In Montgomery County, a privately operated tip center offered to establish the telephone hot line for the Sniper Task Force. The offer was considered, but declined when an agreement could not be reached concerning continued use of a dedicated phone line and the need to properly vet call-takers needed for a potential trial, as well as issues regarding tip sheet retention. Obviously, these are only some of several considerations in determining whether to use a third party to operate a call center.

Preparation and Planning

Generally, law enforcement lacks coherent plans for staffing telephone tip lines and training call-takers, as well as procedures for answering calls and collecting actionable information. Running a tip-line operation out of an Emergency Communications Center requires a dedicated block of non-emergency telephone lines, as well as an appropriate physical space for call-handlers and equipment. Agencies should identify a location that could be used as the tip line center and have an incoming toll-free number in reserve, or have specific contacts with communications companies and a plan for installing such lines on short notice. Similarly, communication center managers would benefit by knowing at least the names of, if not having relationships with, key managers in cell phone companies. Invariably, it seems, agencies will find that they will have to request those resources in the middle of the night.

If possible, agencies should have pre-existing purchase orders, or at least procedures for emergency purchase orders, for equipment that will be needed in a crisis. Agencies should also predetermine how to create budget line-item codes for major events. This allows almost immediate tracking of expenses related to the event.

The Montgomery County Police Department did not have mutual aid agreements with other local communication centers. The primary reason cited by emergency communications managers is the difficulty, even impracticality, of learning different phone and radio systems, especially in light of the limited opportunities for mutual aid. Additionally, many agencies do not use a standard 10-code language, which just increases the learning curve for dispatchers detailed to another emergency communications center. To avoid these types of difficulties, a federally established center may be the best option. As with all law enforcement functions, the key to maintaining effective tip-line centers is to plan for all contingencies and make appropriate preparations.

TRACKING LEADS

The FBI’s Rapid Start was used as a tracking system and repository for telephone tips and other leads for the Sniper Task Force. Rapid Start was set up in

the Montgomery County JOC. A second Rapid Start was set up by the FBI's Richmond Field Office in Fredericksburg, VA, in response to the shootings in Spotsylvania County. The system was later moved to the Richmond Field Office after the shooting in Hanover County. Rapid Start is a stand-alone system, thus the two Rapid Start systems were never networked, nor were they connected to any other information management system.

“Even though it had its problems, Rapid Start was better than anything we had.”

*Chief Charles Moose,
Montgomery County Police Department*

The raw data for Rapid Start includes telephone tips, leads and other information, such as license plate numbers. All information entered into Rapid Start must first be entered by hand onto a Rapid Start Information Control Form. That form is then manually delivered to data entry operators, in this case FBI civilian analysts and MCPD civilians (who received a 2-hour crash course in Rapid Start), who keyed the information into the system.³² As mentioned earlier, in the sniper case all telephone tips from the WFO call center had to be hand-carried or faxed from Washington, D.C. to Montgomery County. Once information was entered, Rapid Start had the ability to generate, assign and track investigative leads.

Rapid Start's Limitations

It is important to note that Rapid Start was developed as a system for assigning and tracking leads, and was not designed to function as a comprehensive case management system. Consequently, it was unable to meet the demands of the sniper case. The complexity and scope of the investigation generated so many tips and leads that data entry operators were overwhelmed by the amount of information involved. Indeed, in the central Virginia JOC, license plate information was collected at roadblock checkpoints with the intention of it being entered into Rapid Start, but the pace of the investigation and the amount of information collected kept it from ever being entered.

In addition, because Rapid Start is a lead-tracking system, it has no basic analytic capabilities. It cannot identify and analyze possible patterns of suspect activity. Some investigators said that an over-reliance on Rapid Start caused the case managers to focus too much on individual leads, at the expense of investigative perspective and sophisticated analyses.

Other agencies have had similar experiences with Rapid Start's limitations. In the Baton Rouge serial murder investigation, law enforcement agencies overloaded Rapid Start with too much information and rendered it unable to provide meaningful analyses. Consequently, the Baton Rouge task force created its own database using a Structured Query Language (SQL) server with a search capability.

“Information systems do not solve murders, investigators do.”

Captain A.J. McAndrew, Maryland State Police

In fairness, however, law enforcement's expectations for Rapid Start frequently exceed its intended capabilities. Its protocols are as much for evidentiary and prosecutorial needs as for analyzing information to create credible leads for investigative follow-up. It is a stand-alone system designed to be used in one site, and is not capable of managing information for major investigations in multiple sites. Its software is not compatible for use with modems or networks.

But, Rapid Start can be left with a local agency for continued use for case follow-up and prosecutorial assistance. Another advantage is that a great number of leads can be entered into the system.

The FBI recognizes Rapid Start's limitations and is developing a new generation of lead-tracking systems. ICON Plus, which will replace Rapid Start, is built on an Oracle database. It is a paperless system,

³² *The FBI holds regional training seminars with coordinators from law enforcement agencies who could then train others. Two training programs are available at this writing: a two-to-three hour overview and a full weeklong program.*

eliminating the need for handwritten information control forms. ICON Plus will be able to operate with connectivity to a main server, and will have a search capability from remote locations.

Building a Better Case Management System

Rapid Start, ICON or any system not routinely used in the day-to-day operations of an agency will create problems when people try to use it for the first time. Lack of experience with a system makes people reticent about trying it, especially during a high-profile investigation. It is unrealistic to expect personnel to learn a new system in the middle of a crisis. Ultimately, agencies must try to make their case management systems more robust, so they can handle the demands of a complex investigation.

The effectiveness of law enforcement task force investigations will be enhanced by a case management system that

- serves as the electronic repository for all tips, leads and other information related to a case including, for example, the capability to store and analyze 100,000 telephone tips;
- achieves portability;
- remains compatible with systems in other agencies;
- has a web-based system accessible to authorized agencies;
- feeds multiple information systems based on one-time data entry;
- performs sophisticated data analysis, such as cross-checking and soundexing; and
- provides action tasks for investigators to consider.

ENHANCING INFORMATION MANAGEMENT AND INTELLIGENCE ANALYSIS

The Maryland State Police created and staffed an intelligence center for the sniper investigation. Using State Police resources, as well as those from the Washington/Baltimore High Intensity Drug Trafficking Area (HIDTA), the State Police were able to mobilize an array of intelligence and analysis resources that eventually used more than 140 different databases.

When the sniper investigation began, the Washington/Baltimore HIDTA was in the process of completing or installing a new case management/crime analysis software package called Case Explorer. Full presentation and implementation of the software was not scheduled to occur for two to three more weeks, but the crisis engendered by the sniper shootings prompted its immediate rollout. Word of the capabilities of Case Explorer had already spread throughout the local law enforcement intelligence community, so some of the managers on the Task Force Intelligence Committee³³ were marginally aware of its usefulness.

“There are no perfect machines to do this analysis; it still comes down to people.”

*Chief Charles Moose,
Montgomery County Police Department*

Case Explorer is a case management application developed for law enforcement and other public safety organizations. It provides basic case management features, information sharing functionalities and analysis capabilities—allowing multiple groups to manage case data within a shared database. The software enables analysts to conduct link analysis and create a variety of charts and maps. The general consensus of the Intelligence Committee was that Rapid Start was likely more useful as a telephone tip database management tool but not as a viable case management application. They looked to Case Explorer to manage the massive amount of information coming in through tips and investigative processes.

Implementation

The task force intelligence component formed the Analytic Center. The intelligence center initially was housed in the Montgomery County Police

³³ A number of committees were created as part of the task force to manage specific aspects of the investigation, such as public information and intelligence. The Task Force Intelligence Committee was composed of intelligence analysts and investigators from law enforcement agencies in the region.

Training Academy, an off-site location from the JOC. The training academy provided sufficient workspace for the analysts as well as networked computers. State police managers assumed responsibility for the staffing, daily management and oversight of the Analytic Center. (The Analytic Center was ultimately relocated to the JOC.)

HIDTA program managers prepared an intensive but brief training session for all analysts and data input personnel, and remained onsite to resolve any operational difficulties with the software for the duration of the investigation. By Wednesday, October 9 (Day 8), the system was ready to receive sniper investigative data. (Agencies interested in installing Case Explorer prior to an incident would have to allow HIDTA access to criminal suspect information.)

Analytic Center Work Process

- **Data Input.** Data were entered into the Case Explorer system based on information gathered from the first series of shootings, resulting investigations and telephone tips.
- **Hit Identification and Review.** Software generated numerous matches based on search criteria, and analysts reviewed those matches.
- **Investigative File Development.** Valid hits went to a “Work-Up Group” of analysts who prepared all necessary background information for an investigator’s file.
- **Investigative File Review and Assignment.** The Analytic Center supervisor reviewed the investigator’s file, and assigned it for analytic follow-up.
- **Database Integration.** As the system began working, the Analytic Center imported data from a variety of information systems, (e.g., state criminal information databases, motor vehicle departments, and courts). An intelligence manager contacted the respective information system manager, identified the data needed and the format, and provided instructions for securely sending the data to

the intelligence center. Data updates into Case Explorer occurred several times daily through online data transfers or on CDs that were delivered to the Analytic Center.

- **Investigative Hits.** As investigative parameters expanded, the number of hits quickly approached several hundred thousand, and effectively overwhelmed the investigative capacity of the task force. Consequently, the Analytic Center modified its definition of a valid hit as a circumstance in which individuals, places or things would arise out of the convergence of two or more data elements. For example, a person owning a white van, living in the area of the shootings, and registered as the owner of a .223 rifle constituted a valid hit. Simply being an owner of a white van would no longer place the person into an investigative file.

Coordinating Intelligence and Investigations

Integrating the analytic and investigative functions were complicated by the distance separating them and lack of face-to-face communication. While the police training academy enabled the quick establishment of the Analytic Center, the off-site location created communication problems between the analytic, investigative and operational command components of the task force. The communication of real-time information to the JOC occurred through the standard reporting processes (several daily meetings at the supervisory levels). As a result, many investigators did not even know the Analytic Center existed—they would get their files, conduct follow-up investigations and then return their findings to supervisors. Feedback from the investigators to the intelligence analysts did not exist on a file-by-file basis. Analysts maintained several open files because they rarely heard back from investigators.

Recognizing these limitations, the intelligence component secured the space for the Analytic Center inside the JOC. Computer equipment set-up and network integration occurred during the transition from the Academy to the JOC, allowing the analytic component to operate without interruption.

Once located in the JOC, analysts noted an immediate and vastly improved flow of information between investigators and operational command staffs. The analysts felt they were more “in the loop.” Feedback from investigators became more consistent, as investigators made a point of briefing analysts on their findings. Often, comments from investigators prompted the analysts to view a lead from a different perspective, generating a broader range of hits and supplemental follow-up. Investigative files generated by the hits from Case Explorer were now regularly closed once investigators reported back, both formally and informally.

Case Explorer and other systems were also discussed in the investigative focus group convened by project staff in July 2003. There it was learned that law enforcement agencies in the United Kingdom have grappled with how to coordinate the array of information needed in an effective high-profile investigation. The U.K.’s current system, called Home Office Large Major Enquiry System (HOLMES), incorporates elements of case management, information analysis, and intelligence-investigative coordination that could be instructive for those studying systems in the United States.

HOLMES: Home Office Large Major Enquiry System The United Kingdom’s Law Enforcement Data Infusion Structure³⁴

Prior to 1986, crucial information on major crime investigations was stored in a manual index card system, usually by a senior investigating officer from Scotland Yard. With loads of information slowly accumulating on investigators’ desks, law enforcement in the United Kingdom sought a computerized version of the index card system. The result was HOLMES, a system developed as both an investigative tool and an information management system.

In the 1970s, the United Kingdom began seeing more serial offenders, most notably, the Black Panther and the Yorkshire Ripper. Before HOLMES had been implemented, the Ripper’s name (Sutcliffe) had surfaced several times in the card system, but due to the lack of searching facilities, his name was not brought to the forefront of the investigation until much later. By 1986, all 56 police forces in the United Kingdom used HOLMES, a computerized system used for the investigation of major offenses such as murder, rape, kidnapping and terrorist attacks. HOLMES increased the ability of investigators to store, identify and share data. The need for more efficient interoperability and compatibility required the design and construction of a new system.

Though the original HOLMES system provided effective administrative support for investigating major crimes, the expansion of technology revealed some weaknesses, especially with investigation support and linking separate incidents. In 1994, the Police Service introduced a plan to replace the existing HOLMES with a new system. This new system became known as HOLMES 2.

Currently operational in all of the United Kingdom’s police forces and contracted through the information technology company Unisys, HOLMES 2 provides one system for both major investigations and major disasters as well as a unified system for use by all police departments throughout the United Kingdom. HOLMES 2 has the ability to link systems together within different police forces in a real-time secure environment; this assists in investigations that cross county boundaries and allows the provision of mutual aid to a force in a major disaster situation.

HOLMES 2 offers greater capabilities than the original, using both an Incident Room for major investigations (similar to the JOC) and a Casualty Bureau for major disasters. In a major investigation, the main function of HOLMES 2 is to record information from various sources, provide research facilities, manage information and resources and provide a paper flow system for documents to ensure that no document or piece of information is overlooked in an investigation.

HOLMES 2 facilitates the ability to manage both *documents* and *actions* when conducting an investigation. It also pro-

continued on page 70

³⁴ The information on HOLMES was compiled by Alex Hayes based on information from the Unisys-HOLMES website and materials provided by Detective Superintendent Mark Warwick of the Thames Valley Police in the United Kingdom. At the time of this writing, more information on HOLMES could be found at www.holmes2.com.

ACCESSING CRIMINAL INFORMATION DATABASES

In the sniper case, it was not difficult to see the connection among the 13 shootings. Since the method was so unusual, and because four shootings took place within 90 minutes on Day 2, the crimes immediately attracted the attention of law enforcement and the media. The connection was ultimately established and confirmed through ATF ballistics analyses.

How would law enforcement establish connections among murders that were not so high profile, or were more geographically dispersed? It is likely that a connection might not have ever been made, or it would have been made by happenstance rather than

by any systematic analysis. For instance, law enforcement officials might see a story on television news or in a newspaper, investigators might compare notes in informal conversations or monthly meetings of investigators from nearby departments, or crime analysts might make a link if they are sharing agency databases. However, an investigator or analyst might also never be able to make the link because there is no single national information system for homicides, shootings or ballistics.

Law enforcement agencies in the United States use several different databases, such as the Violent Criminal Apprehension Program (VICAP), Automated Fingerprint Identification System

HOLMES *continued from page 69*

vides a Windows-based environment, which is used by everybody working in an Incident Room to perform particular roles including queuing systems for documents as well as for actions—making certain each task is accomplished before another can begin. Conveniently, *all* documents and actions form a *Free Text Database*, which is searchable across the board for all those with access. HOLMES 2 provides complex searching tools such as a provision to enable automatic notification when particular information is entered into any of the eight structured indexes.

The first index involves *nominal* searches, a record of each name that has surfaced throughout the course of the investigation. The second search is by *location*, in which investigators can search by address or other type of locale including rivers and motorways. Searches on *vehicles* can be made, including different types with unique registrations like caravans or helicopters. *Telephone* searches may also be conducted including fax, mobile and pager numbers. Searches can be made by *organizations* or businesses that may be under investigation for fraud. Another search index is by *sequence of events*, allowing investigators to access data pinpointed from a specific increment of time. Additional searches include those by *category*, a general search with the ability to group information not suitable for other indexes, as well as by *exhibits*, a database recording all of the evidence seized throughout the course of the investigation. All of the above indexes (except for sequence of events) have unlimited cross-referencing abilities, including all documents and actions.

This provides possible links between individuals, phone numbers, addresses, whereabouts and other elements.

A number of unresolved murders (or cold cases) entered on the original HOLMES system have been transferred to HOLMES 2 and continue to be investigated and are now able to be prosecuted. The Casualty Bureau has also successfully used HOLMES 2 to provide the Metropolitan Police Service on behalf of the Foreign Commonwealth Office information for identifying British citizens involved in the terrorist attack of September 11. The pilot testing of remote access is currently attempting to enable police officers to enter information directly into a hand-held device from remote locations, which can be automatically transferred to the main system.

The introduction of the original HOLMES system to agencies in the United Kingdom greatly assisted police officers in preventing, investigating and responding to crimes. And with every police organization now equipped with the improved HOLMES 2 system, law enforcement's ability to investigate crime and combat terrorism remains on the forefront of technological advances. Much like the systems created in the United States such as Rapid Start and Case Explorer, the HOLMES 2 system can also be an effective case management tool. Its ultimate effectiveness, however, is reached when implemented nationally. While local police departments can use it to catalogue and investigate common offenses within their jurisdiction, its querying capacities work best when conducting multijurisdictional investigations or responding to a major disaster.

(AFIS), Combined DNA Index System (CODIS) and National Integrated Ballistics Identification Network (NIBIN), to query about serious crimes and suspects. Each of them, however, provides only a partial picture of criminal and suspect activity. VICAP, however, offers perhaps the greatest potential for providing law enforcement with a national database on homicides and other crimes of violence.

Violent Criminal Apprehension Program (VICAP)

VICAP is a nationwide data information system designed to collect, collate and analyze crimes of violence—specifically murder. The VICAP mission is to facilitate cooperation, communication and coordination among law enforcement agencies and support their efforts to investigate, identify, track, apprehend and prosecute violent serial offenders.

The FBI administers the stand-alone system, which is dependent on local agencies providing case information. Participation in the system is free, and the FBI provides the necessary software to local agencies. The time required to enter case information takes between 20 and 60 minutes per case, depending on the complexity of the case.

Along with being an information-sharing tool for investigators, VICAP is a resource for FBI profilers when making court-accepted behavioral linkages between cases for prosecutors and local investigators.

VICAP has received mixed reviews from local and state officials. One of the challenges with using VICAP is that the reporting forms are different from those used in local agencies, which forces investigators to complete an additional set of reports. Another criticism is that local and state agencies cannot query the national database directly, but have to submit their query to the FBI, which does it for them. An additional concern is the lag time between when crimes are committed and when information is entered into VICAP, which has no established time requirements for entering case information.

Making VICAP More Effective

It is important to recognize that while the Montgomery County task force and this report focused on the incidents that occurred on and

after October 2, 2002, the snipers were involved in a series of similar crimes across the country prior to this date. Links to these other cases were made only after the shootings in the D.C. area became nationally known, highlighting the importance of rapid entry of time-sensitive criminal information into VICAP—information that is critical to identifying similar patterns, trends and evidence. VICAP has the capacity to serve as an early warning system to spot commonalities and stop future criminal acts.

In 2005, VICAP is expected to exist as a web-based system on Law Enforcement On-Line (LEO), allowing local investigators to not just enter case information but to search the system. Eventually, VICAP will have the capabilities to gather and disseminate sexual assault case information as well.

For VICAP to succeed, local and state law enforcement agencies will need to significantly increase their participation in VICAP by making it a priority, training investigators in its use and ensuring that case information is entered in a timely manner. Officials interviewed for this project stressed that VICAP, and all national database systems, have to be as user-friendly as possible if investigators are to employ them. Suggested improvements include the following:

- Build a technology bridge between VICAP and other data systems to reduce multiple entry of the same information
- Allow investigators to enter all case information at one time
- Place the national database terminals on investigators' desks

Those interviewed for the project proposed that to improve reporting by local and state agencies, VICAP should place staff or fund personnel in large local agencies to enter information into the system. For example, law enforcement in the United Kingdom uses “contact officers” to obtain case information and enter it into national databases. Contact officers are responsible for a certain number of departments and work with them to collect the raw information for the system rather than merely waiting for it to arrive.

Several states, including New York and Nevada, have legislated mandatory reporting by all local agencies or have required data entry within 30 days of the incident. Other states may be considering mandatory reporting to VICAP, and could promote participation in other national databases, such as AFIS, CODIS and NIBIN. Increased funding for these national databases at the federal, state and local levels would facilitate greater use of these systems.

Other Information Databases

It should now be obvious that law enforcement needs a secure network for sharing criminal information and intelligence. It must be a national system of interconnected resources that would enable investigators to identify linkages between violent crimes in different jurisdictions and fully leverage

and utilize information sharing. Volumes could be written about the myriad systems and their strengths and weaknesses. For the purposes of this report, only a few examples of well-known efforts follow to provide the reader with context in which to assess the relevant recommendations.

Because funding constraints continue to plague law enforcement at the local, state and federal levels, care should be taken not to duplicate “new” systems or capabilities when the same capabilities already exist in case management and information sharing networks. Current systems that can be adapted to meet investigative, intelligence or case management needs should be prioritized, networked and leveraged to their fullest potential.

CLEAR

The information that follows was provided by the Chicago Police Department.

Another tool used is Citizen Law Enforcement Analysis and Reporting (CLEAR).³⁵ CLEAR is a dynamic, relational database that was custom designed to sift through large amounts of data in order to provide Chicago Police Department (CPD) members with the tools they need to fulfill their primary mission: public safety. CLEAR was designed with four high-level goals in mind: 1) improve the management of the department, 2) reduce crime, 3) improve information sharing with the community to build better relations and 4) integrate information with other criminal justice agencies to enable unified strategies. The focus was to make better use of the large amounts of data that are collected every day and to be able to transcend geographical and institutional barriers to public safety.

The CPD has capitalized on the power of using one relational database to drive all business processes. This enables officers and management to identify patterns such as burglaries in different neighborhoods by instantly comparing more than 100 million data variables. More than 200 federal, state and local agencies use CLEAR in their day-to-day operations.

According to the CPD, the following is a brief overview of the informational capacity of CLEAR:

- A criminal history system that tracks more than 3 million offenders and associates those individuals with more than 2 million criminal case files.

- A data warehouse module that includes data on more than 5 million arrest records for Chicago and more than 130 suburban law enforcement agencies. These agencies share real-time information on 950 arrestees daily, adding more than 315,000 arrest records a year to the system. In a two-year period, there were nearly 5 million investigative queries made by both internal and external users of the system.
- An evidence and recovered property module that tracks all inventories of property seized or collected.
- A mug shot system containing 3.6 million arrest photographs in which officers can query and develop line-ups based on common features.
- A Contact Card System that adds information on 10,000 police interactions per week. Its purpose is to provide an electronically searchable written record of an investigatory stop that does not result in an arrest, and which may later serve a useful investigative purpose. By the end of 2004, it is expected that 100 external agencies will be using this system to track their investigatory stops.

³⁵ More information on CLEAR is available on the City of Chicago's website <http://egov.cityofchicago.org> and a publication on how information technology is applied on the streets (Pastore 2004).

Examples of National Criminal Databases

The information that follows was provided by the U.S. Justice Department Office of Justice Programs, Bureau of Justice Assistance.

Several case management and information sharing systems either exist or are under refinement. For example, the Regional Information Sharing System (RISS)³⁶ has been in existence since 1972, and should not be overlooked as a potential resource to address multijurisdictional crimes and multijurisdictional information sharing within a secure communication environment. RISS implemented an automated communication network in the mid-1990s that allows investigators and crime analysts to submit, share and retrieve information using (RISS.net) in a secure but unclassified environment. RISS's security protocol can either reside with the user, allowing that person to log into the secure RISS.net anywhere there is Internet service, or it can reside in the investigator's office computer. The databases maintained by the RISS centers, and updated by RISS member agencies, allow entry and audit trail/tracking of who submitted/queried on the item, person or activity in question. RISS is designed to place people previously unknown to each other in touch with their counterparts, when, either through submission or query, two or more parties express an interest in the same specific element.

There are other information-sharing options that have been recently developed that use RISS.net's communication backbone for connectivity. (The FBI's Law Enforcement Online (LEO) has established interconnectivity with RISS.net that allows member agencies to share law enforcement information.) One such option within RISS.net allows for such entities as community service, public safety (Fire, EMS), public health, emergency management and utility personnel, in addition to the traditional law enforcement community, to share information among themselves in a secure forum through the anti-terrorism information exchange (ATIX) program. Thus, homeland security officials, mayors, county executives, school superintendents, public health and hospital directors, transportation, hazmat agency executives, and others can communicate and share information quickly and effectively in a secure fashion. The National Criminal Intelligence Sharing Plan recommends that the RISS and LEO systems serve as the initial sensitive but unclassified secure communications backbone for implementation of a nationwide criminal intelligence sharing capability. It contains model policies and standards for leveraging existing infrastructures for sharing criminal intelligence across all levels of government. The Plan provides

- processes and mechanisms to promote intelligence-led policing,
- models for law enforcement intelligence systems,
- policies for protecting privacy and civil rights,
- a secure technology architecture for sharing intelligence,
- a national model for intelligence training,
- an outreach plan for promoting timely and credible intelligence sharing, and
- a plan for leveraging existing intelligence systems and networks.³⁷

Another tool that was recently added as a resource on RISS.net is the Factual Analysis Criminal Threat Solution (FACTS), which was created as part of the Multistate Anti-Terrorism Information Exchange (MATRIX) project. This tool facilitates the integration and exchange of information within the participating states, including criminal history, driver's license data and digitized driver's license photographs, vehicle registration records and incarceration/corrections records, with significant amounts of public data record entries. FACTS allows law enforcement to process large volumes of information in minutes that would take hours if done manually.

Other examples of tools that greatly aid law enforcement in solving major cases include CriMNet, which is an enterprise architecture that puts in place a statewide framework of people, processes, data, standards and technology focused on providing accurate and comprehensive data to the criminal justice community in the State of Minnesota. Pennsylvania's Justice Network (JNET) is another example of a collaborative effort among municipal, county, state, bordering states and federal justice agencies to build a secure integrated system to allow for justice information sharing by authorized users. These and other systems of this type that exist throughout the country should be evaluated for their possible application to large-scale incidents like the sniper case.³⁸

³⁶ Additional information regarding the Regional Information Sharing System (RISS) is available at <http://www.iir.com/riss/>.

³⁷ More information regarding the National Criminal Intelligence Sharing Plan is available at <http://www.it.ojp.gov>.

³⁸ More information on CriMNet is available at <http://www.crimnet.state.mn.us/>. Additional information on the Pennsylvania Justice Network is available at <http://www.pajnet.state.pa.us>.

CONCLUSION

Integrating multiple information management systems into one coherent system was a challenge that was never fully realized in the sniper case. Though the public expects successful resolution through rapid law enforcement analysis and interdiction, the notion that such an information system could have been built in three weeks is folly. A commercial off-the-shelf or custom-built system that could have handled the information generated by the multiple jurisdictions involved in the sniper case does not exist today. The challenge for law enforcement is to develop and employ case management systems so that crime analysts and law enforcement officers have a collection of interconnected resources at their disposal during routine and high-profile investigations involving multiple jurisdictions. By supporting national policies that identify effective management information systems and protect privacy rights, law enforcement executives can minimize social disruption during significant crime incidents. Ultimately, cases will be solved by determined and skillful investigators. To be effective, they must have the tools and support they need.

LESSONS LEARNED

Ensuring Telephone and Radio Communications

- Command centers must use private branch exchange (PBX) phone systems, which provide significant efficiencies in handling phone calls coming into, as well as within, the call center.
- Radio systems should be interoperable and encrypted whenever possible.

Setting Up Tip Lines and Call Center Management

- Develop, and when possible, implement an investigative and technological infrastructure to support tip lines prior to an incident.
- Before an event, identify a location that will be used for the telephone tip center that is close to the command centers.
- Telephone tip call centers require a large number of toll-free telephone lines, caller identification service and the ability to tape all incoming calls.

- Law enforcement agencies at all levels need to develop coherent plans for staffing telephone tip lines and training all call-takers.
- Agencies should consider using retired law enforcement officers to take calls. Agencies should screen and train these retired officers as they would all call-takers.
- Law enforcement agencies should also consider using private telephone communications companies to establish and staff call centers if they lack the necessary personnel.

Using Case Management Systems

- Law enforcement needs an automated information management system to manage leads and information during a significant investigation.
- In a task force arrangement, personnel must be accountable to a single command-and-control structure.
- Individuals must be familiar with the systems they will use during the investigation, and ideally should employ the same system as they use every day.
- Effective case management systems should
 - serve as the electronic repository for all tips, leads and other information;
 - be compatible with systems in other agencies;
 - be web-based and accessible to authorized agencies;
 - feed multiple information systems based on one-time data entry;
 - perform sophisticated data analysis, such as crosschecking and soundexing; and
 - provide action tasks for investigators to consider.
- Agencies must supervise case management staff closely and schedule briefings during shift changes.
- Agencies must continually work to improve quality control and eliminate redundancy of tasks and lapses in analysis.

Enhancing Information Management and Intelligence Analysis

- Locate the intelligence component with the investigative and operational command components of a large task force.
- The case management system can best be used when individuals completely familiar with the software system are standing by to offer continual training to investigative staff.
- System support personnel need to be on hand so that interruptions in network access are minimal.
- When using several databases, their daily updates and the information from tips and other investigative efforts will require a server of sufficient size, speed and capacity.
- The Case Explorer software is free and available to local law enforcement agencies through partnerships with HIDTAs.
- American law enforcement should study programs such as HOLMES 2 and determine the extent to which it can be applied or adapted for use in the United States.
- VICAP has the potential to provide law enforcement agencies with a comprehensive national database on violent crimes and offenders, provided that local and state agencies enter their violent crime information into the system in a timely fashion.

Accessing Criminal Information Databases

- Law enforcement needs a secure network for sharing criminal information and intelligence. It must be a national system of databases on crimes and suspects that would enable investigators to identify linkages between violent crimes in different jurisdictions.

Local Law Enforcement Operations

INTRODUCTION

High-profile investigations draw on more than just investigative resources; they seemingly tax all available law enforcement agency resources. From the outset of the sniper case, agencies drew upon every reserve to prevent another incident and apprehend the shooters. With so much of the law enforcement response focused on investigative tactics to identify and apprehend the offenders, agencies can overlook the need to bolster other essential assets.

This chapter focuses on the many law enforcement units and functions in local and state agencies that provided the “other” law enforcement services essential to an effective investigation. This is not an exhaustive discussion of all contributing agency functions; rather, it is a more focused examination of those functions that played significant roles in the sniper case, and would likely be employed by agencies facing similar circumstances. These significant agency functions include the following:

- Patrol
- Traffic
- Evidence and forensics
- Tactical response
- Aviation
- Administration

In the sniper case these law enforcement functions filled critical and visible roles during emergency responses to the shootings, crime-scene investigations and roadblocks. As the case consumed weeks

and extended into multiple jurisdictions, officials encountered such challenging questions as the following about how to most effectively use these resources:

- What should administrators do to make full use of patrol resources and expertise?
- How can administrators keep patrol officers informed of developments when so little information exists?
- How can an agency strike a balance between devoting resources to a high-profile investigation while still meeting the community’s other law enforcement needs?
- If uniformed officers are conspicuous sniper targets, how can agencies minimize their vulnerability?
- Do organizations need to temporarily reorganize?
- Do work schedules need to be modified?
- What tactics can agencies employ to apprehend the shooters before or right after a shooting?

PATROL

Because the patrol force is each agency’s most visible representative, it will often develop the strongest connections to the community. During a high-profile case, those connections can be used to develop solid leads by working with residents. With the right information, and using the correct tactics, patrol officers can affect the behavior of a perpetrator. Keeping patrol officers informed of case developments and intelligence is the key to keeping them engaged in the investigation. Law

enforcement agencies involved in the sniper case faced five specific challenges in managing the patrol function:

- Keeping patrol officers informed of case developments
- Keeping patrol officers involved in the investigation
- Using patrol units to suppress or redirect sniper activities
- Providing routine police services to the community
- Ensuring officer safety

Keeping Patrol Officers Informed of Case Development

To help patrol officers stay informed about the investigation, agencies tried to brief them on case developments and provide them with intelligence about suspects. One way this was accomplished was through regular briefings of patrol officers. The Prince William County Police Department instituted daily briefings for all patrol shifts that included the latest case developments, “be-on-the-lookouts” (BOLOs), and possible suspect information (see Appendix G for written briefings used by local agencies). The Montgomery County Police Department used its web board, rather than police radios, to update officers on developments. Arlington County Police Department supervisors wrote case developments on a white board near the roll-call room, and augmented that by keeping stationhouse televisions tuned to the all-news network.

“Don’t lose your patrol team.”

Lieutenant Bill Tower, Maryland State Police

However, in many agencies, patrol supervisors and officers were troubled by what they saw as a lack of meaningful briefings during shift changes. Many officers felt communication between command staff and patrol was insufficient. Part of this problem might have been a function of the general lack of information that existed in this case, but it might also be due to the briefing procedures as

well. An agency has to determine whether to pass along incomplete or uncertain information or wait for more substantive information. Some managers said that even imperfect information is better than no information, if for no other reason than that it helps to keep patrol officers involved in the investigation. Other managers were adamant that incomplete, inaccurate or uncertain information should never be disseminated.

Agencies also have to consider who is briefing officers, and what they say. Officers interviewed for this project alluded to the importance of “trusting the messenger.” Although officers appreciated when their regular supervisors provided briefings, they felt more connected to the investigation when a commander or someone from the JOC took the time to provide them with meaningful information, and not just say “no comment,” which officers reported happened in a few agencies.

Keeping Patrol Officers Involved in the Investigation

Patrol officers can make a valuable contribution to the investigation by collecting street-level information and developing intelligence. When gathering information from residents through door-to-door inquiries, for example, patrol officers can be more effective if provided specific interview questions tailored to different communities (e.g., a university or business district). Often, suspects in high-profile cases appear to be ordinary, blend in and remain unnoticed by most people. However, specially tailored interview questions, developed with the assistance of law enforcement behavioral scientists, can prompt residents to remember important details.

Similarly, agencies need to ensure that procedures exist, such as a field interview card system, to collect information that patrol officers glean from interviews. Perhaps most important, agencies need to provide feedback to patrol officers about information they submit. Officers in several agencies complained that they never knew what happened to information after it was submitted. Further, some officers said that after submitting a solid lead, they were denied feedback on the lead

because the agency wanted to guard against media leaks (see Chapter Seven for a discussion of media issues).

Using Patrol Units to Suppress Sniper Activities

A patrol force can play a crucial role in influencing suspect activity and dealing with public panic and fear (see Chapter Eight for a discussion of community outreach efforts). Agencies used some of the following strategies to disrupt the sniper suspects and to demonstrate a presence that would ease community fear:

- **High Visibility.** In Washington, D.C., the MPD stationed cars with activated emergency lights on major thoroughfares at the District-Montgomery County border. The Fairfax County Police Department placed marked units on the highway bridges that connect Montgomery and Fairfax Counties.
- **High-Risk Locations.** A number of agencies identified potential target hot spots and used directed patrol strategies in those areas. Agencies assigned extra patrols in wide-open commercial retail areas similar to those where the shooters most frequently struck. Many agencies stationed officers in front of schools—the Maryland State Police performed this function in several Maryland counties.
- **Exit Routes.** Police agencies in northern Virginia relied on mapping technology to identify potential escape routes from wide-open commercial areas and placed marked and unmarked cars in these areas.

Providing Routine Police Services to the Community

A significant challenge for law enforcement executives and managers is that during high-profile investigations, communities continue to rely on their agencies for routine law enforcement services. Indeed, requests for service or assistance may increase due to citizens' increased vigilance regarding suspicious persons, and their increased apprehension. Routine police activity, together with dramatic increases in workload related to the investigation, can create a significant burden on

agencies' ability to meet the public safety needs of their communities. Nonetheless, the community needs to be reassured and see that law enforcement is handling daily police business.

“The community expects the same services to be provided, crisis or no crisis.”

*Captain T.S. McInteer,
Prince William County Police Department*

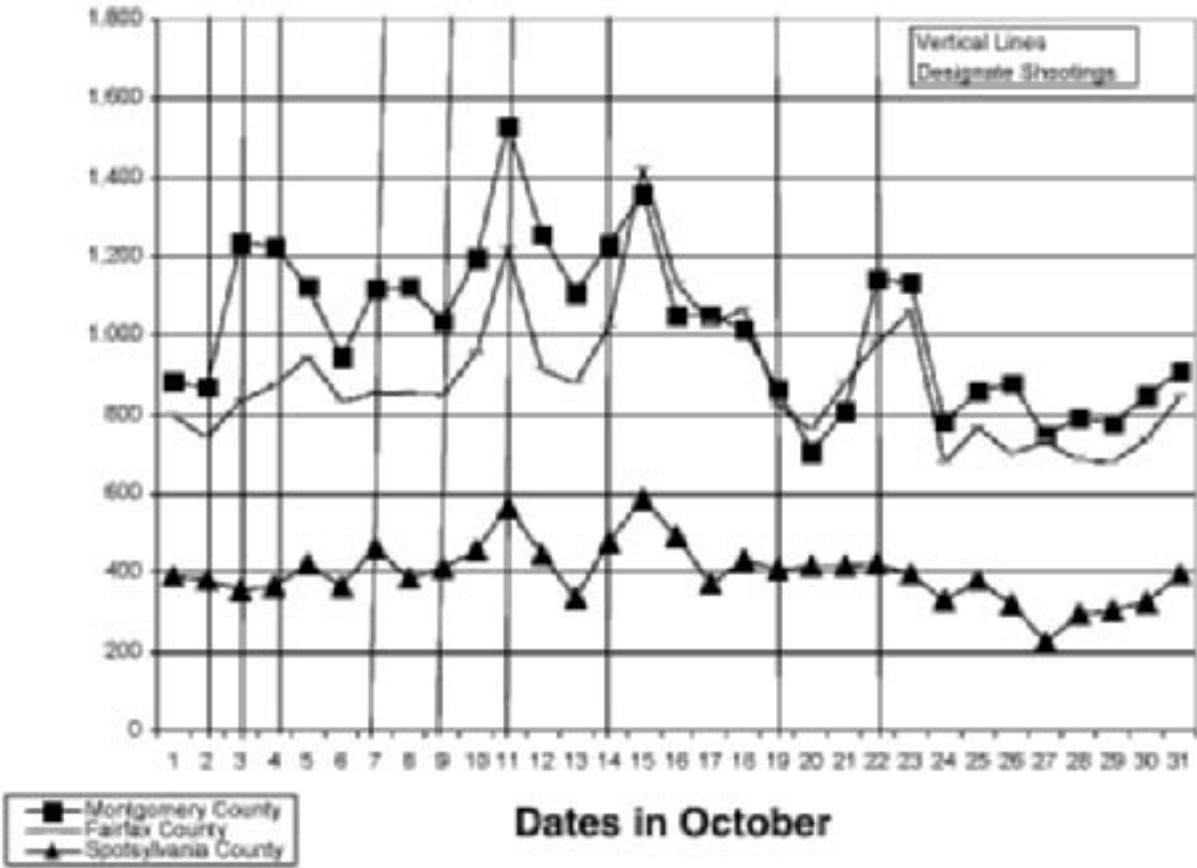
During the sniper case, perhaps the biggest challenge for the patrol force was to balance its routine responsibilities with the new demands of the investigation. The day-to-day calls for service tasks and other duties did not dissipate, although they did fluctuate. In some agencies, the perception was that calls for service went down, while officials in other agencies reported that they went up. One supervisor said that nuisance calls went down, but calls related to the sniper shootings went up. Chart 6-1, on the next page, shows the considerable fluctuations in calls for service in three of the affected jurisdictions—Montgomery, Fairfax and Spotsylvania Counties—for October 2002. The vertical lines represent the 10 dates on which at least one shooting occurred. Chart 6-2 illustrates a comparison of calls for service from these counties in 2000, 2001 and 2002.

In the pressured environment of the high-profile investigation, agency leaders can be distracted from appreciating the contribution of patrol officers in handling the routine workload. If officers feel neglected, their performance can suffer significantly. Chiefs and sheriffs need to make time to personally confer with patrol officers and recognize their contributions.

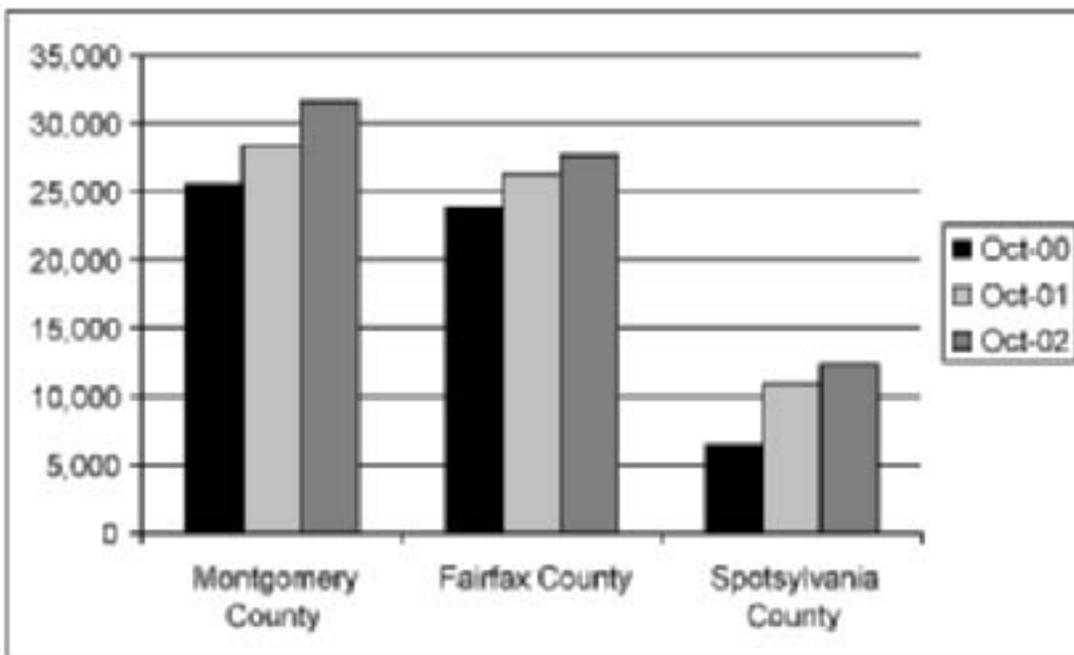
ENSURING OFFICER SAFETY

Executives, commanders and officers were highly cognizant of officer safety issues during this investigation. The suspects threatened police officers in written communications and had amply demonstrated their predilection for shooting unsuspecting victims from significant distances without detection. Many law enforcement officials believed

**CHART 6-1
CALLS FOR SERVICE DURING INCIDENT**



**CHART 6-2
CALLS FOR SERVICE COMPARISON (OCTOBER 2000-2002)**



it was only a matter of time before the snipers shot a uniformed officer.

Fixed-post assignments, in particular, generated anxiety about officer safety. Officers were told to be highly visible but were also reminded of the need to be careful. These contradictory messages made many officers uneasy and seemed to haunt the administrators and supervisors who gave the orders.

Many agencies assigned patrol officers to fixed posts at schools and shopping centers. In Montgomery County, patrol officers provided perimeter security for police headquarters. Seven police officers filled these posts during the daylight shift, and court security sheriff's deputies worked the posts at night. Montgomery County managers impressed upon officers the importance of the perimeter security duty, especially since some officers expressed discomfort with the assignment because of a lack of experience performing it. In Arlington County, supervisors made frequent visits to fixed post assignments, and frequently rotated officers to reduce boredom and maintain alertness. In many agencies, supervisors stressed the importance of fending off inattentiveness and boredom, especially for those officers unfamiliar with this type of assignment.

“From an officer safety perspective, the dumbest strategy was assigning officers to high visibility posts, such as in front of the schools. But we had no choice, and the officers gallantly accepted these assignments.”

*Chief Charles Moose,
Montgomery County Police Department*

In Prince William County, police commanders repeatedly emphasized that officers needed to expeditiously handle calls in high-risk areas, and minimize their visibility as potential targets. With nerves on edge and with law enforcement officers seemingly everywhere (often in plain clothes), many agencies stressed that officers needed to be vigilant to prevent “friendly fire” incidents. The Prince William

County Police Department made a point of reminding officers of the signal used at that time to identify themselves as police officers when at an incident. The Montgomery County Police Department used several methods. Personnel from other agencies involved in surveillance operations were required to appear at patrol roll calls. This increased the possibility that officers would recognize one another should their paths cross while on patrol or responding to a call. Plainclothes detectives and undercover officers used passwords when on the street: Officers called out a name and undercover officers replied with a set response. Identifying information was also placed on license plates of undercover cars from outside agencies. Tactical officers wore black uniforms.

This case was fraught with instances where officer safety could have easily been imperiled. But no one lost sight of how dangerous this situation was, and administrators, managers and officers made every attempt to ensure the safety of their fellow officers, whether they were handling calls for service, conducting surveillance or setting up traffic roadblocks.

TRAFFIC

Approximately 10 days into the investigation, the task force developed a multijurisdictional roadblock plan that would be used after any shooting that could be sniper-related. This plan was to facilitate the suspects' capture or to force them to engage in furtive or suspicious behavior that would attract the attention of law enforcement officers and/or members of the public. The initial plans were developed at a regional meeting of law enforcement leaders and continued to evolve during the investigation. The plans eventually included law enforcement agencies across the entire D.C. and central Virginia regions, and were coordinated through state and county highway agencies. Multijurisdictional roadblocks were used after the following shootings:

Wednesday, October 9, 2002,

approximately 8:18 P.M.

Manassas, Virginia

Virginia State Police immediately shut down adjacent Interstate 66. Troopers began stopping and searching white vans that fit a witness's description. The shooting of Dean Meyers at a

Manassas gas station marked the first of several uses of an interstate dragnet by law enforcement.

**Friday, October 11, 2002,
approximately 9:30 A.M.
Fredericksburg, Virginia**

This was the first time the task force's coordinated multijurisdictional plan went into effect. Virginia State Police and many local agencies shut down Route 1 and every on-ramp onto I-95. Again, officers stopped and searched all white vans fitting witness descriptions.

**Monday, October 14, 2002,
approximately 9:15 P.M.
Falls Church, Virginia**

Another massive dragnet ensued, this time closing down major surface roads in the immediate vicinity of the shooting as well as the most traveled stretch of highway in the D.C. metro area, Interstate 495, known to the region's residents as "The Beltway."

**Saturday, October 19, 2002,
approximately 7:59 P.M.
Ashland, Virginia**

Federal, state and local law enforcement agencies deploy another I-95 dragnet, and still no suspect is apprehended.

**Tuesday, October 22, 2002,
approximately 5:56 A.M.
Silver Spring, Maryland**

For the fifth time, major surface roads and highways were closed. The plan for the multijurisdictional roadblock was the most sophisticated one yet, based on a series of concentric circles and time intervals for blockading key intersections. Yet, without knowing what vehicle to look for, the dragnet yielded no suspect. Just a few days after the arrests of Malvo and Muhammad, a UPS driver called the MCPD to report that he sat behind the suspects' car during the October 22 roadblocks. He was certain about his recollection, because the suspects' tag number included the letters NDA, which is used as a disposition code by UPS drivers.

Agencies need to carefully consider the purpose of roadblocks, the information needed for them to be effective, how to stop traffic and how to get it moving. Roadblocks have the potential to be effective when coordinated across regions and states, and when coordinated with public highway and transportation agencies. A software package (RoadBLOCK³⁹) was used to help determine which roads to close and where to establish checkpoints. For instance, checkpoints were established at 3, 5, 7 or 10 miles from the incident depending on the time elapsed from the initial call and the expected travel times.

"The roadblocks had a notion of value but the execution could have been more effective with more specific information about the suspects' vehicle."

Chief Terrance Gainer, U.S. Capitol Police

While roadblocks do serve the purpose of showing the public that law enforcement is "doing something," they should be designed primarily as an effective law enforcement tool. Regional roadblocks so significantly disrupt traffic that they have to be used judiciously and should be accompanied by a public education initiative. Although residents were generally supportive of the roadblocks, their acceptance may have waned if the roadblocks had continued without any success for much longer.

The roadblocks were so effective in disrupting traffic patterns that traffic reports on radio and television stations mentioned them. "Avoid the Wilson Bridge right now; the police roadblock has brought traffic to a standstill." After phone callers alerted the stations that this information could be tipping off the snipers, details about the roadblocks were omitted from traffic reports. This is an example of how the sniper case affected the region, but also points to the need for agencies in future high-profile investigations to alert the media

³⁹ At this writing, RoadBLOCK has been replaced by emaps and information on the system can be obtained by calling (410) 295-3333 or at www.digitalcorp.com/emaps.htm.

about appropriate coverage of police operations (see Chapter Seven for an extensive discussion on law enforcement and media relations).

“I wasn’t sure what the roadblocks would accomplish. They were never really successful, but we couldn’t afford not to use them.”

Sheriff Stuart Cook, Hanover County Sheriff’s Office

Roadblocks can be an effective tool for freezing action immediately after an incident. But once the action is frozen, agencies have to have a plan for what they intend to accomplish. If the intent is to use roadblocks to gather license and vehicle information, then the necessary systems must be in place to collect and analyze the data. In central Virginia, officers collected so much vehicle and tag information at roadblocks that it could not all be entered into Rapid Start. Most of this information sat in boxes, never entered into the database.⁴⁰ After the case broke, the information was scanned and placed on CD-roms and provided valuable evidence.

“The roadblock plan was implemented with the best of intentions. In hindsight, however, it wasn’t successful because we didn’t know what we were looking for.”

*Chief Frederic Pleasants, Jr.,
Ashland Police Department*

The idea of establishing roadblocks to contain and inspect traffic appears to be a relatively simple concept. But, as demonstrated in this investigation, establishing roadblocks for investigative purposes can be complex for any one agency to carry out. When multiple agencies attempt to develop coordinated roadblock plans, the task becomes incredibly complex, and requires extensive foresight and planning.

EVIDENCE AND FORENSICS

In a complex, multi-scene case, collecting and analyzing evidence is critically important to identify-

ing and eventually prosecuting suspects (Chapter Four includes a discussion about managing crime scenes). In the sniper case, a variety of law enforcement personnel processed the crime scenes, although local agencies had primary responsibility for much of the collection and identification (bagging and tagging). As mentioned in Chapter Four, this evidence then was transferred to the appropriate federal agency based on their expertise:

- ATF processed and analyzed ballistics and firearms.
- The FBI processed and analyzed DNA; hairs and fibers; trace evidence; fingerprints; audio and video enhancements; as well as conducted computer forensics examinations and financial forensic analysis.
- The Secret Service processed and analyzed handwriting, paper and ink.

Federal agencies may use different approaches to managing crime scenes and collecting evidence, and they have very different capabilities in their laboratories. All agencies involved in crime-scene and forensic functions should know and appreciate these differences and incorporate them into policies for crime-scene management. Many state police agencies have very sophisticated laboratories as well, and can provide significant assistance during a high-profile investigation.

External forensic expertise (whether federal, state or local) should be brought into an investigation as soon as possible. The lack of a forensic expert at the beginning of an investigation could cause important evidence to be overlooked or not collected, or analyzed, shared or stored inappropriately. DNA evidence, for instance, can be compromised by other forensic processes.

Local, state and federal agencies need to develop evidence response and collection protocols for multi-agency operations. The protocols should

⁴⁰ *In the United Kingdom, agencies are using the Automatic Number Recognition System that captures and identifies tag information from in-car video cameras, freeing officers from having to write down tag numbers.*

specify who might enter crime scenes, who can collect evidence, the types of evidence they can collect, procedures for analysis and more. Protocols should also address specialized evidence search techniques, such as which type of canine (e.g., one trained in explosives/ballistics or searching for human scents) should search a scene first, based on the type of evidence sought and rules for scene preservation.

The protocols should include steps that enhance consistency in collecting and analyzing evidence and maintaining the chain of custody. As with many of the recommendations for coordinated operations, evidence and forensic protocols should be developed before a multi-agency investigation. Once developed, the protocols must be distributed to every agency that might be involved in handling a crime scene.

TACTICAL RESPONSE

Tactical officers in all agencies performed critical services during the sniper investigation, including

- providing surveillance at potential shooting sites identified through mapping analysis;
- conducting traffic roadblocks;
- providing protective services at press conferences and other high-profile scenes;
- placing response teams at heliports for expeditious response to a shooting scene; and
- identifying potential sniper sites and then providing guidance on how to deal with those sites, including establishing counter-sniper operations.

In Montgomery County, a combined tactical operation was established very early on Day 2. Relying on existing relationships among commanders in the Montgomery County Police Department, the Maryland State Police and the FBI's Hostage Rescue Team, MCPD established a tactical command post at its training academy. The mission of the tactical operation in Montgomery County was to protect residents and first responders, and stop the shooters by apprehension or intervention. This was a carefully coordinated operation that relied on a separate command post, chain of command, briefing sched-

ule and radio communications. To some extent they operated independently of other law enforcement operations, and while this worked well because of individual tactical commanders and their familiarity with each other, this arrangement could have unintended consequences in other investigations.

During Day 2, tactical operations in Montgomery County focused on assessing the overall threat level and likely targets. A significant part of this effort entailed determining what had happened at the different shooting scenes. To that end, two trained law enforcement snipers responded to the scenes and assessed each shooting, gauging factors such as the shooter's possible location, the projectile trajectory and distance traveled, and the victim's wounds. Aerial photographs were taken of each scene, and tactical commanders visited the scenes as well.

“The goal of the tactical teams was to be over-prepared.”

*Captain Drew Tracy,
Montgomery County Police Department*

From this assessment, law enforcement operations tried to counter the threat by assigning patrol and undercover officers to likely shooting locations, such as gas stations and shopping centers adjacent to major roadways. Tactical officers engaged in proactive patrols at these locations, identifying and questioning individuals behaving suspiciously. Tactical teams also responded to loud noise calls for service and provided back up to patrol units responding to high-risk calls for service.

To provide adequate coverage throughout Montgomery County, the tactical operation relied on the combined resources of the Montgomery County Police Department, Maryland State Police and FBI to form three-officer cars. The three-officer teams, which always included one Montgomery County officer, remained intact for the entire investigation. Also throughout the investigation, the tactical command was able to assign between 12 and 18 three-officer cars per

shift, achieving its goal of having a tactical action team able to respond to the scene of any additional shootings within three minutes.

In Prince William County, the police department drew upon federal and local law enforcement expertise to develop tactical plans. The shooting in this county on Day 8 was the latest in a developing pattern of sniper targets near interstate intersections. In response, law enforcement officials developed a tactical response plan to counter the threat. Police and FBI snipers assessed each Interstate (I-95 and I-66) intersection to identify likely sniper staging areas. Those areas were placed under surveillance. ATF agents from around the country also augmented resources. Police tactical officers and U.S. Marshals were paired together and operated as response teams in these high-risk areas in the event of a shooting or suspicious person.

Tactical officers in all jurisdictions were thrown into a number of unfamiliar situations but handled most of them successfully. Because tactical officers were performing functions different from routine tactical operations, supervisors had to emphasize these differences and coordinate the activities of personnel. Tactical teams also operated with officers from different agencies. Some tactical officers operated in unfamiliar communities. As much as possible, local agencies tried to assign tactical officers from outside agencies with officers from the home agency. While this helped to increase the effectiveness of these tactical teams, it also required establishing shared goals and coordinating tactics and rules of engagement consistent with the mission.

Tactical units did not have the luxury of pre-incident planning for this investigation. They did, however, engage in extensive planning throughout the three-week event, and even practiced scenarios consistent with different contingencies. For example, at the Myersville rest area on Day 23, tactical officers from the MCPD, Maryland State Police and FBI rehearsed together before extracting and arresting the suspects. Whenever possible, they engaged in extensive planning, practiced particular operations and overcompensated for the time, resources and personnel needed for a successful tactical operation.

Aviation

As the investigation progressed, law enforcement personnel increased their use of helicopters, and so did the media. Media helicopters were used to observe and photograph or tape roadblocks, crime scenes and police actions. Local, state and federal law enforcement helicopters were used to transport officials, tactical teams and evidence, provide a platform for surveillance and allow officials to observe crime scenes.

In some jurisdictions, especially Montgomery County, helicopters flew “low and loud” over schools and shopping centers in an attempt to reduce fear among residents. Although those who suggested this strategy believe it was helpful, others involved in the investigation believe the aggressive use of military-style helicopters induced more fear than they alleviated. Yet, at the time of the sniper shootings, this was also a strategy designed to suppress sniper activity.

As the number of helicopters increased, it became necessary to establish protocols for air space. For some of the crime scenes, local law enforcement worked with their federal counterparts to convince the Federal Aviation Administration to restrict airspace over the scene. This was easier for some scenes than others. The rest stop where the snipers were arrested, for example, was in such close proximity to the presidential retreat, Camp David, that one phone call from the Secret Service SAC restricted airspace and kept media helicopters from hovering over the scene.

Local agencies also had to coordinate aviation activity with ground tactics. On several occasions, helicopters engaged in activities that those on the ground, especially at crime scenes, perceived as intrusive, annoying and threatening to the safety of law enforcement officers. At one crime scene, helicopter spotlights illuminated a wooded area where tactical officers were searching for suspects. This had the dual effect of destroying their depth perception as they scanned the woods, and back-lighting them as possible targets. Coordination between aviation units and those on the ground requires the commitment of all law enforcement

agencies at all levels of government. In fact, several officials suggested that aviation units should not be allowed over incident scenes unless air-to-ground communications exist. Despite some of these problems, law enforcement aviation units made a significant contribution to the investigation, and will fill a vital role in any similar investigations in the future.

ADMINISTRATION

As mentioned previously, high-profile investigations can tax all available agency resources, including a variety of administrative and human resource functions. Just as investigative and patrol resources performed admirably, so too did the individuals that staffed these often unseen functions.

The effect of a high-profile investigation can turn even the most routine administrative function into a critical responsibility. Budget, procurement and property managers allowed the Montgomery County task force to function effectively by ensuring the procurement of the “life lines” such as food, ballistic vests and cell phones. Budget managers had to create line item codes to track all expenses related to the event. Purchasing managers had to expedite emergency orders for food and equipment. These individuals are easily overlooked, yet without them an operation can grind to a stop.

“A number of unsung heroes made important contributions to the success of this investigation.”

*Chief Charles Moose,
Montgomery County Police Department*

Human Resources

The dedication of participating law enforcement officers was evident throughout the sniper case. In every agency, officers showed their commitment by working long, strenuous hours. The challenge for management was allowing officers to meet this need to contribute while balancing labor contracts and personnel rules, as well as officers’ well-being (see Appendix H for an example of a staffing plan).

In several agencies, officers wanted to work extra hours but also wanted compensation in strict compliance with a labor contract, which created problems for managers trying to keep overtime expenditures under control. Managers had to consider all these factors when making decisions on the following staffing issues:

- Some participating agencies went to 12-hour shifts, but others decided to stay with their existing schedules.
- Most agencies cancelled or restricted all training and leave.
- Many agencies assigned administrative officers to marked and unmarked cars.
- Some agencies modified court schedules for officers, including Montgomery County, which assigned one person to work with the courts to coordinate rescheduling.
- Several agencies received authorization from government decision makers for unlimited overtime.
- The Prince William County Police Department suspended its take-home car program to ensure an ample reserve of marked cars for those who were working the case.
- A handful of agencies modified their uniform requirements to improve easy identification of personnel.

The sniper case placed enormous strains on law enforcement personnel and the administrative policies, rules and regulations that guide much of their behavior. In a number of instances those rules and regulations had to be modified to meet an agency’s operational needs. In some circumstances, those rules were overlooked, such as when administrators allowed officers who were working extended shifts to use department-issued cell phones for personal calls to their families.

Emotional Well-Being

Obviously, a high-profile investigation can affect the emotional and physical health of law enforcement personnel, from civilian dispatchers to patrol officers to police chiefs and sheriffs. Extended shifts, overtime, irregular eating habits, infrequent exercise and lack of rest are just some of the stres-

sors for which agencies have to prepare (see the discussion in Chapter Four about the need to schedule breaks and give days off). One of the other stressors in this case was being away from home for extended periods. Many of the federal officers, as well as local officers from out-of-state, were forced to leave their families behind and live out of hotels for several weeks. This arrangement creates tension exacerbated by people's tendency to work excessive hours when away from home.

“We had to guard against low spirits in those who were away from home.”

SAC Michael Bouchard, ATF

The families of many law enforcement officers were deeply affected by the events of the sniper case, perhaps even more so than community residents. Family members had to cope with the fear every resident felt, as well as the anxiety associated with relatives being law enforcement officers. The considerable amount of required overtime kept officers and agents from their homes over an extended period, and the lack of contact and communication exacerbated family members' concerns about both officers' physical and emotional well-being.

Agencies need to consider the effects high-profile or complex cases have on the law enforcement officers who are working on them. Anxiety among family members can generate even greater anxiety for officers, who then must work while worrying about their families' safety and welfare. Peer support networks for spouses and family members can be especially beneficial during critical incidents and high-profile investigations. Agencies should provide an assistance program or counseling services for officers and their spouses and children. This can be done through a law enforcement critical-incident support unit or a contract with an employee assistance program.

Once the event is over, agencies must not forget to recognize and reward employees for their dedication and accomplishments. Several agencies spoke about how this should be done in a timely manner

so that the awards are meaningful to those who worked so hard and with such commitment.

CONCLUSION

Agencies will face enormous challenges in finding the right balance for using personnel without overworking or underutilizing them. The biggest challenge may lie in keeping patrol forces engaged in the investigation. Certainly, every law enforcement administrator knows the tremendous importance of patrol officers in a case like this, and they should make a point of frequently reminding patrol officers of their value. The best tool may be to communicate regularly and provide them with meaningful information about the investigation and the role of patrol. Other functions, including, but certainly not limited to tactical response, traffic, aviation, evidence/forensics, procurement and administrative positions cannot be overlooked either. They all provide essential services throughout an investigation.

LESSONS LEARNED

Agencies need a mechanism for providing a daily briefing to staff. In the absence of official information, rumors can circulate unchecked. Agencies may want to consider assigning an individual to act as an Internal Information Officer.

Patrol

- Agencies should routinely keep patrol officers informed of all pertinent and current information about the investigation, and may need to rely upon several methods of communication to achieve this.
- Patrol officers should be provided a list of tailored questions to ask when talking to residents or conducting field interviews.
- Agencies should strive to provide feedback to officers on information that they provide to investigators, while also monitoring officers' expectations to ensure they know that lack of follow-up is not indicative of the information reaching a dead end.
- Agencies should consider using uniformed officers in high-visibility assignments to reduce public fear and panic.

- Patrol officers must continue to provide routine police services in their communities while also addressing the new demands of the investigation.
- Supervisors should remain cognizant of officer vulnerability and make frequent visits to fixed post assignments.
- Officers should be rotated frequently to reduce boredom and maintain alertness.
- Officers from different agencies must appear at patrol roll calls to increase the chances of being recognized on a scene and develop officer-recognition codes or signals.
- Officers must be vigilant about the presence of numerous law enforcement officers when conducting tactical operations in high-risk areas.

Traffic

- Roadblocks should be used to achieve a specific law enforcement purpose (beyond visibility), and should be carefully planned and coordinated across jurisdictional, regional and state boundaries.

Evidence and Forensics

- Evidence response and collection protocols should be developed that specify who can enter crime scenes, who can collect evidence, the types of evidence that can be collected and the procedures for analysis.
- Protocols should address specialized evidence search techniques.
- Protocols should include steps that enhance consistency in collecting and analyzing evidence and maintaining chain of custody.
- Local agencies should be aware of the different expertise that federal and state agencies have in evidence collection and analysis.

Tactical Response

- Tactical teams comprised of officers from different agencies must establish and coordinate goals, strategies and procedures.
- Tactical operations should be closely coordinated with patrol and investigative resources.
- Supervisors must coordinate tactical personnel as they may be performing new or unfamiliar functions.

Aviation

- Agencies should contact the FAA to discuss plans for restricting airspace in the event of an incident.
- Aviation responses should be coordinated with on-the-ground responses and tactics.
- Agencies with air units should also be in contact with news stations before an event to develop response and air-traffic plans.

Administration

- Law enforcement personnel, in conjunction with external authorizing agencies, should create budget line-item codes and emergency purchase orders before an event so they will be readily available and accessible.
- Agency administrators may need to modify policies, procedures, rules and regulations during high-profile cases.
- Agency administrators should pre-plan the anticipated costs associated with 12-hour and other alternative shifts.
- Agencies should ensure that counseling services are available to officers and their families during and after a high-profile investigation to minimize stress and guard against burnout.

Media Relations

INTRODUCTION

Law enforcement and media experts alike say the press coverage of the sniper case went far beyond that of any other serial crime. To say merely that the journalists' attention was unprecedented does not reflect the scope or intensity. The media did more than report this story. They were intimately involved in the unfolding events, influencing the investigation, occasionally even creating news.

This chapter outlines law enforcement agencies' public information function in the sniper investigation, and identifies lessons learned to guide other agencies that may one day face handling a high-profile national media event of this type. The discussion in this chapter focuses on what an individual agency needs to do to prepare for its media function. The advice contained here reflects the collective experience of the public information and media specialists whose agencies participated in the sniper investigation, as gathered through interviews and the project's focus group. The information is provided to assist individual agencies, though it can be tailored to the needs of agencies in a task force operation. Specifically, the chapter focuses on the following:

- Managing the public information function
- Holding press conferences
- Releasing public information from a task force
- Addressing media leaks
- Planning and preparing for high-profile cases

“From a public information perspective, this was the most difficult case I’ve ever seen.”

*Public Information Officer Joe Gentile,
Washington Metropolitan Police Department*

This chapter attempts to answer some of the questions that executives and public information personnel faced while interacting with the media during the three-week investigation, including the following:

- Who should be the spokesperson for an individual agency?
- When and how often do agencies hold a press conference?
- Who should be the spokesperson for a task force?
- How can agencies achieve a balance between being responsive to the media without being overwhelmed by their demands?
- Other than press conferences, how and when do officials communicate with the media?
- Under what circumstances should agencies use the media to communicate with suspects?
- How do officials control and respond to media leaks?

The fact that these shootings occurred in and around Washington, D.C., contributed to the extensive media coverage. As the nation's capital, the area has a significant national media presence as well as a sophisticated local media that often covers national

stories as local news. The recent growth in 24-hour cable news programs and talk shows increased the number of on-scene reporters and led to a non-stop parade of self-proclaimed experts, “talking heads” and other studio guests willing to discuss the case. These around-the-clock shows blur the traditional time frames associated with the news cycle, and foster an atmosphere of intense competition for “breaking news.” The competition among networks and newspapers caused many reporters to pursue stories as they unfolded, relying on technology and leaks to gain an edge. This competition can even cause some reporters to embellish or fabricate stories.⁴¹

One example of the media frenzy described by police agency media specialists during this case occurred after the suspects’ arrests in the early morning hours on October 24 in rural Maryland. Relying extensively on police scanners, reporters made their way to the Frederick barracks of the Maryland State Police, which had received the 911 call about the suspect vehicle parked at an interstate rest area. When Major Greg Shipley, the Maryland State Police public information officer (PIO), arrived at the barracks, he was astounded by the sea of reporters, cameras and satellite trucks that had beat him there. His subsequent announcement of the arrest was not a planned press conference, but a forced response to the spontaneous media gathering. Indeed, Shipley felt uncomfortable making the announcement because he believed it should have come from Montgomery County. However, the throng’s presence left him little choice, and he was compelled to phone MCPD PIO Nancy Demme at 4:00 A.M. to consult with her about what to do. It was not until well after his announcement that Shipley learned how reporters drove through the D.C. area around the clock, monitoring police scanners in hopes of being the first on the scene of the latest breaking news.

BACKGROUND

The press conferences held by the Montgomery County Police Department were the most visible accounting of the sniper case. But they were just one product of the public information functions performed during the investigation.

“We issued 1,343 press/media passes during the investigation.”

*PIO Captain Nancy Demme,
Montgomery County Police Department*⁴²

At the beginning of the investigation, the public information function operated reactively. The initial flurry of shootings and the events of the first few days created a frenetic pace that made it difficult for public information staff to anticipate and plan for what would happen next, let alone keep abreast of current developments. To exacerbate matters, MCPD PIO Captain Nancy Demme had been in her position for just three weeks, and had not yet had the opportunity to attend any type of training or education program related to her responsibilities and duties.

Nevertheless, the first press conference was held on Thursday, October 3 (Day 2) at the Mobil gas station in Aspen Hill, where the MCPD mobile command post was located. Shortly thereafter, the press conferences were moved to the front entrance of Montgomery County Police headquarters, with the media staged in the parking lot and the four-lane

⁴¹ *Controversial former New York Times reporter Jayson Blair, in an effort to break open a new angle on the sniper investigation, wrote in a December 22, 2002 story that the DNA of Lee Malvo had been recovered from a grape stem near the scene of the Conrad Johnson slaying in Aspen Hill, Maryland. He went on to suggest that, “All of the evidence [investigators] have points to Mr. Malvo as the triggerman. Little if anything indicates Mr. Muhammad fired a shot.” This revelation was met with skepticism on the part of investigators, prosecutors and the media alike, considering that Muhammad is a former Army infantryman with marksmanship training. Blair also threw in four other items of evidence (attributed to unnamed “investigators”) implicating Malvo as the lone shooter, including surveillance videotape at a shooting site, Malvo’s admissions to Fairfax County detectives, hair found in the trunk of the Chevy Caprice used by the suspects, and fingerprints on a piece of paper near one of the shootings. Shortly after the story ran, the lead prosecutor in the Malvo trial, Fairfax County Commonwealth Attorney Robert Horan called Blair’s report “dead wrong,” specifically saying that three of the five pieces of evidence cited by Blair were false. Eventually Mr. Blair admitted he made up this information and was wrong to have done so.*

⁴² *See Appendix I for a photocopy of a press pass.*

road that passes in front of the building. Eventually, that road was partially closed to accommodate the ever-increasing number of media and to enhance the perimeter security of headquarters.

Throughout the event, the MCPD continued to operate its public information office with its full-time civilian and sworn staff, who were augmented by public information personnel detailed from surrounding agencies. In addition, MCPD, with assistance from public information officers from the FBI, ATF, Maryland State Police, the Howard County Police Department and others established a Joint Information Center (JIC) in its headquarters building (a different building than the one where the JOC was located) that functioned as the primary information center for the task force.

MANAGING THE PUBLIC INFORMATION FUNCTION

Several of the executives, as well as every PIO interviewed, stressed the importance of the public information function (referred to by some agencies as media relations) during high-profile investigations. They emphasized that a successful PIO function requires as much expertise as, for example, the ballistics, forensics or information technology functions. Agencies found it helpful to call on specialists to craft and manage media relations. Those specialists were trained sworn personnel or civilian staff with experience in other public information settings or as reporters.

“The police don’t like us because they think we work for the media, and the media don’t like us because they think we work for the police.”

PIO Major Greg Shipley, Maryland State Police

The PIO function is especially important during high-profile cases because of the crucial role it can play in balancing executives’ workloads. The PIO addresses media inquiries and prepares press releases, allowing the chief to concentrate on all aspects of the investigation/incident while avoiding being consumed by the media requirements.

Executives who try to assume responsibility for working with the media can find it an all-encompassing endeavor that prevents them from engaging in effective leadership for the rest of the agency. It is easy for pressure from the media to influence decision making as well. Prior to a high-profile event, the chief and PIO must develop a plan for managing the media and, to the extent possible, stick to it throughout the event. This plan should include a delineation of duties and responsibilities throughout the investigation and allocate organizational resources necessary to make the plan a success. The plan must describe how the organization will address media concerns—whether through press conferences or availability at crime scenes, and general guidelines for how much information to release without compromising the investigation.

Reporters need information, and departments have to recognize they can provide some details that address the public’s right to know, while framing the issues in a constructive way that will not interfere with an ongoing investigation. Reporters, in all likelihood, will place strong demands on law enforcement personnel, who may inadvertently give them information without the proper vetting. Departments have a responsibility to provide accurate and timely information. Every attempt must be made to release correct information at the appropriate time and through the proper public information staff. Releasing erroneous or premature information will damage an agency’s credibility with the media and create additional problems for the department as it engages in damage control. The one cardinal rule that all executives and PIOs know is, “never lie to the press”—credibility and trust are the cornerstones for a successful relationship between the media and the police.

A number of local PIOs, chiefs and sheriffs emphasized that the differences between the national and local media needs to be addressed. The biggest difference is that when the investigation is over, the national media will leave, but the local media will remain. (That difference is probably blurred more in the D.C. area than most other media markets.) Because of that distinction, they

cover stories differently, and have different relationships with the law enforcement agencies and community. In central Virginia, the executives made less of an effort to grant interviews to national and D.C. reporters. Rather, in an attempt to reach the Richmond-area communities, they concentrated on giving interviews to local reporters. Several law enforcement officials stated that the national correspondents' lack of local ties sometimes prompted them to compromise the investigation to get a story. Recognizing their symbiotic relationship, some agencies made a concerted effort to take care of the local media by giving them the first opportunity to ask questions at press conferences or to interview key officials once the investigation was concluded.

During high-profile cases the media will go to great lengths to gather information, take photographs or shoot video. This may include, as it did during the sniper investigation, listening through walls and ceilings, using cameras to look through command post windows on a third floor, and paying citizens for access to private property for better camera angles into crime scenes. Law enforcement officials must recognize this and try to plan for how they will respond to such occurrences. Law enforcement must ultimately find a way to work with the media to give them information and photo opportunities that will not interfere with the investigation. An example of this occurred in Ashland, Virginia at the Ponderosa restaurant scene. The executives there established the media staging area at the perimeter of the crime scene—close enough to allow the photographers to view the parking lot of the restaurant, but still a safe distance from the scene. The media got what it wanted and the crime scene was not disturbed.

**“We found the media hiding in
bathrooms and extending boom
microphones across drop ceilings.”**

SAC Michael Bouchard, ATF

Law enforcement officials may find themselves addressing a media trial, such as a “Richard Jewell

scenario” in which an innocent person is identified as a suspect and is essentially tried in the media.⁴³ A situation like the Jewell episode arose in the sniper case when several out-of-state newspapers ran a front-page story, complete with photographs, about a possible suspect. Even though Montgomery County officials never confirmed the individual as a suspect, the media ran the story. Within two days the individual had been cleared of any involvement, but his reputation was damaged nonetheless.

In granting access to the media, PIOs need to decide with their executive how they will handle one-on-one interviews with him or her, or other key staff. Those interviewed for this project were split on this issue. Some officials believe that exclusive interviews dampen the media feeding frenzy. Others strenuously object to granting exclusive interviews because, far from reducing the frantic media attention, they believe they stoke the competitive nature and ill will of those reporters who do not receive the exclusive. In either case, it is best to make these decisions before a high-profile event occurs.

HOLDING PRESS CONFERENCES

Press conferences will be the most visible representation of the investigation for the public, and can have an extraordinary influence on public opinion and pundits' critiques of the investigation's progress. How they are managed can make or break careers of chiefs and PIOs. Agencies need to consider, at minimum, five aspects of press conferences:

- Purpose
- Location
- Frequency
- Spokesperson
- Preparation

⁴³ Richard Jewell was working as a private security guard in the Centennial Olympic Park in Atlanta when a pipe bomb exploded before dawn on July 27, 1996—killing one person and injuring more than 100. Jewell was originally hailed as a hero after the bombing for moving people away from the unidentified package that turned out to be a bomb. But that was before news reports identified him as a suspect in the case, exposing him to an onslaught of media scrutiny. The FBI eventually cleared him as a suspect, and Jewell received financial awards from several media outlets for the damage to his reputation.

Purpose

Press briefings or conferences can serve multiple purposes beyond the obvious one of disseminating information to the media. Some of these other purposes include calming the community, educating the public, asking residents for tips, communicating with suspects, and even communicating with officers. Officials must give careful thought to when and how these other purposes will be served, and whether they might conflict.

Agencies will benefit from a consistent strategy on when and how to work with the media to achieve purposes other than informing the public. Officials should determine the desired outcome and how to achieve it prior to each press conference. For example, one press conference in the sniper case was used to discredit a witness who had given false information to police and reporters about the Home Depot shooting in Fairfax County. Officials wanted to notify the public of the deception, but also wanted to send a message to the suspects that other witnesses could still have credible information. The PIOs carefully wordsmithed the prepared statement to reflect this distinction and to meet both purposes of the announcement.

Friday, October 4, 2002 (Day 3)

Montgomery County Police Headquarters Rockville, Maryland

At a morning press conference, investigators reveal they are looking for either a hunting or assault rifle that fires .223 ammunition, the same type of bullet that killed five victims in Montgomery County. Actual rifles and ammunition are on display, and photographs of the different firearms that police suspect the shooter may be using are disseminated to the media. The press conference receives significant “air time” and helps law enforcement inform the community of what type of rifle may have been used.

If law enforcement plans to instead use the media as a vehicle for communicating with suspects, police leaders must ensure the crafting of a careful strategy. Officials need to know what they can say, and what they cannot say. Chief executives should be careful about assuming the role of a negotiator

with suspects. Regardless of who is the target audience, PIOs should be involved in any strategic decisions involving the media to ensure that the agency preserves its credibility.

“As strange as it sounds, we have to develop trust and communicate with the suspects, which we can do through the media.”

*Chief Charles Moose,
Montgomery County Police Department*

Location

Because these investigations, by their nature, are unplanned, it may be difficult to arrange a location for press briefings immediately. Often, the initial briefings will be at the crime scene, and if no follow-up briefings are planned, the crime scene may be completely appropriate.

If indications suggest a protracted investigation, the agency should identify one permanent site for press conferences, briefings and distributing materials. To the extent possible, a site should be identified that allows the agency to maintain some control over access and for which it can easily establish a security perimeter. In Montgomery County, press conferences were located in front of the police headquarters because the command post was located there too. MCPD’s Special Weapons and Tactics (SWAT) team was staged as a quick response unit during press conferences in the event the snipers attempted a shooting. Also, the MCPD parked the satellite trucks in such a way as to block potential sniper sight lines and to afford greater protection for press conference participants.

Agencies can consider using an indoor site. This will offer shelter from the weather and the opportunity to set up tables and chairs. However, the agency will have to assume property management responsibilities for any indoor facility.

Whether indoors or out, the media should be separated from investigators and other operational law enforcement personnel. The site should be

convenient for those who provide the briefings, but should be far enough away from investigators and other law enforcement personnel so reporters cannot interfere with their work. In Ashland, Virginia, the media site was on a well-manicured grassy hill—separated from the Ponderosa restaurant by a 4-lane road, yet close enough to allow for a clear camera shot of the scene. In Prince William County, the press site was located a half-mile from the scene, with sight lines and access to the crime scene obstructed by an interstate highway. In both jurisdictions, law enforcement felt this was the best arrangement for that particular scene, and neither agency received complaints from the media about the location.

Frequency

The MCPD held 59 press conferences during the investigation. Determining the frequency of press conferences is a challenge that every law enforcement agency will face. Determining when and how often to hold briefings is one of the crucial decisions to be made during the investigation, and regardless of the schedule, someone will likely be unhappy with it. Every case is different, and the media coverage will vary too. The case may not be static, but could change daily or even hourly, which may dictate a change in scheduling conferences. There simply is no easy answer to “How often?”

“A press conference every two hours was probably too frequent. Many times there was nothing to say.”

*PIO Captain Nancy Demme,
Montgomery County Police Department*

Some PIOs talked about “being there for the media,” which encompasses more than press conferences, but is nonetheless a sound guiding sentiment for informing the media about developments. However, PIOs and executives believe that press conferences ideally should be driven by law enforcement and public safety concerns. Agencies should hold press conferences only when they have news to deliver, and should not schedule a

conference or summon the media if there is no information to provide. If press conferences are not addressing breaking events, agencies should try to schedule them to coincide with the cycle of television newscasts.

“I will give the media only the information that will help me solve the case and keep the public informed.”

Sheriff Stuart Cook, Hanover County Sheriff's Office

Agencies should try to develop a schedule for press conferences and share it with the media. If officials can tell the media “no more press conferences today,” reporters will be grateful. Agencies should also be careful about canceling a scheduled press conference or keeping the press waiting for prolonged periods. Reporters often will assume the cancellation or delay is an indication that something unusual is happening, which may create a story in itself.

The Spokesperson

Who addresses the media, and under what circumstances, is another critical matter to consider. In many large agencies, the general rule is that the PIO handles routine events and daily briefings, while the executive selectively appears at press conferences under exceptional circumstances. The definition of “exceptional” will vary among executives and across agencies, depending on some combination of their leadership style and a pre-arranged working arrangement with the PIO. In some cases, lead investigators or other personnel are also authorized to speak for the agency. Every agency should determine who will brief the media under what circumstance, and make that decision before a major investigation. In Montgomery County, prior to the sniper case, Chief Moose told Captain Demme that she should expect to handle 90 percent of the routine media briefings. On the morning of Day 2, Captain Demme said, “Chief, I think your 10 percent is about to start.”

“When finished interacting with the media over a several-day period, as when we responded to the attack on the Pentagon, I am emotionally spent. The continuous preparation and performance is draining.”

*Chief Edward Flynn,
Arlington County Police Department⁴⁴*

Though some leaders will use their PIO differently, he or she can provide a level of insulation between the decision makers and the media. Chief executives, as the ultimate agency authorities, may find themselves in a no-win situation if they cannot or will not answer a media question. The PIO has the greater latitude in not answering an inquiry either because he or she may legitimately not have the answer, or can afford to say, “I don’t know” or “I don’t have the authority to answer that question,” without it reflecting badly on his or her leadership skills or creating repercussions. The chief may not want to provide an answer because of public safety concerns, such as in hostage negotiations, or because it could affect the integrity of the investigation. But when the chief chooses not to answer a question, he or she may only heighten community anxiety about the investigation’s progress or the chief’s leadership abilities.

“Why should I put the sniper case on my PIO? Ultimately, I will be held accountable for the agency’s performance, and should accept responsibility for media relations.”

*Chief Charles Moose,
Montgomery County Police Department*

When the chief is briefing the media, the PIO should always remain close by so the chief can defer to him or her for follow-up, to facilitate a clean end to the conference and so the PIO can answer the many questions that will be asked once the conference has ended.

From time to time, elected government leaders from the local, state and national level will participate in press conferences, particularly if the public is looking for reassurance about the overall conditions in the jurisdiction or region. Elected leaders can serve a vital function in calming residents and alerting them to the availability of such government services as crisis counseling or victim assistance. Law enforcement officials need to work with politicians early on to determine how they can effectively contribute to the overall media strategy.

If political leaders are involved in law enforcement press conferences, their comments should be coordinated with all other speakers to ensure a consistent message that meets law enforcement goals. This will also preempt redundancy or damage to the investigation. Speakers should refrain from discussing who is safe and who is not, and should not challenge the suspects. Government leaders can help calm public fears and facilitate access to needed services, but should always refrain from discussing the specifics of the investigation.

Tuesday, October 8, 2002 (Day 7)

**Montgomery County Police Headquarters
Rockville, Maryland**

At an emotional afternoon press conference held the day after a 13-year-old student was shot in front of his middle school, one public official stated, “We’re talking about a person here who is basically a coward. This is not an individual here who is out there doing something strong or manly or anything of this type. This is a person shooting elderly men, shooting women, and now shooting little children.”

While the general law enforcement strategy should be to coordinate the involvement of elected and appointed government leaders in press conferences, agencies must also monitor the news to see what local and national political leaders are saying outside of law enforcement briefings, and then adjust their media strategy accordingly.

⁴⁴ Chief Edward Flynn has since left the Arlington County Police Department and at the time of this writing is the Secretary of Public Safety for the Commonwealth of Massachusetts.

Monday, October 14, 2002 (Day 13)

On the afternoon of the 14th, President Bush spoke about the killings just miles from the White House: "I'm just sickened, sick to my stomach, to think that there is a cold-blooded killer at home taking innocent life. The idea of moms taking their kids to school and sheltering them from a potential sniper attack is not the America I know."

Preparation

"Don't challenge the snipers, don't embolden the snipers. When briefing the media, we tried to strike a balance between these two principles."

SAC Gary Bald, FBI

Press conferences can go forward impromptu, or they can require hours of preparation by several personnel. The amount and type of preparation may well depend on the purpose of the conference. In Montgomery County, media relations staff engaged in the following activities:

- Every day the PIOs read the morning newspaper editorials to assess media and public sentiments about the investigation and used the editorials to help craft the media strategy for that day.
- Once a routine schedule of press conferences was established, the PIOs conferred with the media before each conference to identify issues, questions and rumors so that the prepared comments could address those concerns.
- FBI profilers and hostage negotiators helped prepare the statements, especially when using the press conference to communicate to suspects or when crafting language that considered the suspects' possible reaction. ATF profilers and negotiators provided guidance as well.
- At the beginning of many press conferences, the media relations staff distributed handouts with talking points that would be emphasized at the conference.

To help monitor how media efforts might influence the case, public information personnel can document media actions during the investigation. One type of documentation could consist of a written log (or audio or videotapes) of press conferences and even of subsequent media reports. A second log would focus on significant pending media questions or problems.

RELEASING PUBLIC INFORMATION FROM A TASK FORCE

How Many Spokespersons?

When multiple agencies come together to form a task force, it is imperative that they speak with one voice when communicating with the media. Achieving this one voice could entail using just one spokesperson, or coordinating messages among multiple spokespersons in different jurisdictions. Of course the difficulty in delivering one message increases with the number of speakers. To the extent possible, a task force should identify one spokesperson or one point of contact for the media. That spokesperson may very well be someone in the primary agency, and all participating agencies may need to make this decision just as they did for determining the leader of the Sniper Task Force.

Circumstances may arise, however, that require more than one chief or spokesperson to brief the media. Individual chiefs should make any announcements about critical events or major developments that occur in their own jurisdiction, and only after these announcements are made should the chief defer to the task force public information personnel (see Chapter Two for more information about coordinating operations between individual agencies and a task force). For example, in both Prince William and Fairfax Counties, Chiefs Deane and Manger, respectively, announced that sniper-related homicides had occurred in their jurisdictions and that they would investigate the murders locally, but participate in and coordinate with the Montgomery County task force. Similarly, if chiefs are present at the task force command post at the time the crimes are committed in their jurisdiction, they should deliver any statements about those developments.

Joint Information Center

The Montgomery County Task Force established a Joint Information Center (JIC) that included public information office personnel from the FBI, ATF and those neighboring agencies that did not have a shooting in their jurisdiction. The PIOs of the principal agencies participated in conference calls with those professionals in the JIC. The collective opinion of the PIOs interviewed is that effective communication among the media relations personnel is just as important as communication among executives or among primary investigators. One mechanism for achieving this is to establish a PIO table in the JOC, staffed by rotating public information staff from the principle agencies that keep all PIOs apprised of developments. If on-site representation is not possible, the PIOs should establish their own regularly scheduled conference calls to facilitate information sharing and planning.

Agencies must consider and address the problems involved in choosing physical locations for key operations—the JOC, the JIC and the media staging area. As mentioned earlier, the media should be staged away from the JOC to minimize interference with investigators and inappropriate access to facilities. This may create a problem for PIOs who prefer to be close to, or in, the JOC as a way to foster communication with investigators, but have to remain physically close to the media staging area. In Montgomery County, the JIC was established in police headquarters and not in the JOC. This eased preparations for press briefings that occurred in front of police headquarters, but it created problems when the PIOs wanted to be in the JOC. In the sniper case, PIOs from several agencies said reporters, and not investigators, informed them of case developments. In sum, the conflict for PIOs is that staying close to the JOC enables them to obtain the timely investigative information needed to effectively brief and interact with the media, but staying close to the media is more efficient and accessible, and maintains a needed buffer between the press and investigators.

“I’ve never seen an investigation where the media was such a driving force, and where they had so much investigative information.”

Sheriff Stuart Cook, Hanover County Sheriff’s Office

PIOs from federal agencies such as the FBI or ATF who serve on task forces can bring a wealth of experience to managing public information during large-scale, national incidents. However, their perspective on multi-agency investigations will probably be different than that of local officials. For example, federal agencies prefer to brief the media less frequently than state or local agencies. Also, they may not be as familiar as local PIOs with the community fears and demands that are an integral part of managing these investigations on the local level. Yet they provide valuable perspectives and opinions that local agencies might not otherwise consider.

ADDRESSING MEDIA LEAKS

Leaks can be frustrating—even dangerous for law enforcement personnel for several reasons. Some information, if leaked, can jeopardize an ongoing investigation and the eventual prosecution. It can enrage suspects who then react violently or alter their behavior, and frustrate planned police actions. Innocent people can be falsely accused, inviting irreparable damage to their reputations and spurring citizen fears. Leaked information and erroneous information reported by the media may require law enforcement agencies to issue corrections that tip their hand or otherwise undermine their efforts. Task force leaders and PIOs will find it a challenge to maintain a balance between correcting information and standing by as conflicting or erroneous information appears in media reports. Finally, leaks can hamper much-needed information sharing among law enforcement as developments are closely guarded.

A leak can come from anyone—chiefs, sheriffs, special agents, investigators and patrol officers. Leaks occur because officials want to demonstrate their knowledge about the investigation or its progress, learn from reporters what they know

about the case, or inadvertently disclose information by telling someone they do not know is a reporter or shares developments with others who then inform reporters. There are many other possible sources, such as conversations overheard or documents intercepted, as well as intentional leaks for payment or other consideration.

In high-profile investigations, there may be little difference with regard to information released internally and information revealed publicly. Some officials in this investigation wanted to implement organizational controls (e.g., policies, signed contracts or polygraph examinations) to limit leaks or identify those who had released information improperly. Other officials interviewed disagreed with this strategy. Leaks can hamper the investigation and undercut the exchange of information, but officials should not allow leaks to divert their focus from the investigation. The consensus of investigators and executives with experience in high-profile investigations is to assume that leaks will occur and not to be surprised by the leaking of any piece of information. Determine which information, if leaked, would require a response and what that response should be.

Monday, October 8, 2002 (Day 7)

**Montgomery County Police Headquarters
Rockville, Maryland**

On October 8, local news WUSA-Channel 9 reported that a tarot card was found the previous day at the Tasker Middle School shooting scene, which contained the message: "For you Mr. Police...Code: 'Call me God.' Do not release to the press." The Washington Post reported the same information the following day. Chief Moose lambasted the media for reporting the existence of the card and endangering the case. Both media outlets had relied on information "leaked" by law enforcement officials, or somehow obtained possession of one of the hundreds of photocopies of the card that had been made.

When unauthorized disclosures occur, it is important for executives to resist the temptation to criticize the reporters for running a story that contains leaks. They are, after all, doing their job, and are relying on information provided by law enforcement officials.

Agencies' written policies should clearly state which personnel can interact with the media and under what circumstances. During these investigations, executives should remind personnel of those existing written policies and reiterate to officers the importance of not leaking information.

Closely related to leaks are "off the record conversations" officials have with reporters. These conversations are often an attempt to gain or keep good will, to spin the story, or to present their agency in a good light. Because they may not discuss case specifics, they might assume that these talks are relatively harmless. But a number of PIOs spoke about how these conversations always result in unintended consequences for them and their executives. Every conversation a reporter has with someone who knows just a piece of the story contributes to a snowball effect whereby reporters try to leverage what they know in order to gain additional information until they get enough for the story. At some point, those reporters inevitably call the primary PIO or chief and ask for information to fill gaps or to correct any misperceptions—a position they would not have to be in if officials refused to divulge seemingly inconsequential elements of the case.

PLANNING AND PREPARATION

As with many aspects of multi-agency investigations, pre-incident planning for how media relations will be conducted can make a significant difference when a crisis arises. Executives should ensure that all relevant personnel develop and review agency-wide policies and standard operating procedures for the public information office.

Executives and PIOs should establish relationships with local media during non-stress times. PIOs can work with local television, radio and print reporters on how they can meet one another's needs and address concerns. At another level, the chief/sheriff and PIO, perhaps in conjunction with several law enforcement agencies, could meet with media executives, such as television and radio station managers and news directors, as well as newspaper editors, to explain agency policies and plans in an attempt to reach a mutually agreeable strategy for covering major stories. These personal rela-

tionships cannot be stressed enough. The height of a crisis is not a good time to establish ground rules or ask for favors from the press.

“The media does some of the same things that law enforcement does in terms of searching for information. Sometimes, reporters may uncover information that law enforcement is not aware of that can actually help solve a case. These relationships can be mutually beneficial.”

*Detective James Trainum,
Washington Metropolitan Police Department*

Many sworn PIOs in agencies across the country never receive formal media relations training, but those interviewed as part of this project emphasized its value. If training is not immediately available, agencies should provide for an overlap transition between the incoming and outgoing PIO. This on-the-job training will allow the incoming PIO to learn at least how the chief, reporters and media managers operate. This training may also help them prepare for conducting a press conference, including fundamental rules about such matters as when the press conference should end.

PIOs should get to know their counterparts in surrounding agencies, and may even want to schedule a regular meeting to discuss mutual concerns or experiences. PIOs should discuss, and when possible, coordinate with nearby agencies their policies for granting interviews, working with well-known reporters and responding to requests from local, national and international media. When agencies have conflicting policies, or one agency applies its media policy inconsistently, reporters may be able to play agencies against each other in trying to gain information or interviews.

A FINAL THOUGHT: BALANCING DEMANDS

An important but often overlooked consideration in high-profile cases is balancing three conflicting forces: 1) the public’s right to know, 2) law

enforcement’s desire to manage information to maintain case integrity and public safety, and 3) the media’s need to run stories and compete in their market. During an investigation of this nature, especially one involving ongoing communications with suspects, law enforcement may learn of information that is critical to solving the case. This same information, however, may have significant consequences for public safety, causing law enforcement officials to weigh the effects of withholding information for investigative purposes and how that might influence residents’ safety and security.

For example, the “Ponderosa letter” left by the snipers contained language that threatened the safety of children, while also stating that this information should not be released by law enforcement to the media. It was, however, passed on to some, but not all, school administrators who decided on Sunday, October 19 to close schools based on this notation. The next day, a national broadcast outlet ran a story about the warning in the letter, but dramatically overstated the threat, which further inflamed public fears. Law enforcement then felt compelled to address public fear and put it in perspective. Law enforcement leaders released the warning in the letter, despite the potential for challenging the suspects and undermining the investigation.

Ultimately, law enforcement must consider whether information should be released to the public to inform them of safety concerns or to ask for assistance. Accordingly, the question is not whether to work with the media—more reasonably, it is a matter of when and how much. Law enforcement must recognize that giving too little too late can spur the media into conducting their own investigations, and undercut an agency’s ability to control the message. Simply put: Law enforcement and the media need each other, so law enforcement executives need to do their best to work with them to find common ground. The need to secure this common ground cannot be overstated. Without it, conflicts will continue to affect public safety.

CONCLUSION

Managing the media function was one of the greatest challenges in this high-profile investigation. The media coverage was greater than anyone had ever experienced, and individual reporters created significant problems for investigators and executives. Some law enforcement officials added to the problems by leaking information to reporters. The role of the media went beyond just covering the story as their actions influenced the investigation, citizens and suspects. They also played an important role by allowing law enforcement to communicate with residents to reduce fear and solicit help in identifying the suspects. The media helped law enforcement take the pulse of citizen concerns, fears and expectations as well. And, of critical assistance, they helped communicate with the suspects.

The new relationship between law enforcement and the media is complex, and in high-profile cases it can prove especially challenging. Police chiefs and sheriffs should understand that the relationship deserves an investment—in building trust, ground rules and expertise to make the most of a positive arrangement with the media. The role of journalists in law enforcement operations will continue to be significant, and the next high-profile investigation may generate even more media attention than the sniper case. The adept police executive who gets the call that there has been a serial shooting or other high-profile crime will already be prepared for the second call—the one from the media.

LESSONS LEARNED

Managing the Public Information Function

- The chief and the PIO must develop a plan (preferably before an incident) for managing the media, and to the extent possible, stick to it throughout the event.
- The public information plan should include, at minimum,
 - a delineation of duties and responsibilities related to the media throughout the investigation;
 - organizational resources necessary to make the plan a success;

- a description of how the organization will manage critical aspects of the investigation, such as press conferences and crime scenes; and
- direction on how much information it will provide the media.
- Agencies should identify one point of contact for the media and the means for that law enforcement official to communicate quickly with them.
- Agencies should recognize that by providing reporters with information, they can minimize the likelihood that reporters will see the need to conduct their own independent investigations.
- Law enforcement should provide accurate and timely information through the proper public information staff.
- Agencies should recognize and plan for the fact that in a high-profile incident, reporters will go to great lengths to get their stories.
- Officials should keep suspects' names out of the media to the extent possible, but recognize that leaks may require a strategy for dealing with the public disclosure of those names.

Holding Press Conferences

- Agencies should hold press conferences only when they have news to deliver.
- Agencies should develop a careful strategy on when and how to use the press conference to achieve purposes other than informing the public, such as communicating with suspects.
- Officials should determine the reasons for a press conference, the anticipated outcome and a strategy to achieve it.
- Chief executives should rely on the expertise of PIOs (and behavioral scientists) to craft a strategy and message for press conferences.
- If applicable, agencies should identify one permanent site for holding press conferences and briefings, as well as distributing materials.
- Agencies should identify a site where they can maintain some control over access and readily establish a security perimeter.
- The location of press conferences should be convenient for those who are providing the briefings, but far enough away from investiga-

tors and other law enforcement personnel so reporters cannot easily interfere with their work.

- Departments should be wary of canceling or delaying press conferences, as reporters may take this as an indication that something unusual is happening.
- A PIO can be a buffer between the media and the chief without making leadership or full disclosure the issue any time a question cannot be fully addressed.
- Determine what role, if any, local politicians will play in communicating with the public and work with those leaders to coordinate messages that will meet the needs of communities while maintaining the integrity of the investigation.

Releasing Public Information from a Task Force

- When multiple agencies come together to form a task force, it is imperative that they speak with one voice when communicating with the media.
- If chiefs are present at the command post, they should make statements about any developments in their respective jurisdictions.
- The task force should make accommodations to establish a Joint Information Center (JIC).
- If on-site representation in the JOC is not possible, the PIOs should establish their own regularly scheduled conference calls to share information and develop strategies.

Addressing Media Leaks

- Officials should not be surprised by the leaking of any piece of information.
- Law enforcement leaders should not let leaks overwhelm the investigative effort by becoming preoccupied by them.
- Agency executives and PIOs should determine which information, if leaked, will require a response and what that response should be.
- When leaks do occur, it is important for executives to resist the temptation to criticize reporters.
- Agencies should develop written policies that clearly state which personnel can interact with the media and under what circumstances.

Planning and Preparation

- Executives should provide new PIOs with training, or at minimum, create overlap in the position so the outgoing PIO can provide guidance to whomever takes his or her place.
- Executives and PIOs should develop relationships with local television, radio and print reporters prior to a major incident in their jurisdiction.
- Law enforcement executives and their PIOs should meet with media executives and decision makers to explain their policies and procedures and attempt to reach a mutually agreeable strategy for covering major stories or high-profile incidents.
- Executives should develop and enact agency-wide public information policies and standard operating procedures for the public information office.
- PIOs should get to know their counterparts in surrounding agencies through regular meetings and discussions.
- PIOs from neighboring agencies should consider coordinating their policies for granting interviews and responding to media requests during high-profile investigations.

Community Issues

INTRODUCTION

The safety of residents must be the paramount concern for any law enforcement agency, especially during an event that creates panic and confusion. The effect of the sniper shootings on community fear has been well documented;⁴⁵ and the lesson for law enforcement is that prolonged indiscriminate violence can shatter people’s sense of security and well-being. The snipers’ random violence caused many citizens to feel an intense personal vulnerability, especially on the heels of the September 11, 2001, terrorist attack on the nearby Pentagon and the anthrax-tainted letters mailed to the area. These latter events contributed to the initial theories that the shootings were the work of terrorists.

“The terror is here and that is terrorism.”

*Sheriff Ronald Knight,
Spotsylvania County Sheriff’s Office*

This chapter describes how law enforcement agencies worked with community residents and organizations during the sniper investigation. Specifically, the chapter focuses on

- Maintaining community outreach
- Accessing victim assistance
- Addressing school safety

Every local law enforcement agency that investigated a homicide or shooting during this three-

week episode realized the importance of listening to, and working with, community members. Many area residents looked to law enforcement officials for leadership. Fortunately, community leaders and organizations helped make significant contributions to calming public fears and even ensuring the safety of residents. This chapter attempts to answer some of the questions that law enforcement officials—from executives to 911 call-takers—faced when interacting with residents and visitors during the three-week investigation, such as the following:

- What can law enforcement do to reassure residents about their safety and security?
- How will community members react in the face of such fear, and what can community leaders do about it?
- What are the needs of victims and their family members, and how can law enforcement meet them?
- How can schools, administrators and law enforcement leaders coordinate procedures and the messages they provide to parents and students?

⁴⁵ Numerous media outlets documented the extent of community anxiety and fear during the 23-day investigation, including a poll conducted by The Washington Post just days before the suspects’ arrest that showed a larger proportion of Washington-area residents—more than 4 in 10—said the sniper shootings made them feel more personally threatened than did either the September 11 attacks or the anthrax-tainted letters.

MAINTAINING COMMUNITY OUTREACH

The sniper case was particularly frustrating for many law enforcement officers because it was the first time in their careers that they could not tell the community how to be safe. Agencies found they had to strike a balance between telling citizens to be careful and limit some activities and, at the same time, to live their lives as normally as possible—not to be hostages in their own homes. Consistent with community policing, agencies found they were most successful when providing residents with a highly visible law enforcement presence and a sense of security. For many agencies, this three-week episode improved bonds of trust and understanding between the police and community that will be felt for years to come.

“From one perspective, the sniper case was more challenging than responding to the Pentagon on September 11. With the Pentagon, community fear subsided greatly within a few days. In the sniper case, community fear seemed to grow exponentially every day, and created enormous challenges for police to reassure the public.”

*Chief Edward Flynn,
Arlington County Police Department*

Providing Information to the Community

This investigation provided an opportunity for law enforcement to engage the community as its eyes and ears—explaining what to look for and how to behave in certain areas or situations—and as partners in protecting themselves and loved ones from becoming victims. The agencies involved needed to be careful, however, that in their desire to demonstrate that law enforcement was in control of the situation, they did not release critical or incorrect information.

Once the appropriate message has been crafted, law enforcement agencies can disseminate it to the community directly through a variety of communication efforts (e.g., leaflets or web postings) or existing

community networks (e.g., Neighborhood Watch or community associations). Agencies can also partner with the media to broadcast information, mindful that every communication through the press may reach the perpetrators, whose potential reaction must be carefully considered. In addition to press conferences, some of the ways local agencies communicated with citizens during the sniper case included the following:

- Nearly every local agency used community meetings to inform the public of developments and reduce their apprehension by providing guidance and support.
- MCPD developed a “How To Be A Good Witness” guideline for citizens (see Appendix J for a copy).
- The Prince William County Police Department, during its pre-incident planning efforts, determined that it would use a website to provide residents with helpful information in the event of a shooting. When the shooting occurred, the website was established immediately.
- The Prince William County Community Services Board, using information previously developed for Critical Incident Stress Management debriefings as well as its experience in responding to the Pentagon attack, developed a tri-fold brochure entitled “Dealing with the Sniper Attacks” (see Appendix K for a copy).⁴⁶
- The Baton Rouge Serial Murder Task Force developed a website to educate the community. The site included victim biographies and photographs, descriptions of missing property and a profile of the killer.
- In the United Kingdom, when different constabularies are involved in a multi-agency investigation, they each develop a website to inform the public and to also identify the individuals who might be visiting all of their websites.

While agency officials never formally evaluated the effectiveness of these efforts, they felt these initiatives helped inform and calm the community, and would use them again in a similar situation.

⁴⁶ For additional source material on coping with the shootings, see SAMHSA 2004.

“To Protect, Serve and Reassure. This was our motto during the sniper case.”

*Chief Gerald Wilson,
Prince George’s County Police Department*

Sometimes, agencies may miss opportunities to educate and inform residents about necessary law enforcement functions, which can contribute to community frustration. At one shooting scene, several retail customers were detained and questioned for an extended time and even had their vehicles confiscated for evidentiary purposes. Many were upset by the lack of explanation and follow-up assistance from the law enforcement agency, and made their displeasure known. Despite an occasional misstep like this, agencies used traditional and innovative ways to keep community residents informed about developments and, by most indications, succeeded in their efforts.

Community Mental Health Services

The fear among residents became so pervasive that law enforcement agencies did not always have the resources or expertise to ease residents’ anxiety. In several communities, county mental health agencies provided awareness and counseling services to residents. Notable examples of this include Montgomery County and Prince William County.

The Prince William County Critical Incident Response Team, part of the Prince William County Community Services Board (CSB), has a 15-year relationship with public safety agencies. This Critical Response Team includes 20 people trained to provide support to public safety personnel after a critical incident. One measure of their success has been the increasing frequency with which police officers have been informing victims of the crisis intervention services.

“Our unofficial motto is to say yes to the police department, no matter the request.”

*Vickie Taylor, Prince William County
Community Services Board
Youth, Adult and Family Services Division Manager*

The benefits of the police-mental health partnerships were evident in such cases as when county executives met several hours after the 8:15 P.M. shooting of Dean Meyers in Manassas and police and government leaders expressed concerns about the community’s emotional welfare. In an effort to demonstrate a commitment to the county’s message about the importance of residents’ physical and emotional well-being, the CSB was asked to participate in the initial news conference. Their representative stood on the podium behind police officials at the press conference to show support and answer questions.

CSB leaders knew the importance of getting information out to the community, so they publicized their services in several ways: Officials announced the hotline number at the press conference and on local television news broadcasts. The DMH produced a flyer for residents discussing likely reactions and tips for managing stress, and made them available at county buildings.

The CSB’s initial step was to establish a community hotline. Although the DMH did not have a prior plan for a hotline, it improvised and developed one with existing resources. Without enough time to obtain a dedicated phone number, DMH staffers used the two numbers already used for mental health services, and drafted two front-desk employees to answer the phones. The hotline call-takers routed the calls to one of five individuals qualified to provide assistance. If the caller needed additional counseling, an appointment was set up at a mental health center.

The 24-hour hotline went into operation on October 10 (Day 9) and stayed up and running for about a week after the suspects’ arrest. Call-takers answered hundreds of calls. Unexpectedly, many of the callers did not need counseling services but wanted the number for the FBI tip line. Of those who called for counseling services, most wanted to know what to do for their children. The close connection between law enforcement and mental health resources were invaluable to this investigation, and will fill the same function in any similar investigation.

ACCESSING VICTIM ASSISTANCE

Outreach for victims and their families is crucial during a high-profile investigation. Victim services from police and prosecutors' offices can assist the law enforcement department in communicating with the victims and their families. For example, the MCPD convened the victims' families on the night of October 3 (Day 2) when four Montgomery County residents were killed, and once again immediately after the suspects were arrested. In addition, these family members were brought together on several other occasions after the arrests. At these meetings, police, victim advocates and psychologists were available to answer relatives' questions and provide support.

“The victims and their families are always your first concerns, and cannot be forgotten.”

*Chief Charles Moose,
Montgomery County Police Department*

Agencies may want to consider a coordinated approach to providing services to victims and their families. Crucial participants might include victim service professionals and representatives from law enforcement, prosecution and courts. This multidisciplinary team would ensure the timely and sensitive completion of necessary tasks, such as notifying and briefing victim family members, releasing property, working with prosecutors and court officials, and coordinating media requests for interviews with victims and families. During the investigation of a “normal” crime, the primary investigator may perform many of these duties. In high-profile cases the primary investigator should be assisted with these duties, including maintaining contact and sharing information with victim service providers.

Law enforcement agencies and victim service providers have to remain sensitive to cultural norms when providing victim services, such as emotional support, counseling, insurance, emergency funds and more. In this case, the MCPD learned that some cultures do not allow the

acceptance of donations during times of grief. The department also had to help make arrangements for family members to come to the United States to attend a funeral, which was complicated by the fact that some family members in the area turned out to be in violation of immigration laws.

Those involved in the sniper case cautioned that, as in many tragic cases, some victims or their families will express frustration or anger toward law enforcement, and may even use media opportunities to criticize or accuse law enforcement of negligence. When this occurs, it can be upsetting for agency personnel, and can also create distractions and additional work. There is probably little that law enforcement can do to prevent this, but officials have to be prepared nonetheless, and understand that it is a natural aspect of the dynamics of such an emotional experience for those who are victimized.

Victim service professionals may also assist in developing plans for providing post-traumatic stress counseling for victims' families, community members, law enforcement employees and their families. City, county or state mental health services and the agency's internal employee assistance programs (peer support teams and offices of stress management) can fill a crucial role in delivering these services.

“The Washington-area sniper shootings had a profound impact on our community—not only for the families who lost loved ones, but for each of us who lived with fear during those three weeks in October. Throughout that horrifying time, I supported our law enforcement officers in every way possible and tried my level best to reassure a community that was constantly on edge. There isn't a day that goes by that I don't think about the victims of these terrible crimes and the families they left behind.”

*Douglas M. Duncan,
County Executive, Montgomery County*

ADDRESSING SCHOOL SAFETY

School systems, in part because of their central role as caretakers in the community, can tremendously influence and even create public opinions about local events and issues. Certainly, the sniper case was one of those events. In Montgomery County, school officials fielded an enormous number of calls from parents asking about the safety of their children. So did law enforcement officials, especially district commanders. Students and parents will make frequent inquiries and, at times, unusual demands on school and law enforcement officials during times of crisis.

“Everyone everywhere was a potential victim. No one was excluded.”

Supervisory Special Agent Mark Hilts, FBI

School officials had many concerns about managing the safety and security of the students, teachers and staff in their classes and on their grounds. The safety of students weighed heavily on school administrators. A brief overview of some of the key developments affecting schools in the sniper case follows.

Thursday, October 3, 2002 (Day 2)

By 10:30 A.M., the Montgomery County School District, comprised of some 191 public schools, is put on Code Blue, as are dozens of private schools. Students are no longer permitted outdoors until the school day has come to an end. Code Blue would remain in effect for the next four weeks.

Monday, October 7, 2002 (Day 6)

In Montgomery and Prince George’s Counties, Maryland State Troopers are assigned to schools at the beginning and end of each school day, patrolling local shopping malls in between. Uniformed troopers, in an attempt to promote visibility and security, get out of their cars and talk with teachers, principals and students. Plainclothes officers concentrate on surveillance and detection. (This was the day 13-year-old Iran Brown was shot in front of his school at 8:08 A.M.)

Friday, October 11, 2002 (Day 10)

Outdoor activities in Maryland and Virginia schools, including field trips and athletic events, are cancelled. Youth sports leagues suspend all practices and games.

Sunday, October 20, 2002 (Day 19)

Richmond-area school officials announce that schools will be closed on Monday. School officials in northern Virginia and Maryland announce that schools will remain open.

Tuesday, October 22, 2002 (Day 21)

With schools shut down in the Richmond area for the second day, Chief Moose releases to the press the sniper’s postscript from the letter left in Ashland: “Your children are not safe anywhere at anytime.”

School System Security Policies

On the morning of October 3 (Day 2), Montgomery County School Superintendent Jerry Weast convened the Montgomery County Crisis Management Committee. For the next three-and-a-half weeks, the committee, consisting of 18 internal upper-level managers, met two to three times each day to assess the schools’ conditions and ensure the activation of the system’s Emergency Response Plan. Tasks that required managerial oversight and decision making were staffed “three deep.” For every critical position, a replacement and one other trained staff member supported the primary decision maker.

From the first meeting, Superintendent Weast required a clerical staff member to keep meeting minutes and collect pertinent documents as a permanent record of the committee’s and school system’s actions. The final product is a daily record collection, organized into four large binders, that records the decision-making process.

The Emergency Response Plan includes contingencies based on the level of perceived threat, for example Code Blue and Code Red. Code Blue, the second highest level of security, was in effect from October 3 until October 28.

Code Blue⁴⁷

This is a term used to alert staff that an emergency/crisis exists at or near a [Montgomery County Public Schools] facility. It requires all students to be accounted for and under supervision. Administrators may activate the on-site emergency team and set up a command post when appropriate. Administrators or their designees will notify staff and students via the public address (P.A.) system when a Code Blue is in effect. It is recommended that an “age-appropriate” announcement of a Code Blue include a brief description of the nature and location of the incident.

- When the administrator announces a Code Blue, all students should be accounted for in an instructional area and be told to wait for further instructions. Classroom instruction may continue.
- Staff must document attendance and report any discrepancies to an administrator/designee when it is safe to do so.
- During a Code Blue, classroom lockdown is not required.
- An administrator may activate the on-site emergency team during a Code Blue via a P.A. announcement.
- Depending on the Code Blue situation (the nature of the emergency or potential threat), it may not be safe to change classes. In these situations, class bells should be turned off and students/staff should remain in their classrooms until directed otherwise by the administrator/designee.
- Depending on the Code Blue situation, staff supervising students outside may be requested to move students to a pre-determined location inside.

In the sniper case, the decision to invoke Code Blue was made while officers were en route to the second shooting. Dr. Weast attributed this decision to explicit protocols for exchanging information with the police department, internal school staff discussions and knowledge of community behaviors. Dr. Weast noted that school administrators relied on a network of relationships to make an informed decision about going to Code Blue.

In the aftermath of the Columbine school shootings, as well as after September 11 and the anthrax letters, schools officials reviewed and modified their security plans. That work produced the plans that were put into effect during the sniper investi-

gation. In addition, the school system engaged in a series of realistic training exercises to implement the various security procedures, and conducted formal debriefings after all such events to learn from their experiences. This planning and preparation, coordination with law enforcement, and leadership by school officials led to a response that can be instructive for other school systems.

According to Superintendent Weast, the sniper case pointed to a possible vulnerability in Montgomery County school preparations. Specifically, most school safety programs focus primarily on violence by individuals who have a legitimate reason to be on campus, such as students or staff, but do not consider adequately people who do not have a reason to be on campus. School security plans should be examined in light of this possibility.

School superintendents in both the D.C. and Richmond regions organized conference calls to coordinate school security efforts in their respective regions. Many superintendents communicated directly with students and parents (see Appendix M for Arlington County Superintendent Smith’s letter to parents). The Richmond-area schools’ superintendents had a practice of meeting monthly to discuss issues of mutual concern. The trust and communication patterns established in those meetings helped them when they had to develop a unified response to the shootings and the resultant fear.

The concern in the Richmond-area schools increased greatly on Day 6 when a 13-year-old student was shot in front of his Prince George’s County school. School superintendents relied on a pre-incident “lock down” plan to limit access to school buildings and minimize students’ exposure. Communication among school staff was accomplished through cell phones, pagers, e-mail and faxes. Dr. Stewart Roberson, Superintendent of the Hanover County Public Schools in Virginia, visit-

⁴⁷ This section is excerpted from the Montgomery County Public Schools, Department of School Safety and Security’s Emergency/Crisis Plan Procedures. Additional materials can be found in Appendix L.

ed schools when they were in session, took his child to the bus stop and answered calls at a hot line for concerned parents.

The Richmond-area schools received numerous media requests for interviews and stories. As much as possible, the superintendents tried to follow an agreed upon plan of allowing local reporters priority access. Close coordination among the superintendents helped in working with the media, and was the hallmark of all school security efforts.

Private Schools

Coordination of security protocols among public and private schools, including colleges and universities, is important but varies by jurisdiction. For example, the Montgomery County School System communicated constantly with private schools in the county through a variety of methods—telephone calls, Internet website updates, published materials and more. Montgomery County school staffs included private schools in preparation and training for crisis response procedures. Similarly, when developing security plans, public school officials should develop relationships with private school officials and principals, and create a list of all schools and contacts in the area.

In contrast, the Richmond-area school systems did not have a formal communication network with the private school association before the shootings. Consequently, the public and private schools lacked strong coordination during the first few days, but diligently worked to improve it as the investigation wore on.

Administrators of private schools, just like their public school colleagues, felt the pressure of ensuring the safety of their students. Many of these administrators expected the same police presence as was provided to the public schools, and conveyed their concerns to law enforcement administrators. In some jurisdictions, law enforcement agencies were able to meet some of this demand, but in virtually every jurisdiction, the number of private schools and day care centers exceeded the resources of law enforcement agencies. Some private school administrators were critical, therefore,

of law enforcement officials. Some even employed private security guards or off-duty officers to provide a uniformed presence on school grounds.

Police-School Cooperation

The Montgomery County School System had good relationships with the Montgomery County Police Department prior to the sniper case, due in part to the school superintendent's effort. The director of school safety and security, Ed Clarke, who held a position in the MCPD prior to joining the school system, also facilitated this partnership. Because of these relationships, the superintendent and his staff felt they were "inside" on every police department action or briefing. This confidence flowed down to the teachers and parents who believed the schools were getting accurate information. As a result, the school system and police department initiated a series of coordinated programs during the sniper investigation to increase security, reduce fear and reassure the students.

"It's all about relationships, and if you do not see the need for these relationships you are bound to fail."

*School Superintendent Jerry Weast,
Montgomery County Public Schools*

Law enforcement agencies and school systems worked together in every jurisdiction to provide security and support to students, teachers and staff. Listed below are some of their collaborative efforts:

- The Montgomery County School System was involved in the initial decisions to put cruisers in front of the schools closest to the shooting scenes. The superintendent, in interviews with PERF project staff, believed the decision-making process was appropriate for the circumstances, and would not have changed how the process worked or which schools received a higher level of attention.
- Officials from Washington, D.C.-area schools participated in some of the daily law enforcement conference calls, and Richmond-area

school and law enforcement officials communicated regularly about developments.

- The primary function for law enforcement agencies at the schools was to reduce fear and assist students and staff. Some officers were relieved of other responsibilities so they could work solely with schools. Montgomery County Deputy Chief William O'Toole made a point of standing with patrol officers for an hour each day in front of schools before reporting to police headquarters for a 12- or 16-hour shift.
- In most jurisdictions, law enforcement provided a visible presence at arrival and departure times. Officers engaged in dynamic patrols in which they went from the high schools to middle schools to elementary schools. Helicopters flew over the schools low and loud. Officers and adult volunteers relieved children from school crossing guard duties.
- In many jurisdictions, in an effort to promote visibility and calm fears, police officers, sheriff's deputies and state troopers went to schools at lunchtime and ate in the cafeterias with students.
- The Arlington County Police Department set up a command center consisting of police, fire and school representatives on those days when school was in session.

Closing Schools

School systems in the Richmond area closed on October 21 and 22 in response to the sniper shootings. The decision to close schools was based on threats against school children in the shooters' letter left at the Ponderosa restaurant. The Richmond-area superintendents received that information on Sunday, October 20, while superintendents in the Washington, D.C. area did not receive the information until at least a day later.

Many individuals, including law enforcement and school officials, were upset that information was not shared equally with all the superintendents. Others questioned whether this information should have had any bearing on the decision to close schools, as the snipers had already shot a stu-

dent almost two weeks earlier. Still, others questioned the decision to close schools primarily because they did not know what would have to change before the schools could be reopened.

Complicating the matter even further is that when the schools were closed, unsupervised students were going to shopping centers, malls and other public places. They were in just as much danger, if not more, than if they had been attending school.

In hindsight, law enforcement and school officials cautioned that any decisions about closing schools must include a discussion of the reasons for closing them, as well as what would have to change before they could be reopened.

CONCLUSION

During any event that threatens public safety and induces fear so dramatically, it is crucial that local law enforcement agencies engage community members. This is one role that local law enforcement officials are uniquely qualified to fill. Similarly, local agencies must ensure that crime victims and their families are not forgotten. It is also important not to overlook the trauma to children from a high-profile crime, particularly in the sniper case when a student was shot arriving for the start of school. Schools instituted protocols to increase security, cancel student activities and minimize the threat to students. Parents looked to schools for advice on what to tell their children, how to reassure them, and for leadership. Pre-existing relationships, careful planning and preparation were the hallmarks of effective actions among school systems, just as they were in law enforcement agencies. Communicating information to those who must make informed decisions, and carefully weighing the ramifications of decisions before making them, will help school and law enforcement collaborations achieve success in similar situations.

LESSONS LEARNED

Maintaining Community Outreach

- Consistent with community policing, agencies should provide high visibility and a sense of security.

- Media outlets can be asked to disseminate information about resident safety, including precautionary measures and what to look for in the event of an incident.
- Agencies should use community meetings to inform the public and reduce their apprehension.
- Manuals for citizens on how to be good witnesses can empower those in close proximity to an incident.
- Crisis hotlines and websites should educate and inform communities.
- Agencies should educate the public on law enforcement's functions and procedures when investigating a crime, which will help ease community frustration.
- When developing de-escalation plans to return an agency to normal staffing levels, agencies should consider the effect on the community.
- Jurisdictions should develop a flexible plan for mental health services in the event of a community crisis.
- It is important for hotline call-takers to handle calls as quickly as possible, with no waiting times as the goal, while still being responsive to callers' needs.
- All involved should be aware that when a hotline number is advertised people will call it for all sorts of unrelated reasons. Hotline call-takers need to know how to transfer calls intended for law enforcement, or law enforcement may want to have someone available onsite to handle those calls.

Accessing Victim Assistance

- Agencies should develop a victim assistance task force for coordinating services during high-profile investigations.
- Law enforcement agencies and victim service providers should remain sensitive to cultural norms when providing such assistance as emotional support, counseling, insurance and emergency fund distribution.
- Victim service professionals should also develop plans for providing post-traumatic stress counseling for victims' families and community members as well as law enforcement employees and their families.

Addressing School Safety

- School administrators should be prepared to deal with concerned parents and pay careful attention to their overt messages as well as consider what unintended signals they may be delivering to parents, students and the community.
- School security measures should be re-examined in light of the sniper case—that is, how to deal with threats by individuals who do not have a legitimate reason to be on school grounds.
- School security plans should account for communication with key decision makers, integration of critical resources, standardization of policies and operations, cooperation with other service providers and redundant systems.
- Law enforcement can provide valuable assistance if included in the development of school security plans before a crisis occurs.
- During actual crises, law enforcement and school officials must remain in close contact, and when necessary, make joint decisions about safety and security.
- During an incident, law enforcement and school security staff must coordinate their actions and responses to incidents.
- Public school officials should develop relationships with private school officials prior to an incident.
- Before closing schools, carefully discuss the reasons for closing them, as well as what it will take to reopen them.

Final Thoughts

“It is amazing what you can accomplish if you do not care who gets the credit.”

Harry S. Truman

Twenty-three days, 14 shootings, 10 deaths: Thousands of law enforcement officers and federal agents engaged in one of the largest multijurisdictional investigations ever. Local, state, federal and even defense agency personnel participated in an investigation that overnight captured the attention of communities from the Washington metropolitan area to Europe and beyond. If most homicide investigations are handled methodically like a jigsaw puzzle, this case had the feel of a fast-paced hockey game with life or death consequences, sweeping into town with the intensity of a tornado and leaving a community both traumatized and relieved 23 days later.

In this report, those closest to the investigation provided their candid assessment of the lessons learned from this celebrated case. Their feedback revealed a number of themes that warrant further consideration.

A SENSE OF ORDER

Investigations as complicated and visible as the sniper case require strong management and visionary leadership to bring order to the chaos. In most law enforcement organizations, standard operating procedures govern criminal investigations. Most police personnel are generally familiar with the basic principles of a homicide investigation. But in the

sniper case, these principles were ill-suited to address the cross-jurisdictional nature and complexity of the crimes. Assistant Chief Bill O’Toole in Montgomery County likened their response to starting a new corporation with no notice, little infrastructure and new partners arriving each day. There was simply no way to have planned for the rapid escalation of the crimes into an expanding geographic area and the concomitant rapid infusion of federal resources. Overnight, one police agency had to improvise as its personnel determined how best to accommodate cooperating police departments from nearby jurisdictions as well as additional federal law enforcement resources—all under the watch of a determined media driven by 24-hour interest in a fast-paced story.

High-profile investigations, especially a multi-jurisdictional investigation under the direction of a task force, can strain familiar roles and responsibilities. The professionals involved in this case, however, effectively addressed that strain through dedicated efforts built on trust and respect. While there was a central task force in Montgomery County, satellite task forces also operated in Spotsylvania County, Prince William County, Fairfax County and central Virginia. Consequently, it was possible, as many jurisdictions found, to participate in a central task force and simultaneously focus on the homicide(s) within the local area. The same held true for developing media and patrol plans, as well as addressing local community concerns. Each jurisdiction’s executive recognized the importance of being part of both a large multijurisdictional task force while also overseeing the management of the homicide

case within his or her own jurisdiction. When the homicide occurred at the Home Depot in Fairfax County, it was important for the local chief, Tom Manger, to announce the information on the incident and for both the Fairfax County as well as Montgomery County task forces to provide follow-up information. Balancing the importance of local responsibility and visibility with a unified regional response proved highly effective.

Throughout the investigation, leadership was critical to success. In the sniper case a triumvirate of leaders (Moose, Bald, Bouchard) developed within the central task force in Montgomery County, which proved both functionally and symbolically important in a case with both local and regional concerns. Equally important, however, were the other task forces in Fairfax, Spotsylvania and Prince William Counties and central Virginia. They played a vital role in coordinating resources in their own jurisdictions while contributing resources to the central Montgomery County task force.

As Chapter Two revealed, there is no “correct” answer to the question of who should lead an investigation that spreads across different jurisdictions. In the sniper case, the top leaders represented local and federal resources. The local executive in Montgomery County had the first and the most shootings. But in other cases the leadership may be driven by other considerations. In the early stages of a developing multijurisdictional case, relevant stakeholders need to support the task force leader and keep one another well informed by using good communication strategies (conference calls, meetings and e-mail) as was done in the sniper case. As we indicated earlier, chief constables in the United Kingdom discuss among themselves and designate which of them is best prepared to lead the investigation. Clearly, the leader of this kind of complicated investigation should be someone who is well respected for his or her leadership and problem-solving abilities, and who puts the interest of the case and public safety above all other issues.

COMMUNICATION

As Chapter Two also details, communication was a central theme in the investigation. The major chal-

lenges included finding mechanisms to disseminate information from the tip lines, to share investigative leads throughout the region and to collect and redistribute other information such as license plate data from roadblocks and routine traffic stops. These challenges will be faced in any large-scale investigation and can be more effectively managed by both a unified information management system and strong leadership at the chief executive level. VICAP and other national systems have the potential to serve as an early warning to communities in cases like this.

Some felt that the task force could have done a better job in disseminating information about the case. However, as pointed out by a number of officials, this case just did not have that much information to disseminate. Compounding the lack of information was the concern of key decision makers about the frequent leaks of vital information to the media. In some cases, evidence that was reported by the media, such as the tarot card discovered at the crime scene in Prince George’s County, proved a major complicating factor in establishing communication with the suspects. Managing information and communications proved central to this case and will be a significant component of any major investigation of this type.

When we asked task force leaders and investigators how they balanced the need to keep everyone informed with trying to guard against the premature release of information, they indicated that this was a constant challenge. There was not one central communication mechanism for all aspects of the investigation nor should there be. But we learned that chiefs felt the need to sometimes talk among themselves to discuss management issues and develop appropriate protocols. FBI and ATF agents also wanted to talk with their counterparts about how best to assist in the investigation. Local investigators also saw the importance of sharing information with their colleagues. Each group has slightly different needs, and types of information that they need to discuss in order to develop appropriate strategies. While some might view this as fragmented, it was necessary in the sniper case. So, for example, the FBI SAC in Baltimore

needed to communicate with the FBI SAC in Richmond to share important information on two task forces that were 150 miles apart. Similarly, the police chiefs in D.C. and Fairfax, Prince William and Montgomery Counties also needed to be in regular communication with each other. Still, all of the major stakeholders communicated through a regularly scheduled conference call that had already been put in place by the FBI Washington Field Office with the Metropolitan Police Department as a result of the September 11 attack on the Pentagon. The local chiefs facilitated the calls both before and after the sniper shootings. After the investigation began, the frequency of the calls increased from weekly to daily, and sometimes two or three times a day. Also, the FBI took a more active role in the calls, similar to its role just after September 11. What is important to recognize is that there are limitations to what can be said during a conference call and that each of the subgroups will be more effective in sharing more detailed information about specific leads and strategies in smaller working groups.

One strategy that some have suggested could prove beneficial in a large-scale investigation of this type is a COMPSTAT-style meeting on a weekly basis. COMPSTAT, shorthand for Computer Statistics, is a highly effective management information system familiar to most law enforcement agencies and used to share crime information and to develop and track crime strategies. In the case at hand, one could imagine selecting an amphitheater facility and inviting to the meeting representatives of all of the jurisdictions where a homicide had occurred as well as from surrounding jurisdictions. Police chiefs, supervisors, investigators and federal authorities would all be present. Importantly, the meeting would be moderated by someone without any agency affiliation and who would be effective at drawing out each important aspect of the case. Ground rules should be established so the meeting would be productive and informative. Lead investigators might review the status of the investigation. Discussion of regional patrol strategies could be presented. Media ground rules could be discussed. Questions could be fielded and candid discussion could follow. The overall objective would

be to share information on the possible leads, develop operating strategies and policies where necessary, and use this occasion to solicit new ideas and suggestions.

An important part of a meeting like this, beyond simply sharing information, is to encourage alternative theories for the investigation and to re-analyze information to see if any leads were overlooked or improperly ruled out. A meeting that brings various elements of the case together helps all players share information and encourages creative thinking—which could be a valuable unifying element in a complicated multijurisdictional case.

BALANCING DEMANDS

A complex investigation like the sniper case involves much more than managing law enforcement information. The public, media and government officials all play key roles in exchanging and disseminating information related to a case. Trying to manage those multiple and sometimes competing demands was a challenge during the sniper case.

Efficient information management is critical to the investigative leaders. Most officials interviewed for this project emphasized the need to maintain perspective on the actual investigation component, as well as other events associated with the case. It was also important to not lose focus on unrelated crimes that threaten the public's safety. Information, when shared among executives, can help everyone see the big picture. The advice to "avoid tunnel vision" was repeated by many officials. Their clear recommendation is to solicit as many opinions as possible rather than listening to just one or two confidants.

Investigators and managers need to keep an open mind about alternative strategies and the unreliability of witness identifications. In the sniper case, based on key information received from witnesses, investigators were given a particular vehicle and suspect description. As one chief later observed, "We were looking for a white box truck with a white male, but later on we discovered we had information about the suspects being two black

males in a blue Chevy Caprice.” Suspect identification is only as effective as witnesses’ observations, and we know that eyewitness accounts are not always accurate.

But the investigative focus on the white box truck was about more than just what witnesses thought they saw. It also was about the public’s need for information, media competition for exclusive news and the commitment of law enforcement officials to solve the case. In future cases, executives may well find that these three forces can converge to create tremendous interest in and scrutiny of the smallest bits of information gathered from even a single witness. The pressure on law enforcement officials to solve the sniper case was intense, as it will be for any officials who must one day face the challenges of other multijurisdictional investigations.

INTANGIBLES

We heard repeatedly about the importance of personal relationships in establishing trust and strengthening communications. For example, ATF SAC Michael Bouchard reported having excellent relationships with local law enforcement, bolstered by regular meetings with area agencies. In addition, Washington-area chief executives were quick to point out that they had established an excellent working relationship with the FBI Washington Field Office and that they had come to trust and respect the SAC, Van Harp. (Van Harp indicated that he felt the same way about the chiefs.) So when the sniper case first broke, Van Harp immediately offered to oversee staffing of the tip line and to expand access to the existing area-wide conference call used by law enforcement executives. In central Virginia, Sheriff Cook, the area chief executives and their FBI SAC had established regular meetings prior to this incident. When the sniper case reached Richmond, this group literally worked in one room together. Similarly, federal agents and investigators from local police departments who had collaborated on other high-profile cases (the Starbucks murders or the CIA murders) also drew on their previous working relationships. In Baltimore, however, FBI SAC Gary Bald had only been in his assignment in the field office for three days before the first shoot-

ings occurred. He had not yet met ATF SAC Michael Bouchard. Bald and Chief Moose also had to get to know one another under the most trying of circumstances. Months after the investigation both men looked back on this period as having been successfully “joined at the hip.” So while it is advisable to establish working relationships during non-stressful times, the JOC commanders’ relationship demonstrates that professionals who focus on problem solving and case management can overcome lack of familiarity.

As Chapter Seven demonstrates, the importance of personal relationships with the media cannot be overstated. There were a number of occasions when releasing certain information to the public complicated investigators’ strategy, so balancing the public’s right to know, the media’s need to compete and the mandate to run an effective investigation was important. In many cities, police chiefs and federal agents make a point of establishing relationships with reporters and editors during non-crisis times so they are better able to communicate the background on the case or ask for the media’s cooperation when an investigation reaches a sensitive point. When the case is already underway is not the time to ask for understanding.

PREPARATION

It would be difficult to know how any agency would respond to a multijurisdictional homicide case like the sniper case. Montgomery County, Maryland, a community of approximately one million people, experiences about 20 homicides in an average year. On October 3, it saw five homicides in 90 minutes. Chief Moose noted in his first press conference that the homicide rate for the county had just increased by 25 percent.

How well any community responds to a case like this will inevitably have to do with its ability to prepare for the unexpected. Agency executives have to continually ask themselves, “What if? If we had a sniper case, what would we do?” Some of the major questions to consider include the following:

- How would we determine who should take the lead?

- Where would the task force be headquartered?
- What is our relationship with federal agencies?
- What is our media plan?
- What would we do to keep our own patrol forces well briefed?
- How would we communicate with the public, victims and suspects?
- Do we have memoranda of understanding (MOUs) with other agencies?
- What kind of information management systems do we have and what systems do other agencies use?
- What are everyone's roles and responsibilities?
- How do we effectively communicate within our own agency, with other agencies and with the public?
- How do we evaluate our effectiveness?

We would strongly encourage chiefs from adjoining communities to meet periodically to address together these and the other questions that pepper this report, perhaps even to develop a plan they would agree to follow in the event of a crisis such as the sniper shootings.

ROLE DEFINITION

Every case will be different, but what we have come away with in talking to the key players in the sniper case is that everyone has an important role to play and that the coordination of these roles is central to success. Problems occurred when the roles were unclear. For example, investigators are accustomed to working on their own with little direct supervision. In a high-profile case such as this, law enforcement agency senior administrators were pressured to be more involved in the actual management of the investigation. This has the unintended consequence of creating new operating principles that can run contrary to usual investigative protocols. As Chapter Two reveals, some investigators felt that senior-level managers lacked trust in their work, while some senior-level managers felt some investigators acted too independently. This is not surprising, nor should it cause any alarm. It is the natural result of a case with such high visibility. Chiefs understood this dynamic and reiterated the importance of letting “investiga-

tors investigate” and “chiefs manage.” In fact, Chief Moose and Chief Ramsey reiterated this point by emphasizing to their command staff the need to get out of the way and let investigators work. Many chiefs recognized the most important role they can play is to support investigators in their work. There clearly is also an important support role for agency chief executives in making sure that information management and communications systems (telephone and radio communication, tip lines, case management systems, data management and criminal information databases) are effective within their own agency and that there are mechanisms for sharing information with surrounding agencies.

* * * * *

In all the interviews we conducted with chief executives involved in the sniper case, there seemed to be an acute awareness of just how important this case was because of the many jurisdictions involved under the glare of an international media. There was a realization that what everyone did was vital to the success of the investigation. From the local investigators to the patrol officers to the ballistic examiners to the federal agents to the special weapons officers—everyone played an important role. In a profound way, this case tested the limits of the law enforcement community—and had the effect of increasing the pride that officers take in their work. Indeed, both off-duty and retired officers wanted to help, as did law enforcement professionals from around the nation who called to offer their services.

Was this investigation without challenges, without conflicts, without missteps? Absolutely not. But given the huge number of officers involved and the deluge of information flowing into the task forces, we were struck by the professionalism personnel demonstrated. The agencies involved put in place a new company in less than three weeks, established new operating rules, and undertook a huge investigation spanning more than 2,500 square miles, in what amounted to finding a needle in a

haystack. Two suspects with a rifle were identified, arrested and convicted of one of the most traumatizing crimes in the history of the country. The lessons from this case will serve as an important blueprint for those law enforcement executives who will be challenged by similar cases in the future.

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A P P E N D I X A

Individuals Interviewed During the Project by PERF Staff

The following individuals generously gave their time and expertise to make this document a better product. Their ranks and agency affiliations are listed as of the time of the sniper incident. With so many interviews being conducted, no doubt someone will have been inadvertently left off the list. We value everyone's involvement, even those who emerged from this process anonymously.

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Ashland Police Department

Chief Frederic Pleasants, Jr.

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Officer Patrick Meacham, Patrol

Chesterfield County Police Department

Chief Carl Baker

Major James P. Bourque, Investigations Bureau

Deputy Chief, Lieutenant Colonel Dennis
McDonald

DC Metropolitan Police Department

Chief Charles Ramsey

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Lieutenant David Jackson, Violent Crimes Unit

Detective Tony Patterson, Violent Crimes Unit

Fairfax County Police Department

Chief J. Thomas Manger

Officer Eduardo Azcarate, Patrol Bureau

Detective June Boyle, Prosecution Task Force

Lieutenant Colonel Sue Devlin, Deputy Chief for
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Detective Chris Flanagan, Prosecution Task Force

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Investigations Bureau

Officer Drew McDonald, Patrol Bureau

Lieutenant Colonel Charles K. Peters, Deputy
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Lieutenant Colonel David Rohrer, Deputy Chief
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Captain Tom Ryan, Patrol Bureau
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Special Agent in Charge Gary M. Bald, Baltimore
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Supervisory Special Agent Lawrence J. Barry,
Chief Division—Counsel, Richmond
Field Office
Supervisory Special Agent Stephen E. Etter, Unit
Chief, Behavioral Analysis
Assistant Special Agent in Charge Robert
Gwaltney, Richmond Field Office
Assistant Director in Charge Van Harp,
Washington Field Office
Supervisory Special Agent Mark Hilts, Behavioral
Analysis
Unit Chief Ronald T. Hosko, Critical Incident
Response Group, Crisis Management Unit
Supervisory Special Agent Steven D. Irons,
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Douglas V. Jones, Administrative Officer,
Richmond Field Office
Special Agent Michael A. McCoy, Prosecution
Task Force
Supervisory Special Agent David T. Resch,
Crisis Management Unit
Supervisory Special Agent Lloyd Sigler,
Crisis Management Unit
Special Agent Lawrence B. Smith, Richmond
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Richmond Field Office
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Incident Response Group

Hanover County Public Schools

Superintendent Stewart Roberson

Hanover County Sheriff's Office

Sheriff V. Stuart Cook

Captain Allen R. Davidson, Commander,
Patrol Operations
Lieutenant Kenny B. Epling, Investigative
Operations Division
Major David R. Hines, Field Operations Division
Investigator Glenn R. Schneider, Investigative
Operations Division

Maryland State Police

Superintendent David B. Mitchell

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Criminal Enforcement Command
Detective Sergeant Daniel D. Cornwell,
Criminal Intelligence Division
First Sergeant Bryan K. Davy, Assistant
Commander, Rockville Barracks
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Commander, Firearms Enforcement Division
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Intelligence Division
Lieutenant David C. Reichenbaugh, Operations
Commander, Criminal Intelligence Division
Tom Steel, Chief of Information
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Montgomery County Government

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Montgomery County

Chief Administrative Officer, Bruce F. Romer,
Montgomery County

Montgomery County Police Department

Chief Charles Moose

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Lieutenant John Damskey, Field Services Bureau
Captain Nancy Demme, Public
Information Officer
Captain Barney Forsythe, Director,
Major Crimes Division

Lieutenant Rodney Hill, Legal Advisor
Lieutenant Mike Mancuso, Deputy Director,
Criminal Investigations Division
Captain Brian McManus, Investigative
Services Bureau
Assistant Chief William O'Toole
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Stephen Souder, Director, Emergency
Communications Division
Sergeant Roger Thomson, Major Crimes Division
Captain Drew Tracy, Commander, Third
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Assistant Chief Deirdre Walker, Investigative
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Montgomery County Public Schools

Superintendent Jerry Weast

Edward Clarke, Director of School Safety
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Captain Eric Bowman, Criminal
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Prince William County Police Department

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Western District Commander
Assistant Chief Ron Sullins, Criminal
Investigations Division
Major Daniel E. Taber, Assistant Chief,
Operations Division

Richmond School System

Superintendent Deborah Jewel

Spotsylvania Sheriff's Office

Sheriff Ronald Knight

U.S. Attorney's Office

Paul McNulty, U.S. Attorney
Eastern District of Virginia

U.S. Capitol Police

Chief Terrance Gainer

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Supervisory Inspector Leonard DePaul, New York
City Regional Dangerous and Violent Felony
Fugitives Group

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Chief Inspector Brian Maxwell, Investigative
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U.S. Secret Service

Special Agent in Charge Michael Stenger,
Washington Field Office

Virginia State Police

Superintendent W. Gerald Massengill

Lieutenant George W. Austin, Jr., Bureau of
Criminal Investigations
Trooper David Randolph Gray
Lieutenant Rick A. Jenkins, Bureau of
Criminal Investigations
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Washington/Baltimore HIDTA

Thomas H. Carr, Director

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Supervisor, Strategic Analysis, HIDTA

A P P E N D I X B

List of Focus Group Participants

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A P P E N D I X C

**SNIPEMUR Task Force
Recommendations for State and
Local Law Enforcement Agencies**

October 16, 2002

Charles A. Moose, Ph.D.

Montgomery County (MD) Police Department

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Regional Tactical Response Plan

Objective: To capture the sniper immediately following a shooting event by responding quickly and uniformly throughout the metropolitan area.

The primary focus must be to slow down traffic at strategic points until tactical/air/support units are in place. Once these additional resources are in place, traffic will be released slowly so that officers may safely apprehend a fleeing suspect.

Resources: Uniformed patrol officers
Covert surveillance teams
Tactical units
Air support units (helicopters, airplanes)
Canine units
Remote traffic management centers
Emergency Broadcast System

Principal Strategies:

- Using a map and an overlay with concentric rings indicating 3, 5, 7 and 10 mile points from the center of the overlay, identify significant traffic points along main arteries
- Rapid dispatch and response by patrol officers to main arteries and at the appropriate choke points (dependent on time elapsed from event) along with simultaneous dispatch of other resources (air, covert, tactical, K9 etc.)
- Patrol officers **must stop all traffic** at their assigned posts until other resources are in place
- Once support resources are in place and ready, patrol officers open up their traffic points allowing traffic to move in a “slow release”; patrol officers monitor flow until replaced by covert resources
- A sighting of the suspect vehicle would be followed by air and ground surveillance until a tactical stop can safely be made. This tactic enables better control of a confrontation with a potential suspect when compared with a traditional roadblock.

Subordinate Strategies:

- Immediate broadcast of the suspect vehicle description via the Emergency Alert System
- Immediate display of suspect vehicle description on interstate message boards
- Using remote signal controls (if available), slow traffic by activating red lights on major arterials leading away from the incident

Pre-Planning:

- Each agency should develop a plan to implement this strategy.

Investigative Response Plan

First Responders

- Tactical Plan: Implement your local tactical plan.
- Perimeter: Establish an inner perimeter.
- Outer Perimeter: Establish an outer perimeter 300-500 yards.
- Witnesses: Gather, isolate, and interview witnesses for statements.
 - Witnesses should be taken to a secure location to avoid potential as a secondary target.
- Notification: The jurisdiction Emergency Communication Center should make an immediate phone call to the Task Force Tactical phone (XXX) XXX-XXXX (this line is dedicated for emergency notification only).
 - Lookout from originating jurisdiction ECC to Task Force Tactical Center.
 - Leave an open line between the jurisdiction ECC and the Tactical Center.
 - The Tactical Center will contact our air assets (the communication needs to be maintained between the originating jurisdiction and the Tactical Center.)
- Cruiser Cameras: If patrol cruisers are equipped with cameras, turn the cameras on as soon as there is a report of a shooting.
- Secure Crime Scene: ATF would like to have primary jurisdiction for evidence collection and processing.
- Videotapes: Identify and seize surveillance videotapes from stores, banks, gas stations, etc.

Investigators

- Incident Summaries: Provide a summary of all incidents to be included in search warrant applications.
- Evidence List: Provide a list of items to be seized in the service of search warrants.
- Coordination: Coordinate with Task Force investigators in joint investigation of incidents.

Task Force Resources (if requested)

- ATF Mobile Evidence Laboratory: Includes a ballistics expert and chemist on-site.
- Canine Assets: Bomb dog, gunshot residue.
- Investigators: Canvass, witness interviews, crime scene searches and search and seizure warrants.
- Air assets: Aerial photography, pursuit assistance and surveillance.
- Videotaping: Spectators and crime scene.
- Local Liaison on Task Force: To provide coordination of all investigative efforts.
- Will provide lookout to Maryland State Police Headquarters in Pikesville who will send a NAWAS (National Attack Warning Alert System) message, which will provide the lookout to all 911 centers in Maryland, DC, and Virginia.

Information Control

Objectives: All leads pertaining to the SNIPEMUR investigation should be documented on an Information Control form. Leads include information received from citizens and police officers' observations to include, but not limited to, traffic stops that may relate to this investigation. The following directions are offered for the completion and submission of the form. See a copy of the attached Information Control form.

- The only fields that are required to be completed on the Information Control form are the following listed fields:
 - Source- Source's full name (may be officer's name)
 - Affiliation- Source's address or officer's department name
 - Phone #- Contact number
 - Information Received Date
 - Time
 - Prepared by- Officer's name and department
 - Event Narrative:
 - If applicable, list suspect's full name and all available identifiers
 - If applicable, list vehicle registration number and full vehicle description
 - If applicable, list location of incident
 - List all other applicable information
- Information Control forms should be faxed directly to the Joint Operations Center at **(XXX) XXX-XXXX**
- Dispatch Protocols- Emergency communication centers in the metro area have been flooded with calls for suspicious vehicles. We recommend that the following dispatch and call-taking protocols be implemented to ensure that street-level assets are not totally overwhelmed:
 - Call takers should ask whether vehicle in question demonstrates specific lookout characteristics (i.e., make, model, roof-rack, etc.)
 - Call takers should inquire whether a license plate number was observed or noted by the complainant

If the vehicle/operator is engaged in suspicious activity, then dispatch is recommended, per your department's protocol. If the information is vague or otherwise inconsistent with recent lookouts, then no further action is recommended. If the information provided by the caller is consistent with recent lookouts, then the call-taker or responding officer should attempt to obtain a license plate number. This information should then be documented on an information control log sheet and forwarded for entry into Rapid Start. Traffic stops may be initiated upon articulable suspicion, given the specific lookout, the time of the offense and the proximity of the vehicle to the location of the shooting.

Media Response Plan

The SNIPEMUR incidents have generated some of the most intense media scrutiny in recent memory and control of the information you provide may be critical to both the effectiveness and the integrity of the investigation. We have found that a consistent media strategy among partner agencies across jurisdictional boundaries provides for a more effective and unified response to media inquiries.

Members of the media will hear the incident on your radio channels and rapidly respond to the scene. They will also immediately begin calling into your media section for confirmation that the shooting is related. Prior to providing any confirmation that the incident in your jurisdiction is similar to the demonstrated pattern, we recommend the following standard response to inquiries: *“This incident appears to be similar in nature to the other shootings in the area and our officers (from jurisdiction where it occurred) and officers from the task force are responding to investigate.”*

We highly recommend that you send at least two (2) PIOs directly to the scene and set up a media staging area after conferring with the investigators. It is critical that you not allow the media to compromise the investigation or infringe in any way on a potential crime scene. Given the nature of this incident and the recommended parameters of the crime scene area, you should consider a media staging area outside of those parameters, or at least three to five hundred yards from the victim.

In the event the shooting is later confirmed as being linked to others in the area, the following confirmation statement should be offered: *“Evidence has been recovered by investigators that links this case to others in the area.”* Please do not indicate the specific type of evidence that provides the link (i.e.: ballistics). This general confirmation is designed to leave the shooter(s) wondering if other evidence besides ballistics was recovered (i.e.: hair).

If at all possible, prevent media from talking to witnesses on the scene, and especially before investigators have had an opportunity to debrief them. Inform all law enforcement officers and investigators on the case that they should not answer any media questions. Defer all media inquiries and requests to the designated media spokesperson. There is a PIO attached to the task force that can be made available to provide further guidance if needed. We highly recommend that your PIO contact PIOs attached to the task force for further guidance relevant to this case.

Remember that any information that is divulged intentionally or otherwise becomes information about this case that is known by the perpetrator(s).

A P P E N D I X D

Serial Sniper Law

28 USC 540B

TITLE 28—JUDICIARY AND JUDICIAL PROCEDURE
PART II—DEPARTMENT OF JUSTICE
CHAPTER 33—FEDERAL BUREAU OF INVESTIGATION

Sec. 540B. Investigation of serial killings

(a) In General.—The Attorney General and the Director of the Federal Bureau of Investigation may investigate serial killings in violation of the laws of a State or political subdivision, if such investigation is requested by the head of a law enforcement agency with investigative or prosecutorial jurisdiction over the offense.

(b) Definitions.—In this section:

(1) Killing.—The term “killing” means conduct that would constitute an offense under section 1111 of title 18, United States Code, if Federal jurisdiction existed.

(2) Serial killings.—The term “serial killings” means a series of three or more killings, not less than one of which was committed within the United States, having common characteristics such as to suggest the reasonable possibility that the crimes were committed by the same actor or actors.

(3) State.—The term “State” means a State of the United States, the District of Columbia, and any commonwealth, territory or possession of the United States.

(Pub. L. 105-314, title VII, Sec. 701(a), Oct. 30, 1998, 112 Stat. 2986.)

A P P E N D I X E
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Chief Charles A. Moose's Letter Requesting Federal Assistance

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DEPARTMENT OF POLICE

Douglas M. Duncan
County Executive

October 7, 2002

Charles A. Moose, Ph.D.
Chief of Police

The Honorable Thomas M. DiBiago
United States Attorney
Judicial District of Maryland
6625 U.S. Court House
101 W. Lombard St.
Baltimore, MD. 21201-2692

Dear Mr. DiBiago:

As you are aware, this agency has been engaged in the investigation of a series of violent homicides that began on Wednesday October 2, 2002, and continued through the morning of October 3, 2002. A total of five innocent citizens have been murdered in Montgomery County, and we have cause to believe that these murders have been committed by the same person(s). Subsequently, both the District of Columbia and Spotsylvania County, Virginia, have experienced incidents that fit this pattern indicative of the crime of serial homicide and/or attempted homicide.

During the course of our investigation, we have received valuable federal assistance both in terms of personnel and resources. I recognize that this support has been offered generously and informally. To provide clarity regarding the magnitude of the current investigation, and with consideration of the likelihood that even more resources might be required in order to bring this offender to justice, I am writing to initiate a formal request for assistance from your agency. Pursuant to the provisions of Title 28, United States Code 5334a, and more specifically, Section 540B (Federal Serial Killings Provision), which authorizes the head of a state or local law enforcement agency to request federal assistance in the investigation of suspected serial homicide, I am initiating such a request. After consultation with The Honorable United States Attorney Thomas DiBiago, I understand that this matter can further be investigated under the aforementioned authority of Title 28

This case has generated great concern among citizens, not only in Montgomery County, but throughout the Washington-Metropolitan region as well. Since the earliest stages of this investigation, we have received uncompromised support from various local and federal agencies. I appreciate your prompt consideration of this request.

Sincerely,

Charles A. Moose, Ph.D.
Chief of Police

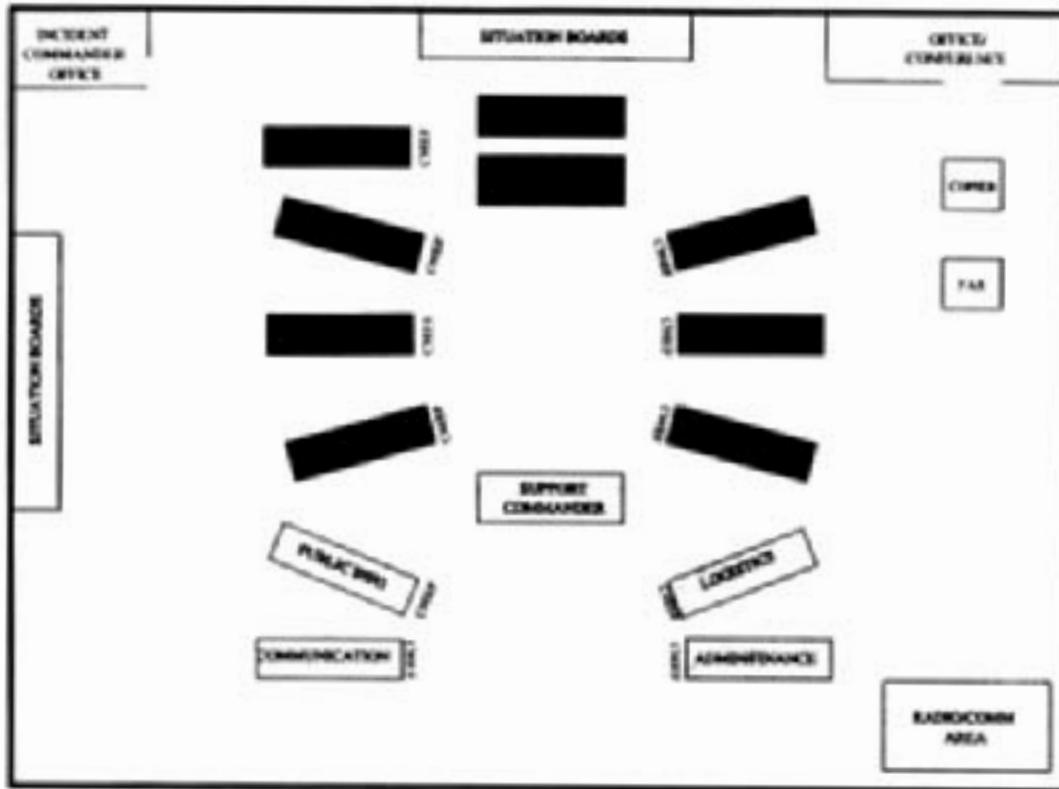
CAM:nm

Office of the Chief of Police

2170 Research Boulevard • Rockville, Maryland 20850-4294 • 246-773-5000, TDD 301-762-7619

APPENDIX F

**Joint Operations Center
Floor Plan Template**



(Figure A-1) Command Post Layout

In establishing any CP certain guidelines should be followed:

- The Operations Commander should be able to see and hear everyone and be seen and heard by everyone in the CP.
- The Intelligence Component, the "hub" of CP communications, must be allotted sufficient space and placed in an accessible position.
- Situation boards, maintained by the Intelligence Component, should be located so as to be readily accessible to that component as well as conspicuously placed to be easily visible to everyone in the CP.
- Copiers, fax machines, and other related equipment should be located so as to be readily accessible to the Intelligence Component.
- The Communications Component, responsible for the maintenance of CP communications equipment, should be provided a centralized area for storing limited quantities of replacement equipment, spare parts, and tools that do not interfere with CIMRT operations.

A P P E N D I X G
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Fairfax County (VA) Police Department and Prince William County (VA) Police Department Briefings Provided to Officers

- ***Need To Know*, Volume 1, Special Edition, Published by the Criminal Intelligence Unit, October 10, 2002, Fairfax County Police Department**
- ***Sniper Murders Daily Briefing*, October 21, 2002, 0900 hours, Prince William County Police Department**
- ***Need To Know*, Volume 1, Special Edition, Published by the Criminal Intelligence Unit, October 24, 2002, Fairfax County Police Department, Wanted Bulletin**



Need To Know



Volume 1, Special Edition

Published by the Criminal Intelligence Unit

October 10, 2002

This edition of Need To Know is devoted solely to providing Fairfax County officers with as much information on the Sniper Shootings as possible. The Criminal Intelligence Unit has been in contact with the Montgomery and Prince Georges County Police Departments as well as the DC Metropolitan Police in an effort provide you with this information. This information is provided to the officers to not only enhance their ability to search for the suspect(s) but to also provide some measure of officer safety. While most of the information in this newsletter comes from open sources, some does not. It is very important for all readers to remember our own policy on releasing police information as well as Chief Moose's statements that releasing information on a case such as this can greatly jeopardize the successful apprehension of the suspect(s) and also the prosecution of the case.

The Latest Information

The latest information on the sniper shootings is that the subject has been targeting strip malls, shopping centers, gas stations, schools and individuals walking along the street. The victims range in age from early teens to middle aged adults. They are both male and female. They are of different ethnic backgrounds. All the victims were shot with a weapon that is know to be in the .221 to .223 caliber range. It is believed that some of the shootings have taken place from inside a vehicle while others have not. The shooting are believed to have occurred from some range, possibly 100 to 200 yards away. There is still a belief that a white delivery style truck might be involved in the shootings. The truck has been described as a **White Delivery Truck either Isuzu or Mitsubishi. The truck has 6 wheels (2 front, 4rear). It has dark color lettering on the sides, possibly purple. The truck may have a damaged rear bumper or tail lift** (see attached pictures). It is believed that there could quite possibly be more than one subject involved in these shootings. There are strong indications that the subject(s) are previewing the sites prior to the incidents.

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Officer Recommendations

During the course of their shifts **All Sworn Police Personnel** are requested to spend as much time in the areas of shopping centers, schools and gas stations. All officers should pay particular attention to anyone spending time in these areas that appear not to be conducting normal activities. Remember that there are no suspects at this time. Don't assume that what you see or respond to is not important. Anyone seen loitering or appearing suspicious should be stopped and interviewed. All contacts of this nature should be reported on a police report and forwarded to the CIU for further investigation.

Response to a sniper attack

Officers responding to a sniper attack should remember the following.

- First officers on the scene should immediately secure the crime scene and attend to the victim. Remember whom you are dealing with, you could become a secondary target.
- Obtain and provide PSCC with any possible lookout.
- Notify your supervisor and the CIU as soon as possible.
- Secondary response officers should immediately start securing a perimeter around the shooting scene. Keep in mind that this suspect is possibly shooting victims from 100 to 200 yards away. Make sure that the perimeter is at least that large an area.
- Be on the alert for any vehicles leaving the scene.
- Stop and interview any witnesses to the event.
- If there are multiple witnesses, keep them separated.
- If a suspect is stopped, remember that he/she may have an accomplice.
- If multiple suspects are detained DO NOT place them in the same car or in close proximity to each other.

Weapons and Vehicle Information

The pictures below are samples of assault and hunting rifles that are of the caliber used in the shootings in Montgomery County Maryland. Below is only a sample and are not the only type that could have been used.

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Prince William County Police Department

SNIPER MURDERS DAILY BRIEFING: 10/21/2002 0900 hours

INVESTIGATIVE UPDATE:

On Oct. 19, at approximately 7:45pm, a 37 year-old W/M was shot one time in the abdomen after exiting a Ponderosa Restaurant in Ashland, Virginia. This area is approximately 90 miles south of Washington, D.C.

- The victim is in critical condition with one shot to the abdomen and no exit wound. The bullet was recovered from inside the victim during a second surgery and will be analyzed.
- A note was discovered at the scene which contained a phone number. Police are urging the writer to call the number left on the note.
- The Ponderosa Restaurant is located near access to I-95, Route 1 and Route 54.
- It appears at this time that this incident is connected to the 12 other attacks.
- Hanover County is currently using the Sniper Hot Line, 1-888-324-9800, to track leads.
- Spotsylvania County has broken down the CID Command Post.

KNOWN FACTS:

A summary of the attacks are as follows:

1-2) Oct. 2, 5:20pm-window shot at Michael's craft store at 13850 Georgia Avenue in Aspen Hill. No injuries.

- 6:04pm-James D. Martin, 55, shot in the parking lot of Shoppers Food Warehouse grocery store at 2201 Randolph Road in Wheaton.

3-7) Oct. 3, 7:41am-James L. Buchanan Jr., 39, shot while pushing a lawnmower in the 11000 block of Rockville Pike in White Flint.

- 8:12am-cabdriver Premkumar A. Walekar, 54, shot at a Mobil gas station, Aspen Hill Road and Connecticut Avenue in Aspen Hill.
- 8:37am-Sarah Ramos, 34, shot while sitting on a bench in front of a post office near Leisure World, 3701 Rossmoor Blvd. in Silver Spring.
- 9:58am-Lori Lewis Rivera, 25, shot while vacuuming her minivan at a Shell gas station at Knowles Road and Connecticut Avenue in Kensington.
- 9:20pm-Pascal Charlot, 72, shot below the neck while crossing the street at the corner of Georgia Avenue and Kalmia road NW.

8) Oct. 4, 2:30pm-a 43 year-old Caucasian female was shot in the back while loading packages into her car in the parking lot of Michaels craft store in Spotsylvania County. She is in stable condition. The victim was 1,390 feet from access ramp to Interstate 95.

9) Oct. 7, 8:09am-a 13 year-old boy was shot after exiting a relative's car at Benjamin Tasker Middle School. A tarot card was found saying, "Mr. Policeman, I am God." The victim was 880 feet from access ramp to Route 50.

10) Oct. 9, 8:18pm-Dean Harold Meyers, 53, shot in the head and killed at the Sunoco gas station at 7203 Sudley Road, Prince William County. The victim was found 940 feet from access ramp to Interstate 66.

11) Oct. 11, 9:30am-Kenneth Bridges, 53, shot at an Exxon gas station, Route 1 and Market Street, Spotsylvania County. The victim was found 1, 410 feet from access ramp to Interstate 95.

12) Oct. 14, 9:15pm-Linda Franklin, 47, shot and killed while loading packages into her car in the parking garage of the Home Depot in Seven Corners Shopping Center, Fairfax County. There are numerous side streets with access to Route 50.

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13) Oct. 19, 7:45pm-a 37 year-old male was shot and wounded in the abdomen while walking to his vehicle in the Ponderosa Steakhouse parking lot, Ashland, VA.

Ballistic Evidence:

In other cases, it is believed the shots are being fired from 50 – 75 yards away.

The following is a listing of guns that are capable of firing the type of the caliber used in the shootings. *Note this list is only a sample of the types of guns and may not be the actual firearm being used.

<u>Cartridge</u>	<u>Manufacturer</u>	<u>Model</u>	<u>FA Type</u>
223 Remington	Daewoo	AR110C	RI
223 Remington	Daewoo	K1A1	RI
223 Remington	Daewoo	K2	RI
223 Remington	Diemaco	C7	RA
223 Remington	East Germany	Wieger	RA
223 Remington	Fabrique Nationale	FNC	RI
223 Remington	Galil (Imi)	AR	RA
223 Remington	Sterling Arm Ltd.	Armalite AR-180	RI
223 Remington	Valmet	M-72S	RI
5.45X18MM	Russian	PSM	PI
5.56x45MM NATO	Heckler & Koch	G36K	RA
222 Rem Mag	Remington Arms	700 600 40-XB	RI
222 Rem Mag	Remington Arms	722 725 760	R
222 Rem Mag	Remington Arms	722 725 760	RB
222 Remington	Remington Arms	M700 M600 40-XB	RB
222 Remington	Constabler	8432 8432DS	RB
222 Remington	Remington Arms	700	RB
222 Remington	Remington Arms	722	RB & RI
222 Remington	Remington Arms	722 725 760	RI & R
222 Remington	Remington Arms	788	RB
222 Remington	Remington Arms	M700	RB
222 Remington	Remington Arms	M788	RB
222 Remington	Remington Arms	Mohawk 600	RB
222 Remington	Savage	340	RB
22-250 Remington	FN/Browning	BBR	RB
22-250 Remington	Remington Arms	788 M788	RB
223 Remington	Armalite	AR-180	RI
223 Remington	Colt	AR-15 AR-15A2	RI
223 Remington	Colt	M-16A1	RA
223 Remington	Colt	M203	RI



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CREDIBLE VEHICLE LOOKOUTS:



- This vehicle was based on a witness composite from the Montgomery County shootings.
- White box truck with back roll-up door.
- Damage to the rear bumper, as if the vehicle had backed into something. The damage depicted on the right rear bumper is in the right area, but is approximate....it may not be exact.
- The oxidized paint has no gleam or sheen indicating it is was an older truck. The witness also reported that the motor of the truck is loud, which is also consistent with an older vehicle.
- The large lettering on the side of the truck was either dark purple or black and faded, giving it a type of hue as seen in the photograph above. The witness recognized that there was text but does not recall what the text said. The writing on the truck does not say “UNKNOWN WORDS/UNKNOWN WORDS” as depicted in the photograph seen above.
- The witness is not sure whether or not there was text on the back of the door.
- The witness was unable to provide the license plate number. This one on this composite was intentionally obscured.



- This vehicle was based on a composite completed by witnesses to the Spotsylvania shootings.
- Ford Econovan with a ladder rack & a Chevy Astro van with a ladder rack.

DISPELLED INFORMATION: (lookouts no longer valid)

The shell casing found in the white box rental truck is not of the same caliber as those used by the sniper. A cleaning crew working for a truck rental agency near Dulles International Airport found the shell casing inside a white box truck after its return. The company notified police Friday afternoon, and authorities confiscated the casing and the truck.

Cream colored Chevy Astro van with a ladder rack and a malfunctioning taillight is not credible information. This information was received by an unreliable witness to the 12th shooting incident at the Home Depot, Fairfax County. All lookouts should be canceled for this vehicle. There is no credible information as to the distance of the sniper to the victim, or type of gun used. The description given by the witness of the sniper kneeling down, taking aim and shooting the victim is also not credible.

There is no partial tag information.

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IMPORTANT PHONE NUMBERS:

Sniper Murder Tip Hot Line 1-888-324-9800

EMAIL a TIP to: taskforce@co.mo.md.us.

People can also send their tips to:

**P.O. Box 7875
Gaithersburg, MD 20898-7875**

Prince William County Command Post [XXX-XXX-XXXX] (FOR POLICE USE ONLY NOT TO BE RELEASED TO THE MEDIA).

Prepared by Gwen M. Udell
Prince William County Police Department

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Need To Know



Volume 1, Special Edition

Published by the Criminal Intelligence Unit

October 24, 2002

Wanted



John Allen Williams AKA John Muhammed
B/M 12/31/60
Height 6'1
Weight 180?

Williams is wanted on Federal Firearms Violations....
He should be considered Armed and Extremely
Dangerous.

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Lee Malvo
B/M 2/18/85
Height 5'8?
Weight 160?

Malvo is also wanted on Federal Firearms Violations. He also should be considered Armed and Extremely Dangerous.

Both subjects are being sought in connection with the Sniper Shootings in the DC/Maryland/Virginia area. They may be seen together or may have separated. Information has been obtained that the two subjects may be related (Father and Stepson) or may just act as Father and Son. There are two new vehicle lookouts that relate to these subjects. Please keep in mind that the other lookouts for the vehicles seen near the shootings HAVE NOT been rescinded and are still valid.

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Vehicle Lookouts

**A 1990 Chevrolet Caprice Blue or
Burgundy in color with [state given]
license plates
[license plate number given]**

**A White Chevrolet Celebrity with [state
given] license plates
[license plate number given]**

* All bracketed information deleted at time of publication by PERF.

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A P P E N D I X H
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**Arlington County (VA)
Police Department Special Order**

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**ARLINGTON COUNTY
POLICE DEPARTMENT**



SPECIAL ORDER

SPECIAL ORDER: SO02-03

EFFECTIVE DATE: October 15, 2002

REVISED DATE:

FILE WITH MANUAL SECTION:

TO: All Sworn Police Officers

FROM: Edward A. Flynn, Chief of Police

SUBJECT: Enhanced Tactical Response to Sniper Incidents

I. PURPOSE AND DURATION

This temporary Special Order establishes tactical response protocols during the sniper-related emergency currently affecting the greater Washington metropolitan region. It shall remain in effect until rescinded or modified by a subsequent Special Order or canceling memorandum.

The protocols established by this Special Order have dual purposes, those being to deter or prevent a sniping incident within Arlington County, and failing that, to facilitate rapid capture of the sniping suspect.

II. PROCEDURES

A. Staffing

Effective 10/16/02 the standard tour of duty in the Operations Division shall be twelve (12) hours in duration. The following schedules shall apply:

1. Officers on the day shift shall work from 0530 to 1730
2. Officers on the midnight shift shall work from 1730 to 0530
3. Officers on the evening shift shall be assigned to one or the other of the aforementioned two shifts. Captain [NAME] (or ... designee) will coordinate these assignments and any subsequent adjustments thereto

4. School Resource Officers shall work 0600 to 1800
5. SWAT officers shall work from 0500 to 2400 in two shifts, and shall be removed from their regular assignments for the duration of this Special Order
6. CID personnel shall supplement Operations Division staffing and/or perform specialized assignments when so instructed
7. SOS personnel shall work modified schedules at the discretion of the Deputy Chief for Operations (or her designee)
8. Regular days off (RDO) shall be maintained
9. Leave will be closed for all Police Department personnel. Leave that was approved prior to the issuance of this Special Order shall be honored
10. Previously scheduled training classes shall be examined on a case-by-case basis, with cancellations imposed where appropriate
11. Each of the 12-hour shifts shall be staffed with two Watch Commanders instead of the customary one (for a total of four such commanders deployed each day). Worksheets shall reflect the dual Watch Commander assignments
12. Officers with enhanced skills (K-9, AR-15, etc.) shall be evenly deployed throughout both shifts
13. Officers engaged in off-duty employment shall report to the roll call room prior to reporting to the off-duty employment site, and shall report back to the roll call room at the conclusion of their off-duty work.
14. Officers engaged in off-duty employment may be strategically positioned at their job sites by the Watch Commander. These positions may be located indoors or outdoors, may require the use of a marked cruiser, and may deviate from the customary practices agreed upon by the officer and the off-duty employer.
15. All currently scheduled special events shall be reviewed with due consideration given to staffing effects and safety. Decisions to cancel such events, however, shall rest with the organizer of the event rather than the Arlington County Police Department.

B. Court

1. All traffic cases in which officers working 1730-0530 are witnesses shall be continued
2. All other cases shall be tried as scheduled. However, officers shall remain on patrol until notified to report to court by ECC
3. The Court Liaison shall provide Worksheets and sick-call information to the Commonwealth Attorney's Office and the Clerk of the Court each day

C. Overtime

All requests for overtime and/or comp-time compensation shall be marked with the code "PSNI."

D. Communications Procedures

1. To facilitate easy radio communications with other jurisdictions, plain English shall be spoken during mutual aid transmissions
2. Officers shall wear assigned pagers at all times, and shall check their voice-mail at least twice daily
3. Where practical, ECC shall direct sniper-related telephone calls to the regional tip line at 888-324-9800
4. ECC shall also direct non-emergency report calls to the Telephone Reporting Office and/or the Department's web site

E. Tactical Deployment

1. Officers shall maintain a patrol presence within their assigned area when not actively handling a call for service
2. Various locations shall be targeted for enhanced patrol coverage, based upon risk factors and other tactical considerations
3. Counter surveillance shall be conducted at likely target locations by specifically assigned personnel. An initial listing of these locations (subject to future revision) accompanies this Special Order as an attachment
4. The deployment locations of officers, including officers working off-duty employment, shall be plotted on a tactical map located in the TOC (Tactical Operations Center). The TOC shall be staffed from 0600 to 2300 each day

F. Response to Sniper Incidents

1. ECC Responsibilities
 - a) Upon receipt of a shooting report, ECC personnel shall attempt to obtain as much information from the caller as possible, in accordance with existing ECC procedures. Every effort shall be made to determine as quickly as possible whether the incident may be sniper-related
 - b) The call shall be dispatched without delay

- c) If an apparent sniping incident is confirmed, ECC shall establish an Executive Command Center in the ECC Conference Room, and shall make appropriate notifications as instructed by the Watch Commander and/or field units (see below)

2. Responding Officer's Responsibilities

Officers responding to a possible sniper incident shall:

- a) Attempt to determine whether the incident is sniper-related. Confirmation shall be communicated to ECC via channel 1A
- b) Locate and obtain information from all witnesses
- c) Secure the area within a 300-yard radius of the shooting victim, taking care to protect the crime scene in accordance with standard procedures

3. Corporals' Responsibilities

Corporals responding to a possible sniper incident shall:

- a) Conduct an appropriate search in an effort to determine the location from which the shot was fired
- b) Maintain crime scene integrity pending notification and arrival of ATF, who will oversee the actual collection of evidence
- c) Contact the treating medical facility (or in the case of a death, the medical examiner) as soon as possible to arrange for recovery of ballistic evidence

4. Watch Commanders' Responsibilities

Following confirmation of a possible sniper-related incident, a Watch Commander shall:

- a) Instruct ECC to send a "flash" telex message and appropriate PMARS transmissions to nearby jurisdictions
- b) Instruct ECC to notify the Chief of Police and each of the Deputy Chiefs, and also send a "snap" page to all other police personnel
- c) Instruct ECC to request appropriate support from other jurisdictions, including helicopter support
- d) Initiate a SWAT activation, if appropriate (2300 to 0600 hours, when SWAT is not already working)

5. Public Information Responsibilities

Prior to any media announcements, the Chairman of the County Board, the County Manager, the Chief of Police, and the Department's Public Information Officer shall confer

[Counter-Surveillance Locations (Yellow) and Traffic Post Locations (Blue) were listed by intersection.]

A P P E N D I X I
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**Montgomery County (MD)
Police Department
Press Pass #1341**

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**Montgomery County
Police Department**



**PRESS
PASS
1341**

A P P E N D I X J

**Montgomery County (MD)
Police Department,
Office of Media Services,
October 16, 2002**

“How To Be A Good Witness”



DEPARTMENT OF POLICE
OFFICE OF MEDIA SERVICES

2350 RESEARCH BOULEVARD • ROCKVILLE, MARYLAND 20850-3294 • 240/773-5030

FOR IMMEDIATE RELEASE
October 16, 2002

FOR MORE INFORMATION:
Media Services Division, 240-773-5030

How To Be A Good Witness

1. Remember personal safety comes first.
If you hear the sound of a gunshot – get down, and/or seek cover.
2. Look in the direction of the sound – make a mental note of persons or vehicles in that area.
3. With regard to people, remember that some facts and characteristics are permanent and some are temporary.

For example:

People:

Temporary

- Clothing/color
- Hairstyle or color, facial hair –beard or mustache
- Glasses

Permanent

- Height/Weight/Build
- Complexion

Vehicles:

Temporary

- Color
- Tag Number
- Dents/primer
- Lights on/off broken/burned out

Permanent

- Make
- Model

Some temporary characteristics can be altered more easily than others.

Commit what you saw to memory. Have a pen available on your person; if paper is not available, write what you just witnessed on your hand.

Remain on the scene, in a safe place, until police arrive.

DO NOT allow another witness or media to contaminate your memory.

DO NOT compare or discuss what you saw with another witness.

Remember that your safety is paramount—but your assistance in this case is also necessary.

www.co.mo.md.us/services/police

A P P E N D I X K
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**Prince William County (VA)
Community Services Board
“Dealing with the Sniper Attacks”**

This tri-fold brochure is reprinted with permission from the Prince William County Community Services Board.

Community Services Board provides twenty-four hour crisis intervention services to the community. Crisis intervention services are available at our offices in Woodbridge and Manassas during office hours and on an on-call basis after hours by trained emergency service clinicians. Our twenty-four hour services are available every day of the week and on holidays.

Our crisis intervention services are designed to respond to people who are experiencing emergencies that are related to mental health, substance abuse, or mental retardation issues. Requests for our services may come from the person himself or from family, friends, law enforcement personnel or health care and human services professionals. The referral person often calls because there is concern about someone's level of emotional distress, functional impairment, or risk of harm to self or others.



A.J. Ferlazzo Government Center



Sudley North Government Center

Prince William County Community Services Board is a group of citizen volunteers appointed by The Board of County Supervisors. CSB oversees publicly funded services for mental health, mental retardation and substance abuse.

Services are funded by the County of Prince William; cities of Manassas and Manassas Park; Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services; federal funds; fees for services and donations.

Programs, activities, services and employment opportunities of the Prince William County Community Services Board are available to persons regardless of race, color, religion, sex, age, national origin, handicap, sexual orientation or political affiliation.

The Substance Abuse and Mental Health Services Administration (SAMHSA), an agency of the U.S. Department of Health & Human Services has given the PWC CSB an emergency grant to supplement services to our communities.

Prince William County CSB
PWC Community Services Board

Sudley North Government Center
7969 Ashton Avenue
Manassas, Va 20109

A.J. Ferlazzo Government Center
15941 Donald Curtis Drive, Suite 200,
Woodbridge, Va 22191

Dealing with the Sniper Attacks

Information brought to you by
Prince William County Community
Services Board



(703) 792-4900
24 hours a day
TDD: 703-792-7711
(during office hours only)

Hours of Operation:

Monday-Thursday: 8:00 a.m. – 9 p.m.
Friday: 8:00 a.m. – 5:00 p.m.
Emergency Services provided
24 hours per day/
7 days per week

Web address: www.pwcgov.org/csb

Tips for Coping With the Shootings:

- Recognize that trained officials are mobilized to respond to the sniper attacks.
- Limit exposure to televised media coverage.
- Identify the feelings you are experiencing. Understand that your feelings are normal.
- Talk to others about your feelings.
- Focus on your strengths and abilities, and those of your family and community.
- Stay healthy by sleeping regularly, eating right, avoiding drugs or alcohol, exercising and doing things you enjoy.
- Follow the advice of law enforcement personnel.
- Remember that people react in different ways.
- Don't forget to acknowledge all of the good things in your life.
- Ask for help if it gets to be too much.



The randomness of the shootings generates anxiety among all of us as we go about our daily tasks

Normal Reactions May Include:

- Fear, terror
- Always looking over your shoulder
- Not wanting to leave home
- Irritability
- Fatigue, exhaustion
- Anger
- Sadness, crying
- Changes in appetite
- Changes in sleep patterns
- Inability to concentrate
- Confusion
- Hyperactivity
- Increased worry
- Physical complaints
- Nightmares

Remember: We are Reacting normally to Abnormal events

Reactions in Children May Include:

- Crying and sadness
- Fear of darkness, separation, being alone
- Clinging, fear of strangers
- Worry, nightmares
- Regression to immature behavior such as bed wetting or thumb sucking
- Reluctance to go to school
- Increased shyness or aggressiveness
- Headaches, stomachaches, other pain

How you can help your kids:

- Talk with them about their feelings. Be honest about the shootings. Keep information at a level they can understand. Listen.
- Encourage them to express their feelings through drawing or playing.
- Reassure them that you are together and you will do everything you can to protect them.
- Give them lots of love and be patient.

For more information, visit:

- www.meritxhealth.com/health-services/children/visit
- www.psu.gov.org/psu/helping_children_cope.htm
- www.netpostone.org/pdf/1016000/terrorHO.pdf
- www.psu.edu

A P P E N D I X L

Montgomery County (MD) Public Schools Emergency Response Plan

This material is taken from the Montgomery County Public Schools,
Rockville, Maryland, *Emergency Response Plan: School Safety and
Security Under the Incident Command System*

Developed by the Montgomery County Public Schools, based on incident command models from the Federal Emergency Management Agency and the Montgomery County Emergency Management Group © 2003, Montgomery County Public Schools, Revised September 4, 2003.

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MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

OVERVIEW

**Implementation of the
Montgomery County Public Schools Emergency Response Plan**
(under the Incident Command System)

The Montgomery County Public Schools (MCPS) Emergency Response Plan under the structure of the Incident Command System (ICS) specifies the appropriate decision-making responsibilities in the event of an emergency or crisis that requires the central office coordination and deployment of multiple layers of personnel and resources.

The Emergency Response Plan is aligned with the Montgomery County Emergency Operations Plan and the Montgomery County Emergency Management Group under the ICS structure. The ICS reflects county, state, and national models for identifying and coordinating organizational responsibilities in response to an emergency or crisis that threatens the health and safety of students, staff, and parents in the school system.

The command structure of the Emergency Response Plan vests significant immediate authority in an "incident commander" who assumes systemwide leadership, oversight, and decision-making responsibilities. The incident commander is typically the superintendent of schools; however, under certain circumstances, the superintendent of schools may delegate the role of the incident commander to the chief operating officer and the deputy superintendent.

- The incident commander is responsible for the resolution of all matters under the school system's control and influence arising from emergency and crisis incidents.
- The incident commander has immediate oversight of an "incident command team," which is composed of staff coordinating safety, operations, public information, logistics, and liaison with other governmental and private agencies. When the emergency warrants, the incident commander activates the planning and finance and administration teams.
- Each of the team officers, in turn, has immediate responsibility to coordinate teams who are responsible for certain key elements of the school system's organization that would be directed to respond to an emergency or crisis situation.

Implementing the Emergency Response Plan under the structure of the Incident Command System

An incident requiring initiation of the Emergency Response Plan is defined as an emergency or crisis that threatens the health and safety of students, staff, and parents at an individual school or office, multiple schools or offices, or across the school system.

Such emergencies would include, but not be limited to, multiple injuries and deaths due to accidents during the school day; identified threats of injury or violence during the school day; incidents involving the discharge or possession of firearms in schools; and building fires, bomb explosions, hazardous materials, and weather-related emergencies. National, state, or county emergencies also are included.

The superintendent or his designee, in consultation with appropriate staff and other authorities, will make the determination that an incident requires implementation of the Emergency Response Plan under the structure of the incident Command System. The Emergency Response Plan can be activated in various phases depending on the emergency/crisis.

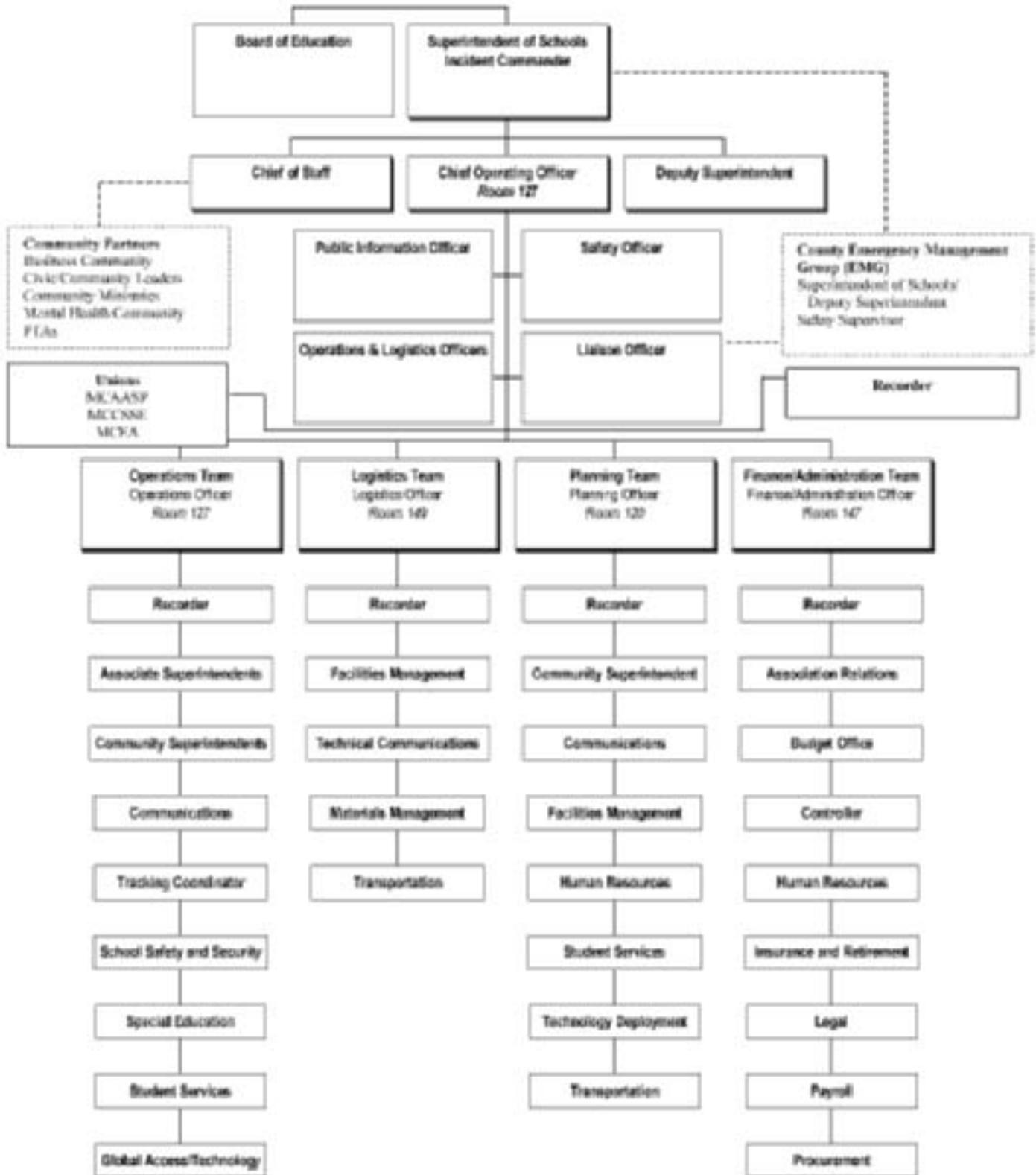
Four Stages of Implementation

The plan is implemented in stages, beginning with a minimal response and escalating to comprehensive support and intervention.

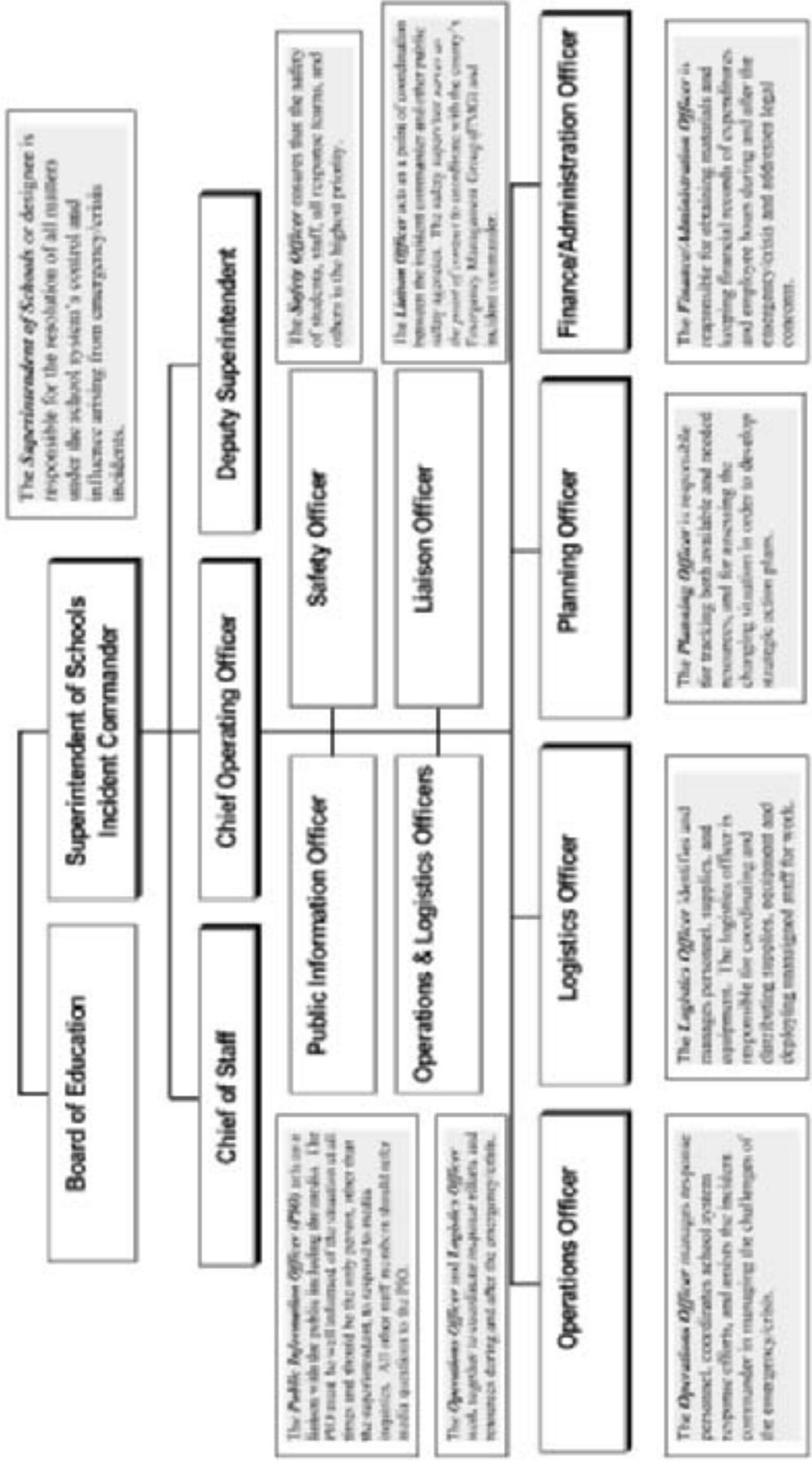
Implementation of the Emergency Response Plan (under the Incident Command System)		
Stage 1	Office of the Superintendent Office of the Deputy Superintendent Office of the Chief Operating Officer Office of School Performance	Normal response to regular serious incidents (Emergency Response Plan is unnecessary)
Stage 2	Superintendent Deputy Superintendent Chief Operating Officer Safety Officer Public Information Officer Chief of Staff Operations Officer Logistics Officer Liaison Officer	Immediate high-level response to a significant emergency or crisis, such as <ul style="list-style-type: none"> • Fire/Arson • Bomb explosions • Serious accidents • Violent injuries • Firearms • Hazardous materials • Weather
Stage 3	Operations Team Logistics Team	Organized team response to major emergencies requiring systemwide intervention and support
Stage 4	Planning Team Finance/Administration Team	Full-scale team response to major crisis requiring long-term planning and support

MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

EMERGENCY RESPONSE PLAN
Incident Command System (ICS)



MONTGOMERY COUNTY PUBLIC SCHOOLS
 Rockville, Maryland
EMERGENCY RESPONSE PLAN
 Incident Command System (ICS)
 Positions



The Superintendent of Schools or designee is responsible for the resolution of all matters under the school system's control and influence arising from emergency/crisis incidents.

The Public Information Officer (PIO) acts as a liaison with the public in holding the media. The PIO must be well informed of the situation at all times and should be the only person, other than the superintendent, to respond to media inquiries. All other staff requests or should refer media questions to the PIO.

The Operations Officer and Logistics Officer work together to coordinate material, rollouts, and resources during and after the emergency/crisis.

The Safety Officer ensures that the safety of students, staff, all response teams, and others is the highest priority.

The Liaison Officer acts as a point of coordination between the incident commander and other public safety agencies. The safety supervisor serves as the point of contact to coordinate with the county's Emergency Management Group (EMG) and incident commander.

The Logistics Officer identifies and manages personnel, supplies, and equipment. The logistics officer is responsible for coordinating and distributing supplies, equipment and deploying managed staff for work.

The Planning Officer is responsible for tracking both available and needed resources, and for assessing the changing situation in order to develop strategic action plans.

The Finance/Administration Officer is responsible for obtaining materials and keeping financial records of expenditures and employee hours during and after the emergency/crisis and address legal concerns.

MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

<p>Superintendent of Schools Incident Commander (Page 1 of 2)</p>	<p>Has the sole authority/responsibility for the management and resolution of a school-related emergency/crisis utilizing all available school system resources</p>
	<p>Has responsibility for organizing and directing the school system's response to the emergency/crisis by assessing the situation, establishing response objectives, utilizing resources, developing and monitoring the action/response plan, ensuring proper documentation, and developing and implementing all strategic decisions related to the emergency/crisis</p>
	<p>Makes the decision, in consultation with senior staff, to activate the MCPS Emergency Response Plan in the event of an emergency/crisis. The incident commander is typically the superintendent of schools. The superintendent of schools may delegate the role of the incident commander to the chief operating officer or the deputy superintendent who will have the authority/responsibility for employing the resources of the school system in responding to the emergency/crisis</p>
	<p>The superintendent of schools is the only person who can override and/or modify decisions made by the designated incident commander</p>
	<p>Assembles the emergency response team in Room 127 and conducts an initial briefing</p>
	<p>Discusses the response objectives with the chief of staff, chief operating officer, deputy superintendent, and the incident command team officers</p>
	<p>Conducts regular briefings with the incident command team in order to obtain accurate and timely information pertaining to the emergency/crisis and will be provided with informational updates by officers</p>

MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

Superintendent of Schools Incident Commander <i>(Page 2 of 2)</i>	Ensures that the chief of staff, chief operating officer, and deputy superintendent are fully briefed and informed of all aspects of the emergency/crisis
	Ensures the continuity of the school system
	Coordinates with the public information officer all media responses/releases
	Approves allocation of resources and requests for additional resources that are needed to respond to the emergency/crisis
	Assesses the emergency/crisis in terms of staff needed to respond to the incident and makes a decision as to when to reduce the amount of staff needed
	Activates and ensures deployment of radio-equipped buses as soon as the Emergency Communications Plan is activated when other conventional means of communication are not available
	Makes a decision as to when the emergency/crisis incident is resolved, thus concluding the activation of the Emergency Response Plan
	Coordinates a timely debriefing session to evaluate the effectiveness of the school system's responses to the emergency/crisis
	Serves as a liaison with the Board of Education, public officials, and other state and local school system officials
	Serves as the school system's representative to the Emergency Management Group (EMG) during a county emergency/crisis or disaster
	Authorizes the resources of the school system to be utilized by the EMG in responding to a county emergency/crisis, or disaster

MONTGOMERY COUNTY PUBLIC SCHOOLS
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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

Chief of Staff	<p>Serves as a senior advisor to the superintendent of schools and the incident commander during an emergency/crisis</p> <p>Coordinates with the public information officer and serves in liaison with community partners to keep them informed about the emergency/crisis as appropriate (business community, civic/community leaders, community ministries, mental health community, PFA)</p> <p>Provides accurate and timely status reports to the incident commander</p> <p>Maintains continuity of the Office of the Superintendent of Schools</p> <p>Attends briefings held by the incident commander</p>
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MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

Chief Operating Officer	Serves as incident commander when designated by the superintendent of schools and fully briefs the superintendent of schools on all aspects of the emergency/crisis
	Serves as a senior advisor to the superintendent of schools/incident commander during emergency/crises
	Coordinates the school system's response and resources to effectively respond to the emergency/crisis
	Provides guidance and support to the Emergency Response Plan team members
	Attends briefings held by the incident commander

MONTGOMERY COUNTY PUBLIC SCHOOLS
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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

Deputy Superintendent	Serves as incident commander when designated by the superintendent of schools and fully briefs the superintendent of schools on all aspects of the emergency/crisis.
	Serves as a senior advisor to the superintendent of schools/incident commander during emergency/crises
	Serves as a back-up representative to the Emergency Management Group (EMG) when the superintendent of schools is not available
	Responds or designates a representative to respond to the scene of a school-based emergency/crisis for coordinating site-based needs pertaining to the incident
	Ensures effective coordination of the school system response to the emergency/crisis; maintains contact with senior-level public safety executive officers and officials
	Serves as the senior on site school official
	Provides guidance and support to school personnel
	Attends briefings held by the incident commander

MONTGOMERY COUNTY PUBLIC SCHOOLS
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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

Public Information Officer (PIO)	Establishes communication links with the on-site school/facility media spokesperson
	Coordinates with the chief of staff to keep the community partners informed about the emergency/crisis, at appropriate (business community, civic/community leaders, community initiatives, mental health community, PTAs)
	Prepares press statements/releases for the superintendent/school system; coordinates press releases with the Emergency Management Group and other public safety PIDs
	Prepares message(s) for the media as well as messages to schools and offices. Implements the Emergency Communication Plan
	Informs the incident commander about inquiries from the media and public and prepares responses
	Ensures appropriate contacts with the media; serves as the official MCPS spokesperson during the emergency/crisis
	Provides accurate and timely status reports to the incident commander
	Attends briefings held by the incident commander

MONTGOMERY COUNTY PUBLIC SCHOOLS
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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

Safety Officer	Responds to the scene of the emergency/crisis as directed by the incident commander
	Ensures that the safety of students, staff, response teams, and others is the highest priority
	Deploys MCPS safety and security staff to the scene of the emergency/crisis
	Ensures coordination between MCPS safety and security staff and public safety officers and officials
	Evaluates response operations at the scene of the emergency/crisis as directed by the incident commander
	Provides accurate and timely status reports to the incident commander
	Attends briefings held by the incident commander

MONTGOMERY COUNTY PUBLIC SCHOOLS
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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

Liaison Officer	Assists the incident commander with special assignments as directed.
	Acts as a point of coordination between the incident commander and other public safety agencies. The safety supervisor serves as the point of contact to coordinate with the county's Emergency Management Group (EMG) and incident commander.
	Provides accurate and timely status reports to the MCTPS incident commander and the safety supervisor at the county's Emergency Management Group
	Attends briefings held by the incident commander

MONTGOMERY COUNTY PUBLIC SCHOOLS
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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

Recorder	Tracks key information, action items, assignments, and decisions made by the incident commander
	Records and informs the incident commander about key information, action items, assignments, and decisions that are made to ensure that the incident commander is informed and conveys accurate information during the briefings
	Coordinates information sharing with the tracking coordinator on the Operations Team
	Responsible for documenting and maintaining a written log of the incident, recording requests and decisions of the incident commander
	Attends briefings by the incident commander

MONTGOMERY COUNTY PUBLIC SCHOOLS
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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

<p>Unions MCAASP MCCSSE MCEA</p>	<p>Attends briefings as determined by the incident commander</p>
	<p>Informs the incident commander about any union issues regarding employees responding to the emergency/incident</p>
	<p>Provides support and guidance to their union members</p>

MONTGOMERY COUNTY PUBLIC SCHOOLS
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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

Operations Team Operations Officer	
	Briefs team members and establishes response objectives
	Manages response personnel, coordinates school system response efforts, and assists the incident commander in managing the challenges of the emergency/crisis
	Develops operational strategies and recommendations to resolve the emergency/crisis
	Provides accurate and timely status reports to the incident commander
	Ensures communication and coordination of information with the on site MCPS incident commander and other response team members
	Attends briefings held by the incident commander

MONTGOMERY COUNTY PUBLIC SCHOOLS
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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Team Member

Operations Team	
Recorder	Responsible for documenting and maintaining a written log of the incident and recording requests of the operations officer; records and informs the operations officer about key information, action items, and assignments that are given to ensure that accurate information is conveyed at the incident commander's briefings
Associate Superintendents	Provides support to the operations officer by performing duties to assist with the response and resolution of the emergency/crisis
Tracking Coordinator	Tracks assignments, action items, and needed resources; documents the response, and manages the logistics of the Incident Command Room; updates the smart board and coordinates information with the recorder
Community Superintendents	Provides support to the operations officer, school administrators, and staff involved in the emergency/crisis response to the school site as directed by the operations officer and/or the incident commander to coordinate response efforts with the site based incident commander
Communications/PIO	Coordinates immediate public statements and responses to media
School Safety and Security	Deploys appropriate MCPS security response to the emergency/crisis, and provides periodic field updates to the operations officer; provides timely and accurate information from on-site personnel and from public safety officers to operations officer
Special Education	Identifies and coordinates resources needed to deal with special needs of students and staff during the emergency/crisis
Student Services	Provides guidance and support regarding the mental health needs of students, staff, and response teams affected by the emergency/crisis; dispatches Crisis Team members and supports once activated by the operations officer or incident commander
Global Access/Technology/ (OGAT)	Provides computer equipment, telephone equipment, and other technology equipment to the MCPS incident command room and provides direct and alternative communication links during the emergency/crisis

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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

Logistics Team Logistics Officer	Briefs team members and establishes response objectives
	Identifies and manages personnel, supplies, and equipment. The logistics officer is responsible for coordinating and distributing supplies and equipment and for deploying unassigned staff for work.
	Develops logistical strategies and recommendations to resolve the emergency/crisis
	Provides accurate and timely status reports to the incident commander
	Prioritizes requests for supplies, equipment, provisions, and transportation to respond to or mitigate emergencies
	Maintains and assures ready access for emergency contact lists of personnel and resources
	Attends briefings held by the incident commander

MONTGOMERY COUNTY PUBLIC SCHOOLS
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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Team Member

Logistics Team

Recorder	Responsible for documenting and maintaining a written log of the incident and recording requests of the logistics effort; records and informs the logistics effort about key information, action items, and assignments that are given to ensure that accurate information is conveyed at the incident commander's briefings
Facilities Management	Provides heavy equipment, maintenance, building services, environmental health, and construction resources during and after the incident related to the emergency/crisis
Technical Communications/ OC/AT	Ensures that the Web system, emergency out dialing, First Class, TV, and radio systems are functional and operational; provides technical assistance to the incident command room ensuring computer connections for laptop computers, dedicated phone lines, two-way radio communications, dedicated fax line, and other types of communication that are available during the emergency/crisis
Materials Management	Provides and distributes supplies and equipment to the incident command room and to schools regarding the emergency/crisis; assesses the need for and delivery of provisions during an emergency/crisis
Transportation	Provides buses with two-way communication and resources for transporting students, staff, and others during the emergency/crisis; deploys two-way radio buses to the high school for implementation of the communication plan when directed by the incident commander

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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

Planning Team Planning Officer	Briefs team members and establishes response objectives
	Develops planning strategies and recommendations to resolve the emergency/crisis
	Provides accurate and timely status reports to the incident commander
	Reviews the latest information regarding the emergency/crisis to determine and plan for school/facility needs at 12, 24, 36, and 72 hours out from the emergency/crisis to include follow-up
	Responds to special requests for information from the incident commander
	Attends briefings held by the incident commander

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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)

Duties and Responsibilities by Team Member

Planning Team

Recorder	Responsible for documenting and maintaining a written log of the incident and recording requests of the planning officer; records and informs the planning officer about key information, action items, and assignments that are given to ensure that accurate information is conveyed at the incident commander's briefings
Community Superintendents	Anticipates needs of the school system at 12, 24, 36, and 72 hours out in responding to the emergency/crisis; provides information for students, parents, staff, and others to be sent out after the emergency/crisis
Communications	Assists the PIO with press releases, and prepares informational packets for schools and offices at 12, 24, 36, and 72 hours out in responding to the emergency/crisis for staff, parents, students, and others
Facilities Management	Prepares for and anticipates building/facility issues and resource planning for 12, 24, 36, and 72 hours out from the emergency/crisis
Human Resources	Identifies and notifies, when appropriate, qualified staff at 12, 24, 36, and 72 hours out in responding to the emergency/crisis
Student Services	Anticipates mental health response and needs at 12, 24, 36, and 72 hours out from the emergency/crisis; prepares mental health information and coordinates the release of information with the PIO and others
Technology Deployment/ OGAT	Anticipates and plans for communication technology and support at 12, 24, 36, and 72 hours out from the emergency/crisis
Transportation	Anticipates transportation needs including potential bus route changes at 12, 24, 36, and 72 hours out from the emergency/crisis

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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Position

<p>Finance/Administration Team Finance/Administration Officer</p>	
<p>Brief team members and establish response objectives</p>	
<p>Is responsible for keeping financial records of expenditures and employee hours during and after the emergency/crisis and addresses legal concerns</p>	
<p>Develops financial strategies and recommendations to meet the needs of the emergency/crisis</p>	
<p>Provides accurate and timely status reports to the incident commander</p>	
<p>Develops procedures to account for costs incurred in an emergency/crisis; compiles and maintains records of expenditures for cost accounting and reimbursement purposes</p>	
<p>Ensures tracking codes to identify all the expenditures incurred related to the emergency/crisis</p>	
<p>Coordinates MCPS efforts for reimbursement with federal, state, and county authorities</p>	
	<p>Attends briefings held by the incident commander</p>

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EMERGENCY RESPONSE PLAN
Incident Command System (ICS)
Duties and Responsibilities by Team Members

Finance/Administration Team

Recorder	Responsible for documenting and maintaining a written log of the incident and recording requests of the finance/administration officer; records and informs the finance/administration officer about key information, action items, and assignments that are given to ensure that accurate information is conveyed at the incident commander's briefings
Association Relations	Provides guidance regarding union/employee issues that may arise during and after the emergency/crisis
Budget	Provides information to obtain necessary resources, supplies, and materials needed during and after the incident that is related to the emergency/crisis
Controller	Provides accounting information on items procured during the emergency, and provides balances of accounts used during and after the emergency/crisis
Human Resources	Coordinates with Payroll to provide listings of employees/staff (by department) that were utilized during and after the incident related to the emergency/crisis; assists Payroll in developing cost of staff hours/positions worked
Insurance and Retirement	Processes injury claims and workers compensation issues that arise during and after the emergency/crisis; obtain necessary insurance claims/costs associated with the emergency/crisis (property losses, damaged equipment)
Legal	Provides legal interpretation and advice to the incident commander and finance/administration officer on issues that may arise from the emergency/crisis
Payroll	Working with Human Resources, provides staff-hours worked by employees during and after the incident related to the emergency/crisis
Procurement	Provides listings of materials, equipment, and supplies that were procured during and after the emergency/crisis

Emergency Communications Plan Emergency Response Plan

During an emergency or crisis, the Montgomery County Public Schools (MCPS) has a responsibility for providing information to staff, parents, and the general public in an orderly, consistent, and responsive manner. This is accomplished through a communications process that utilizes internal and external media.

In the event of a countywide emergency, the school system works closely with the Montgomery County Emergency Management Group to coordinate the release of information. Under certain circumstances, all communication functions of the school system are deployed under the direction of the Emergency Management Group*.

The communication needs of the school system and the educational community is a 24-hour operational responsibility throughout the week, requiring attention to the orderly dissemination of emergency information, regardless of the time of day or the day of the week. This Emergency Communications Plan provides both the workday procedures and the nighttime and weekend procedures required to fulfill these responsibilities.

The primary communication media for the school system consist of the following elements:

Internally Controlled Emergency Media

- FirstClass (e-mail)
- MCPS Web site (www.mcps.k12.md.us)
- Cable Television Channel 34*
- Telephone information line (301-279-3673)
- Automated telephone calling system
- Manual phone trees
- Radio-equipped buses**
- Emergency Nextel phones
- Out-dialer***

Externally Controlled Emergency Media

- Associated Press wire service
- Metro News wire service
- Television broadcast stations
- Radio broadcast stations
- Montgomery County Government Cable Channel 6
- Web site (www.schools-out.com)
- Newspaper Web sites

* Montgomery County Emergency Management Group may preempt school system's cable television channel.

** Radio-equipped buses provide a link with cluster communication centers at each high school in the event that all other electronic communication resources are unavailable (see Nonelectronic Communication Process).

***Used as a back-up communication method.

In an emergency, announcements and other information are provided by the Department of Communications under the superintendent's authority and designation. The emergency communications procedures also involve the Office of Global Access Technology in the use of the school system's electronic media, specifically the automated telephone calling system, cable television, FirstClass, and Web site.

The emergency communications procedures announce information concerning emergencies affecting school operations, such as weather-related closures or national events.

Emergency Communications Procedures during the Workday

- Incident commander authorizes the emergency information process and notifies the public information officer [insert names].

Electronic Announcement Process

Normal emergency communications can be implemented largely through electronic capabilities involving computers, networks, printers, faxes, telephone lines, cell phones, two-way radio communication, emergency Nextel phones, out-dialer system, and e-mail. The following is the electronic process:

- Department of Communications [insert names] notifies the following units to be on stand-by for initiating an emergency message:
 - Department of Communications staff [insert names]
 - Instructional Television [insert names]
 - Telecommunications [insert names]
 - Web team [insert names]
 - FirstClass [insert names]
 - Emergency Nextel phones [insert names]
 - Out-dialer***
- Department of Communications begins internal and external announcement process in the following manner:
 - Composes an emergency statement in press release form
 - Prints paper copy of statement for distribution to appropriate senior staff
 - Prepares electronic format of statement for e-mail and Web posting
 - Posts statement on FirstClass in Emergency Message Folder
 - Prepares Nextel all-call emergency notification message
 - Instructs following offices to begin next phase:
 - Telecommunications instructed to begin automated telephone calling system to inform schools to read the emergency announcement on FirstClass
 - Instructional Television instructed to prepare and begin televising statement
 - Posts statement on Web site front page
 - Posts statement on Schools-Out.com
 - Notifies media through telephone calls, e-mail, and fax
 - Records oral statement on telephone information line

- 3 Telecommunications monitors the outdialing process of the automated telephone calling system through a computer modem, and identifies problems in contacting individual schools. (The Help Desk assists in calling individual schools.)
- 3 Time requirements for external announcement process (includes overlap):
 - o 40 minutes for Department of Communications to compose message and distribute internally and externally
 - o 45 minutes for Telecommunications to initiate and complete outdialing process
 - o 20 minutes for Instructional Television to prepare and begin televising statement

Nonelectronic Communication Process

In the event that an emergency threatens to disrupt or actually disables the ability to communicate through normal electronic means (i.e., telephone outdialing system, FirstClass, cable television, etc.), the following emergency procedures are implemented:

- o Each high school is designated as a cluster communications center
- o Radio-equipped buses are sent to each cluster communication center to provide radio communications with appropriate authorities
- o Representatives of each school are sent to their respective cluster communication center to receive instructions and information
- o Emergency Nextel phones

No Available Communications

In the event that radio-equipped buses cannot be sent to the cluster communication centers – and no other communication media are available – individual school authorities will follow directions from national and regional emergency personnel, consistent with individual school crisis plans.

Emergency Communications Procedures at Night and on Weekends

- 3 Incident Commander authorizes the emergency information process and notifies public information officer [insert names].
- 3 Emergency communications can be implemented from off-site locations, such as individual homes or offices, computers, telephones, and e-mail. The following is the electronic process:
- 3 Department of Communications [insert names] tests the availability of the MCPS Web site, FirstClass, and other media.
 - o In the event of a problem in accessing the Web and/or First Class from external locations, notification is made to the appropriate staff of the Office of Global Access Technology: Web [insert names] and FirstClass [insert names].
- 3 Department of Communications begins internal and external announcement process in the following manner:
 - o Composes an emergency statement in press release form
 - o Prepares electronic format of statement for e-mail and Web posting
 - o Posts statement on FirstClass in Emergency Message Folder
 - o Contacts Instructional Television staff [insert names] with instructions to post the statement on Channel 34.

- Posts statement on Web site front page
 - Posts statement on Schools-Out.com
 - Notifies media through telephone calls, e-mail, and fax
 - Records oral statement on telephone information line
- In a weather-related emergency, the notification of the media after midnight and prior to 8:00 a.m. is conducted also by the staff of the Department of Transportation [insert names], in addition to the efforts of the Department of Communications.
- In an emergency affecting the operation of facilities in the evening or on weekends, the external communications process involves the Interagency Coordinating Board for the Use of Public Facilities as a primary decision maker about facility operations and the release of information.

APPENDIX M

**Arlington County Public School
Superintendent Robert G. Smith
Letter to Parents
October 9, 2002**



ARLINGTON PUBLIC SCHOOLS
SUPERINTENDENT'S OFFICE

October 9, 2002

Dear Parents:

The tragic events that have occurred in the metropolitan Washington area during the past six days have saddened all of us. First, I want to express my gratitude to all of you for your support and understanding during this difficult time. Our deepest condolences go to the parents and students of Prince George's County and to those members of our greater metropolitan community who have a friend or family member who has been lost or injured.

Since these events began, we have tried to make decisions that will assure the safety and well being of our students while we continue to provide them with meaningful instruction. After consultation with our local police and regional authorities this morning, we have decided to resume outdoor after-school activities at the close of school in our middle and high schools. We intend to return to normal school operations beginning Thursday morning and beyond unless the police change their advice. Elementary students, of course, will not be in school for the remainder of the week because of parent-teacher conferences. Normal operations will include school-day activities such as physical education classes and recess, as well as after-school activities – both indoors and outdoors – as well as extracurricular activities (e.g. football practices and games, car washes, marching band practices).

On behalf of all of the Arlington Public Schools family, I want to thank the Arlington County Police for their support. They will continue to provide heightened protection at our schools and throughout the community in the morning, during dismissal, and at school and community events.

Finally, all of our counselors and staff are available to help students or families who may be having difficulties dealing with the anxiety of the past six days. As a resource for parents, the National Association of School Psychologists web site has a tip sheet for parents called, "Helping Children Cope with Violence and Terror." The web address is www.nasponline.org, or you may ask your school counselor for a copy. Additionally, if you are unsure of what to say to your child that is age-appropriate but still honest, our staff is willing to help.

We ask parents and families to stay informed. We will continue to work closely with local and regional authorities to make decisions that affect our students' safety. Generally, decisions regarding changes in school operations are made before 6:00 a.m., and then before noon we determine any changes for our after-school activities. To find out the most up-to-date information about these decisions:

- Call the Arlington Public Schools Telephone Hot Line at (703) 228-8638.
- View Arlington Cable Channel 30.
- Listen to local Radio or Television outlets – we call them regularly with changes.
- Go to our web site at www.arlington.k12.va.us.

During these uncertain times, I believe that schools continue to be a safe place for our children. I want to thank the many parents who have given extra care and time to help provide support for our children at bus stops and near our schools. Our students deserve our constant care and support. Please assure your child that school and police officials are working with parents and family members to keep them safe.

If you have questions or concerns, please do not hesitate to call your principal or me. Again, thank you for your support and understanding.

Sincerely,

Robert G. Smith
Superintendent

A B O U T T H E A U T H O R S

Gerard R. Murphy, Former Deputy Director of Research Police Executive Research Forum

At the time of this project, Murphy was a senior research and policy analyst with the Police Executive Research Forum (PERF). He then became the Director of the Homeland Security and Technology Division in the National Governors Association Center for Best Practices. Murphy was the project director for this effort. He directed a number of other national projects at PERF, including those focusing on terrorism, police performance measures, recruitment and hiring practices.

Before joining PERF in September 2001, Murphy spent 12 years with the Baltimore County (MD) Police Department. He was the Director of Planning and Research, responsible for developing and implementing the department's strategic plan, researching and developing department policies, managing federal and state grants, and serving as the agency's accreditation manager. Prior to that position, he was the Assistant to the Police Chief for eight years spanning the tenure of three chiefs for whom he provided policy advice and guidance. Murphy also conducted a variety of special projects to improve organizational efficiency. He also served as Executive Director of the Baltimore County Police Foundation. His previous experience also includes being an Assistant Professor of Public Affairs at Indiana University, Fort Wayne and a previous stint at PERF as a research associate. Murphy holds a master's degree in public policy and has completed extensive work towards his doctorate in public policy. He is also a graduate of the Federal Executive Institute.

Chuck Wexler, Ph.D., Executive Director Police Executive Research Forum

Chuck Wexler, appointed as the Executive Director of PERF in 1993, leads a staff engaged in police and criminal justice research, management studies and consulting, publication of research findings, technical assistance, demonstration projects, and executive development and selection. PERF is a membership organization of law enforcement chiefs from the larger police agencies in the country. It was founded more than a quarter century ago by a number of chiefs who saw a need for an organization dedicated to progressive thinking about difficult issues in policing that face bigger-city law enforcement agencies.

During his tenure at PERF, Wexler has been directly involved in numerous technical assistance, research and consulting projects to improve the delivery of police services. Examples of major projects include his work coordinating the development and implementation of a comprehensive anti-crime strategy in Minneapolis that is now a model for public-private cooperation. He has spearheaded an effort to candidly confront and discuss police-minority conflict and the controversy concerning racial profiling. Wexler has also been involved in major projects in Chicago, Kansas City, Nashville, Kingston, Jamaica and the Middle East. In each of these projects his purpose has been to more efficiently deliver policing services to the community.

Prior to joining PERF, he worked as an assistant to the nation's first Director of the Office of National Drug Control Policy where he identified exemplary local initiatives and helped craft national policy. He also headed the Professional Development Division of the International Association of Chiefs of Police where he designed a national program for the selection of police chiefs and revamped and broadened executive development programs for police executives.

A native of Boston, Wexler held a number of key positions in the Boston Police Department. As Operations Assistant to the Police Commissioner, he played a central role in the agency's management of racial violence in the wake of court-ordered desegregation of the Boston School System. He was also instrumental in the development and management of the Community Disorders Unit, which earned a national reputation for successfully prosecuting and preventing racially motivated crime.

Wexler serves as an evaluator for the Ford Foundation's Innovations in Government Project. Wexler graduated from Boston University with a liberal arts degree. He earned a masters degree in criminology from Florida State University and a Ph.D. in urban studies and planning from the Massachusetts Institute of Technology (MIT). He has been an instructor at Bowdoin College and MIT.

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Davies is responsible for managing national-level research and policy development projects. She was also the project coordinator and contributing author on this publication. Davies is the project director of a COPS-funded project and white paper series, *Protecting Your Community from Terrorism: Strategies for Local Law Enforcement*, to address local law enforcement's concerns in preventing and preparing for terrorist acts. This project consists of a series of five executive sessions and a subsequent white paper series. Davies is the co-author of three volumes: *Working with Diverse Communities* (published March 2004), *Preparing for and Responding to Bioterrorism* (published September 2004), and *Law Enforcement Partnerships with the Department of Homeland Security* (forthcoming 2004).

Prior to joining PERF, Davies was a senior research associate with the American Bar Association's Center on Children and the Law, and the Criminal Justice Section. She was the principal investigator on a project evaluating parental involvement practices of juvenile courts, and one on improving legal and judicial responses to parental kidnapping. Davies assisted in the analysis of legal services provided by the District of Columbia's Office of Corporation Counsel to the Child and Family Services Agency. In addition, she served as the project associate on such studies as the implementation of the Michigan Lawyer-Guardian Ad Litem Statute, a national assessment of law enforcement and community partnerships for helping children exposed to domestic violence, and an evaluation of domestic violence no-drop policies. Davies is the co-author of a National Center for Missing and Exploited Children monograph, *Child Pornography: The Criminal Justice Response*. Davies holds a bachelor's degree in sociology from Virginia Tech, and a master's degree and a Ph.D. in justice, law and society from American University. Her dissertation addressed *Understanding Variations in Murder Clearance Rates: The Influence of the Political Environment*.

Martha Plotkin, J.D., Director of Communications and Legislative Affairs
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Plotkin has been with PERF for nearly 20 years. She currently directs PERF's publications, media and legislative programs. She has had extensive experience researching and writing on law enforcement matters, as well as defining and implementing a national policy and legislative agenda for police professionals. She regularly has provided information to congressional leaders and the national media on matters of public safety. Plotkin has edited more than 50 publications in her tenure and has written myriad op-ed articles, briefings and testimonies on issues ranging from gun safety to funding police services. She is the co-author of several volumes in the series *Protecting Your Community From Terrorism: Strategies for Local Law Enforcement*, including *Local-Federal Partnerships and Law Enforcement Partnerships with the Department of Homeland Security* (forthcoming 2004). Her other work includes being the author of *A Time for Dignity* and other articles and training materials on the police response to elder abuse. She is also the co-author of *Police and the Homeless: A Status Report* and the editor of *Under Fire: Gun Buy-Backs, Exchanges and Amnesty Programs*.

An attorney, she also works on amicus briefs and other legal issues affecting police agencies. Plotkin has managed and continues to contribute to research projects on homeland-security issues and the police response to special populations and victims. She completed the legal studies program at Brandeis University where she received her bachelor's degree in psychology. She earned her law degree from The George Washington University Law School.

ABOUT THE OFFICE OF JUSTICE PROGRAMS

The Office of Justice Programs, which is part of the U.S. Department of Justice, provides federal leadership in developing the nation's capacity to prevent and control crime, administer justice, and assist crime victims. OJP is the premier resource for the justice community and is committed to providing and coordinating information, research and development, statistics, training, and support to help the justice community build the capacity it needs to meet its public safety goals.

OJP was established by the Justice Assistance Act of 1984 and reauthorized in 1994. It is headed by an Assistant Attorney General and comprises five component bureaus and two offices: the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, the Office of the Police Corps and Law Enforcement Education, and the Community Capacity Development Office, which incorporates the Weed and Seed program and the American Indian and Alaska Native Affairs Desk.

OJP's bureaus are:

- The **Bureau of Justice Assistance** (BJA) provides leadership and assistance in support of local criminal justice strategies to achieve safe communities. BJA administers formula grant programs such as the Edward Byrne Memorial State and Local Law Enforcement Assistance Program and the Local Law Enforcement Block Grant Program, and discretionary grant programs aimed at reducing and preventing crime, violence, and drug abuse and to improve the functioning of the criminal justice system.
- The **Bureau of Justice Statistics** (BJS) is the official statistical agency of the U.S. Department of Justice. BJS collects, analyzes, publishes, and disseminates information on crime, criminal offenders, victims of crime, and the operation of justice systems at all levels of government.
- The **National Institute of Justice** (NIJ) is the research and development agency of the U.S. Department of Justice and is dedicated to researching crime control and justice issues. NIJ's mission is to advance scientific research, development and evaluation to enhance the administration of justice and public safety.
- The **Office of Juvenile Justice and Delinquency Prevention** (OJJDP) provides national leadership, coordination and resources to prevent and respond to juvenile delinquency and victimization.
- The **Office for Victims of Crime** (OVC) is committed to enhancing the nation's capacity to assist crime victims and to providing leadership in changing attitudes, policies, and practices to promote justice and healing for all crime victims.

OJP's Offices are:

- The **Office of the Police Corps and Law Enforcement Education** (OPCLEE) administers the Police Corps, a program that addresses violent crime by helping state and local law enforcement agencies increase the number of officers with advanced education and training assigned to community patrol.
- The newly established **Community Capacity Development Office** (CCDO), which creates a single organization infrastructure to provide a nexus for a vast array of community-based efforts, offering robust training and technical assistance opportunities to help communities to better help themselves. This new office incorporates the well-known **Weed and Seed** program and is focused on OJP's community capacity development program and program sustainability efforts.

For more information visit the OJP Web site at www.ojp.usdoj.gov

A B O U T T H E
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P O L I C E E X E C U T I V E R E S E A R C H F O R U M
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The Police Executive Research Forum (PERF) is a national professional association of chief executives of large city, county and state law enforcement agencies. PERF's objective is to improve the delivery of police services and the effectiveness of crime control through several means:

- the exercise of strong national leadership,
- the public debate of police and criminal justice issues,
- the development of research and policy, and
- the provision of vital management and leadership services to law enforcement agencies.

PERF members are selected on the basis of their commitment to the organization's objectives and principles. PERF operates under the following tenets:

- Research, experimentation and the exchange of ideas through public discussion and debate are paths for the development of a comprehensive body of knowledge about policing.
- Substantial and purposeful academic study is a prerequisite for acquiring, understanding and adding to that body of knowledge.
- Maintenance of the highest standards of ethics and integrity is imperative in the improvement of policing.
- The police must, within the limits of the law, be responsible and accountable to the public as the ultimate source of law enforcement authority.
- The principles embodied in the Constitution are the foundation of policing.

Categories of membership also allow the organization to benefit from the diverse views of criminal justice researchers, law enforcement of all ranks, and other professionals committed to advancing law enforcement services to all communities.



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