PERF Report Describes Changes in Gang Dynamics

This month PERF released a report that details the changes that police departments across the country have detected over the last few years in the nature of criminal gangs and how gangs operate in their cities.

The report, Gang Violence: The Police Role in Developing Community-Wide Solutions, is the 14th in PERF’s “Critical Issues in Policing” series, undertaken with support from Motorola. The report summarizes the findings of a PERF survey of police agencies regarding gang violence, as well as the analyses of gang issues provided by police executives at a PERF Summit last year in Chicago, which was held in cooperation with the Chicago Police Department and was supported by the National Institute of Justice.

Following is a sampling of comments made by police chiefs at the Summit:

CHICAGO SUPERINTENDENT JODY WEIS:
We Need to Send the Message to Kids That They Cannot Carry Guns

We have got to somehow make these kids realize that guns are not the solutions to their problems. Over the past eight years, we’ve taken more than 10,000 weapons off our streets, every year. We have held gun turn-in programs where 6,000 weapons have been turned in. But despite these successes, there seems to be an endless supply of guns in the city. Homicides are down more than 10 percent; however, we have not successfully reduced the number of shootings. Somehow we must send a message, and it has to be heard, that you cannot walk around the streets of Chicago with a loaded gun. I am optimistic about the new “Alex Valadez” law, wherein gang members will not receive probation if they are discovered with a loaded gun. Hopefully, three years of mandatory confinement will send the message we need.

PHILADELPHIA POLICE COMMISSIONER CHARLES RAMSEY:
A Multitude of Disjointed, Smaller Gangs Makes Suppression Difficult

We have a bunch of disjointed neighborhood gangs or affiliations—usually first-generation kids—who practically shoot each other on sight. A lot of violent crime in Philadelphia is due to stupid disputes that happen out on the street. Contributing to the violence is the easy availability of guns and the fact that people are very quick to use them, even though they are usually arguing over absolutely nothing.

We don’t want to have the organized gang problems like they have in L.A. and Chicago, but our gang problems in Philadelphia—these disorganized groups and individual disputes—make gang violence very difficult to prevent.

BALTIMORE POLICE COMMISSIONER FREDERICK H. BEALEFELD:
The Franchising of National Gangs at the Local Level Leads to Increased Crime

In Baltimore over the last year or two, gangs have taken on a national identity, which is really like a pseudo-identity. As much as they want to be Bloods and Crips and national-level gangs, they’re not quite sure how to do it. They only know the handshakes, the signs, how to draw and tag like the national gangs.

This creates a big problem for us. We have guys from Chicago or L.A. or New York who purport to be an “O.G.” [original gangster] or a “five-star general” in a national gang. They come into Baltimore like rock stars, and they have the power to influence other members toward criminality. In 2007, a purported high-level gangster from L.A. came to Baltimore and sent out an order that all Bloods had to commit a criminal act in front of another Blood member in...
Let me begin my inaugural message by thanking my very good friend and colleague, John Timoney, for his exemplary leadership as the previous PERF President. His tremendous dedication to raising PERF’s national profile yielded a stronger, better and more well-rounded organization. I’d also like to thank all PERF members for their support. It is with gratitude and enthusiasm that I accept this position as President. I will build upon the excellent work of all my predecessors, Executive Director Chuck Wexler and the entire PERF staff.

PERF has led the charge in developing national policies and best practices for policing since its founding. Its library of publications shows an outstanding body of research and public policy that has truly shaped the course of policing on topics such as the use of force, the role of the community, immigration, gun violence and bias-based profiling. Over its history, PERF has become a leading voice in the public arena on critical issues affecting our profession, and there is no question that we will continue our mission of improving policing and advancing the profession through research.

The increasingly complex social, technological and political environment in which we find ourselves places difficult demands on police organizations. More often than not, we struggle to keep pace with our ever-changing landscape. As we continue to move forward in the 21st Century, what will be the next step in our evolution as a profession? How will we meet the challenges and opportunities confronting police agencies globally?

There are many policy issues on which to center our attention, and as President, my primary focus, though not exclusive, will be on leadership development. If we don’t create our own future, others will. The more technically proficient we become at preventing, reducing and solving crime, the more likely we will have to do so with shrinking resources. All police organizations have been affected by the economic downturn, but expectations that we continue to be just as effective in our crime-fighting mission remain the same, if not higher. We must rise, not only to meet the exigent demands of our globally connected society, but to set our own expectations about what is possible. Leadership and innovation are absolutely essential to our ability to make progress.

We have an opportunity to expand the boundaries of our profession toward a future that represents our core values, mission and vision. Developing leadership competencies in the private sector and military is a highly valued enterprise. Our nation’s best business schools and military academies all have robust programs, including executive education, on the subject of leadership. Leadership is an area in which many of our corporate, government and educational institutions invest significant resources.

PERF will continue to lead the way in advancing our profession with a renewed focus on top-level law enforcement executives, specifically chiefs, commissioners, sheriffs, assistant chiefs and deputy commissioners. Such an executive education program could provide a wealth of training in the areas of government management, public policy and economics, balancing resources, homeland security, building strong collaborations, strategic planning, utilizing evidence-based strategies in deployment, leveraging technology, maneuvering through political negotiations, the regionalization of police agencies, and the increasing ways in which security is part of a shared system of governance between the private and public sectors. This is just a sample of the issues that confront our police leaders today; it is by no means comprehensive or finite, but it is a beginning. We will partner with premier leaders in business, government, the military and the nonprofit sector, and will work with our colleagues from around the world, in delivering this executive education program.

We will begin to outline specific details about organizing an institute for police executives as the year progresses. This would by no means supplant PERF’s current Senior Management Institute for Police, which will continue to prepare mid- to upper-level police executives. These programs should be viewed as an educational progression from police management to the highest level of police leadership. Together, PERF will ensure that we remain at the forefront of our own development. Our future depends upon it.
Plan to Attend PERF’s Annual Meeting April 15–17 in Philadelphia

PERF’s 2010 Annual Meeting, to be held April 15–17 in Philadelphia, promises to be one of the most interesting meetings in years. Attorney General Eric H. Holder, Jr. will address PERF members and other attendees. Vice President Joseph R. Biden, Jr. also has been invited to join us and share his thoughts on the Obama Administration’s approach to policing issues.

Other highlights will include the following:

The economic crisis: It is clear that most police departments are still facing budget cuts, with no end in sight. Elected officials, police chiefs, police unions, and municipal budget directors all play a role. What happens when resources grow scarce and there are no easy options?

The evolving role of the police investigator: How focusing on the role of investigators may be the key to increasing clearance rates and reducing crime.

Town Hall Meeting: This year we will be holding the Town Hall Meeting on Friday morning. This event is your opportunity to raise any policing issue you would like to hear discussed by your colleagues.

We know there is a lot of interest in recent developments affecting Conducted Energy Devices, including Taser International’s training bulletin amending the recommended target area on the body for “Taser” activations, and the 9th Circuit federal appeals court ruling that an officer may be held liable for injuries suffered by an arrestee who was subjected to a CED activation.

Another issue faced by police chiefs in a growing number of states is the impact of early releases of prison inmates resulting from cuts in prison funding.

The agenda for the Town Hall Meeting is your agenda, so send us your ideas now or come prepared to call for a discussion of any issue of interest to you.

New study of foot patrols in Philadelphia: The Philadelphia Police Department is partnering with Dr. Jerry Ratcliffe of Temple University on a major experimental study of foot patrols involving more than 250 police officers. Researchers identified 60 of the most violent locations in the city, and foot patrol officers were assigned to those areas. Preliminary results included a 22-percent decrease in violent crime in the targeted areas.

Philadelphia Police Commissioner Charles Ramsey and Dr. Ratcliffe will provide the latest information on the research and its implications for policing, especially in a time of tight limits on police resources.

Police and “social media”: PERF will explore how police departments are using Twitter, Facebook, and other social media to communicate with community members and investigate crimes.

Immigration and policing: This session will provide the latest perspectives on the question of how the illegal immigration issue is affecting policing. Topics will include 9500 Liberty, a new documentary film about immigration and policing in Prince William County, Virginia.

Becoming a chief—the winning strategies: PERF’s executive search consultant, Charlotte Lansinger, will offer insights from her years of experience in helping to match police executives with police departments where they will succeed in the top job.

Comparative policing: PERF board member Sir Hugh Orde and others from the UK will lead a discussion of how policing in the UK compares to practices in U.S. departments.

Reception and awards: With the generous support of Target Corp., PERF will host a reception on Thursday evening, during which the winners of PERF’s Leadership Award and Gary P. Hayes Memorial Award will be announced.

Planning and research directors’ meeting: The 4th annual meeting of the Law Enforcement Organization of Planning and Research Directors (LEOPRD) will be held on April 14, in conjunction with the PERF Annual Meeting. For additional information, contact PERF research assistant Anthony Bellero at abellero@policeforum.org.

The Annual Meeting will be held at the Ritz Carlton in Philadelphia. PERF has arranged for a block of rooms from April 13 through April 18 at the exceptional group rate is $155 per night. Only reservations made by April 2, 2010 are eligible for this rate. Call 800-241-3333 and mention that you are with the PERF Annual Meeting Group, or enter the Group Code PERPERA when making reservations online here: https://www.ritzcarlton.com/en/Properties/Philadelphia/Reservations/Default.htm.

We hope to see you at the PERF Annual Meeting!

PERF Conducting Executive Searches in Dallas, Houston, and Seattle

PERF currently is assisting in the search for new police chiefs in Dallas, Houston, and Seattle. Additional information about PERF’s executive searches is available on PERF’s website, www.policeforum.org, under the “Employment Bulletin” tab. For further information, contact PERF’s executive search consultant, Charlotte Lansinger, at clansinger@aol.com, or PERF Chief of Staff Andrea Luna at aluna@policeforum.org.
FOLLOWING IS A SUMMARY OF A FEW OF THE
major developments that occurred in 2009 in the U.S. Congress
affecting policing:

APPROPRIATIONS

Economic Stimulus Act
On February 17 President Obama signed into law the American
Recovery and Reinvestment Act of 2009, which pumped $787 bil-
lion into the ailing economy in an effort to prevent the nation
from further sliding into recession. Included in the stimulus pack-
age was $4 billion for state and local law enforcement programs,
with $2 billion for the Edward R. Byrne Justice Assistance Grant
program (Byrne-JAG) and $1 billion for Community Oriented
Policing Services (COPS) hiring grants.

Two weeks before the stimulus bill won final approval, sev-
eral Obama Administration officials attended a PERF Summit on
the Economic Crisis, and heard PERF members call for changes
in key aspects of how these grants would be administered. The
Administration officials included Alan Hoffman, deputy chief of
staff to Vice President Biden; Laurie Robinson, who was soon to
be named Assistant Attorney General for the Office of Justice Pro-
grams; and Tim Quinn, Acting Director of the COPS Office.

The changes recommended by PERF members included
elimination of the traditional “matching funds” requirement for
COPS grants as well as other DOJ grant programs. Because most
local police agencies were already undergoing budget cuts, the
PERF members explained, it would be difficult or impossible for
them to come up with matching funds. In addition, PERF mem-
ber chiefs urged that COPS grants be used to rehire officers who
had been laid off due to budget cuts, or to retain officers who were
scheduled to be laid off due to budget cuts, in addition to hiring
new officers.

PERF was gratified that the Administration and Congress
honored these requests, and the final bill provided for the flexibil-
ity in grant rules that local police chiefs requested.

Other grant programs in the stimulus bill included $125
million for assistance to rural law enforcement agencies; $225
million for Violence Against Women programs; $50 million for
Internet Crimes Against Children initiatives; and $40 million to
provide assistance and equipment to local law enforcement a-
gendenies along the Southern border and in High-Intensity Drug Traf-
ficking Areas.

Fiscal Year 2010 Omnibus Appropriations
On December 13 Congress passed the fiscal year 2010 Omnibus
Appropriations Act, which included funding for the Department
of Justice. Spending for the major DOJ state and local law enforce-
ment programs included: $511 million for Byrne-JAG; $298 mil-
lion for COPS hiring (with a continued waiver of matching funds
requirements); $170 million for COPS interoperable communications
grants; $40 million for meth hot spots enforcement; $161
million for DNA and forensic science programs; and $30 million
for the Bulletproof Vest Partnership Grant program.

Department of Homeland Security
Congress passed the $44.1-billion Fiscal Year 2010 appropriations
bill for the Department of Homeland Security Appropriations
Act on October 20. Included in the measure is $950 million for
the State Homeland Security Grant Program (SHSGP), of which
$60 million is for Operation Stonegarden to enhance cooperation
and coordination among local, state, and federal law enforcement
agencies to secure the nation’s land borders; $887 million for the
Urban Area Security Initiative (UASI); $50 million for the Interop-
erable Emergency Communications Grant Program (IECGP) to
help states, territories, and local and tribal governments improve
interoperable emergency communications, including communica-
tions in response to natural disasters, acts of terrorism, and other
man-made disasters.

2009 Legislative Year in Review
By Kevin E. Greene

LEFT: Senate Judiciary Committee Chairman Patrick Leahy confers with Burlington, Vt. Chief Michael Schirling and Philadelphia Police Commissioner
Charles Ramsey. RIGHT: Vice President Joe Biden visits the Miami Police Department to discuss funding for law enforcement in the American Recovery and
Reinvestment Act. Miami Chief John Timoney is at left.
Jobs for Main Street Act

To help stem increases in unemployment, the House of Representatives passed the Jobs for Main Street Act (H.R. 2847) on December 16 by a vote of 217–212. The $154-billion bill includes $1.18 billion for the COPS hiring program. This funding would be in addition to the $298 million already appropriated to the program in the FY 2010 Omnibus Appropriations bill. Senate action would be required for the legislation to take effect.

CONGRESSIONAL TESTIMONY BY PERF MEMBERS

In 2009, nine PERF members appeared before Congressional committees to offer their expertise on a variety of law enforcement issues, including:

- Helping state and local law enforcement during an economic downturn (Burlington, Vt. Chief Michael E. Schirling; Philadelphia Commissioner Charles H. Ramsey; and Milwaukee Chief Edward A. Flynn);
- The role of state and local law enforcement in immigration law (Montgomery County, Md. Chief J. Thomas Manger; and George Gascon, chief of Mesa, Ariz. at the time of his testimony and now chief in San Francisco);
- Addressing the crack-powder cocaine sentencing disparity (Miami Chief John F. Timoney);
- Strengthening forensic sciences in the United States (Houston Chief Harold Hurtt); and
- Exploring the need for a national commission to conduct a comprehensive review of the criminal justice system (William Bratton, at that time chief in Los Angeles).

Chiefs' statements to Congress as well as statements of other witnesses and video webcasts of the hearings are available through the PERF website at www.policeforum.org. Follow the links to Free Doc Library → Legislative Affairs → Congressional Testimonies (111th Congress).

CRIMINAL JUSTICE REFORM

In March, Sen. James Webb (D-Va.) introduced legislation (S. 714, the National Criminal Justice Commission Act of 2009) calling for a bipartisan, Presidential-level commission to conduct a thorough examination of America's criminal justice system and come up with recommendations for improving it. The last in-depth review of the criminal justice system occurred in 1965, when President Lyndon Johnson established the President's Commission on Law Enforcement and Administration of Justice.

Lending support to the creation of such a commission was then-Chief of Police William Bratton of Los Angeles, who told the Senate Judiciary Subcommittee on Crime and Drugs in June that "such a debate is long overdue….We need a contemporary, widespread and far-reaching review of our entire criminal justice system in order to better serve and protect the public."

Senator Webb's original version of the bill included language reflecting his view that the justice system is "broken," and specifically that the United States relies too heavily on incarceration, especially for low-level drug offenders. However, when the Senate Judiciary Committee took up his bill, it approved an amendment by Sen. Arlen Specter (D-Pa.) that removes that language, and instead calls in a more neutral way for a review of the justice system. The Committee then approved the bill on January 21, 2010.

CRACK AND POWDER COCAINE SENTENCING

Several pieces of legislation were introduced in 2009 to eliminate the disparity in federal criminal sentences for crack and powder cocaine offenses. The Powder-Crack Cocaine Penalty Equalization Act of 2009 (H.R. 18), introduced by Rep. Roscoe Bartlett (R-Md.) would remove the sentencing disparity with respect to trafficking, possession, importation, and exportation by lowering the minimum sentence for crack cocaine to the applicable sentence for powder cocaine. A similar bill, the Fairness in Cocaine Sentencing Act of 2009 (H.R. 1459) was introduced by Rep. Bobby Scott (D-Va.), chairman of the House Judiciary Subcommittee on Crime, Terrorism and Homeland Security, on March 12.

In his April 29 appearance before the Senate Subcommittee on Crime and Drugs, Miami Police Chief John F. Timoney testified that the unintended consequences of the crack-powder cocaine disparity have been “an unmitigated disaster,” because “glaring inequities in the justice system, if they are are allowed to persist, breed cynicism and mistrust” in the community.

Five grams of crack cocaine cost about $150 in Miami, Timoney said, while 500 grams of powder cocaine cost about $14,000, yet two offenders dealing in those quantities of drugs would receive the same sentence. “If you were to present these numbers to the average 8th grader and ask which is the narcotics trafficker, they would have little problem with the answer,” he said. “The notion that both of those offenders deserve the same time in jail is ludicrous.”

FIREARMS LEGISLATION

Congress passed legislation on May 20 allowing people to carry loaded firearms in national parks and wildlife refuges. Sen. Tom Coburn (R-Okla.) offered the gun rights measure as an amendment to the Credit Card Holder’s Bill of Rights. The Senate approved the amendment by a 67–20 vote, and the House followed suit and agreed to the gun rights provision by a 279–147 vote. President Obama signed the bill into law on May 22.

The measure provides that:

The Secretary of the Interior shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm including an assembled or functional
firearm in any unit of the National Park System or the National Wildlife Refuge System if—
(1). The individual is not otherwise prohibited by law from possessing the firearm; and
(2). The possession of the firearm is in compliance with the law of the State in which the unit of the National Park System or the National Wildlife Refuge System is located.

Congress also approved an amendment offered by Sen. Roger Wicker (R-Miss.) to permit Amtrak passengers to transport firearms and ammunition in their checked baggage. Federal funding for Amtrak is contingent upon compliance; the amendment states that "amounts made available to [Amtrak shall immediately cease to be available if Amtrak prohibits the secure transportation of firearms on passenger trains." Passengers are allowed to place an unloaded firearm in their checked bag if: they declare, either orally or in writing, that the firearm is in their bag and is unloaded; the firearm is in a hard-sided container; such container is locked; and only the passenger has the key or combination to the container. In addition, passengers would be able to carry securely packed small-arms ammunition in their checked bags. The amendment was included in the fiscal year 2010 omnibus spending bill that was signed into law on December 16.

Many other firearms-related measures were introduced in 2009, including a bill prohibiting restrictions on firearms in public housing (H.R. 3045) and measures requiring criminal background checks on all firearms transactions at gun shows (H.R. 2324, S. 843).

HATE CRIMES
On October 28 President Obama signed into law legislation that expands the application of federal hate crimes law to include attacks based on gender, gender identity, sexual orientation, and disability. Existing law covered attacks based on race, color, religion, or national origin.

IMMIGRATION ENFORCEMENT
Congress conducted several hearings on immigration enforcement issues. In testimony before a joint session of two House subcommittees in April, Chief George Gascon testified that the “287(g) program, which establishes agreements allowing local police to perform immigration enforcement functions, “has created a variety of challenges for public safety. Increased political pressure on local law enforcement to reduce undocumented immigration, coupled with the federal deputation of local police to enforce federal immigration statutes, is jeopardizing sound and well-established policing practices.”

Community policing requires active community engagement, which is predicated on trust, Chief Gascon said. “For community engagement to flourish, the public must trust the police. It is nearly impossible to gain the required trust to make community policing a reality in places where the community fears the police will deport them, or deport a neighbor, friend or relative.”

NOMINATIONS
On March 11, Vice President Joseph Biden announced the nomination of Seattle Police Chief R. Gil Kerlikowske to be Director of the White House Office of National Drug Control Policy (ONDCP). Vice President Biden noted that Chief Kerlikowske’s 36 years of law enforcement experience, his commitment to community policing, and his comprehensive approach to problem-solving make him uniquely qualified for the position of “drug czar.” Kerlikowske has served as President of PERF and has received both of PERF’s awards, the Gary Hayes Memorial Award in 1990 and the Leadership Award in 2006. The Senate confirmed Chief Kerlikowske as the nation’s sixth ONDCP director on May 7.

Laurie O. Robinson was sworn in as Assistant Attorney General for the Office of Justice Programs (OJP) on November 9. Ms. Robinson previously served in that same position during the Clinton Administration from 1993–2000, overseeing the dramatic growth in OJP programs from $800 million to over $4 billion annually. In endorsing Ms. Robinson’s nomination, PERF noted that she has "a depth of knowledge about what works in criminal justice,” and that she is “committed to crime prevention as well as enforcement, and has always promoted innovation and continuous improvement in justice operations.”

And on October 5, Attorney General Eric Holder announced the appointment of Pasadena, Calif. Chief of Police Bernard K. Melekian as Director of the Office of Community Oriented Policing Services (COPS). Melekian served as chief in Pasadena since 1996, and previously served with the Santa Monica Police Department for 23 years. He served on the PERF board of directors from 2002 to 2006.

During his introduction as the next COPS director, Chief Melekian said, “The Pasadena Police Department has been on the cutting edge of community policing and has accomplished great things in the past 13 years. When I begin as director of the COPS Office, it is my intention to highlight those programs and others throughout the nation that we know decrease crime and increase the quality of life in our communities. I am truly excited about the opportunity to parlay 36 years of knowledge and experience in law enforcement to the national platform where model policing programs can be supported.”
order to legitimize their membership. On top of that, every time you witnessed a criminal act, you had to commit a criminal act as well, so that it sews everyone together in criminality. What they chose to focus on in Baltimore was street robberies. And in order to prove that the robberies occurred, they were stealing the victims’ cell phones. It created a huge snowball effect of robberies all across the city that were really about gang initiation.

MINNEAPOLIS CHIEF TIMOTHY DOLAN:
Gang Structures Change with Drug Connections

Our gang structure and hierarchy depend on who is connected to the people bringing the drugs into Minneapolis. Back in the 1990s, the drugs in Minneapolis were coming from the gangs in Chicago or Los Angeles. Now the drugs are coming from Mexico. That’s changed the gang structure, because the gangs are based largely on who has the connections with those drug providers. Money commands more loyalty than an organization.

SAN DIEGO CHIEF WILLIAM LANSDOWNE:
The Threat of Federal Prisons Is an Important Deterrent

One strategy that seems to work well for us is working with federal authorities to send gang members to federal prisons. It’s nothing for a gang member to go to a prison in California. They know they are going to be able to keep those gang connections.

But if you send a gang member from California to a federal prison in Connecticut, they lose their local gang connections. They are no longer connected to their gang, and they don’t have that safety net. Gang members do everything they can not to be sent to federal prison. That’s why we turn over information to federal prosecutors when we really want to go after a gang leader.

LOS ANGELES CHIEF CHARLIE BECK:
Interventions by Former Gang Members Can Prevent Retaliatory Shootings

We were able to coordinate all our funds and get several million dollars into a pot of money to pay intervention workers. These are former gang members, because without that background you’re not going to be successful in this endeavor. They are contracted city workers. We do drug testing and make sure their backgrounds are as good as we can get.

These interventionists are one of our first lines of response in a gang-related shooting incident. Our gang homicides are down 30 percent this year, and we were down double digits last year.

NEWARK POLICE DIRECTOR GARRY MCCARTHY:
Look at Gang Violence as a Narcotics Problem

We have to start looking at gang violence as more of a narcotics problem. In Newark, we’re treating our gang issues with a narcotics strategy based on intelligent policing. We’ve partnered with the DEA, FBI, and everyone who does narcotics enforcement. We did an analysis looking at the distribution of the people with the highest propensity for violence throughout the city. After that we divvied up the pie. While the DEA is working in one area, Newark PD is working in another; while the Sheriff’s Office is working here, the FBI is working there and the New Jersey State Police are working over here.

As a result of that, we’re not pushing down on one specific location. We’re not just saturating one neighborhood with a huge number of cops, because then the crime pops up somewhere else where there’s less enforcement. We have bi-weekly meetings where we sit around a table with all the various agencies and talk about the investigations we’re doing and the recent violence. We’re finding more success by treating it more as a narcotics problem than a gang problem.

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