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THE POLICE BEAT



Women In A Male Dominated Police Culture

Joe Morris
Associate Professor

Historically, law enforcement has attracted young white men out of the military. This is no longer true. Many people entering the field have no military experience. In 1968, the Indianapolis Police Department made history by assigning the first two female officers to patrol on an equal basis with their male colleagues. It is estimated that out of the total population in the United States, a little more than half are female. The most recent research shows that only 14.3% of sworn police personnel are female.¹

As long as women stayed in their "place" and worked only with female offenders and children, they were accepted with reluctance and with minimal resistance. But when women entered patrol and investigative services, they crossed the threshold of a male-dominated world. Women raised to be compassionate, thoughtful, considerate, and motherly enter a working environment filled with pranks, profanity, and violence.²

The majority of women that have entered law enforcement have felt the impact of the male-dominated police culture. As a minority, women have been subjected to unyielding pressure from male officers and have been the objects of discrimination. For decades, law enforcement has been portrayed as the occupation needing employees that are tall, tough, and ready to brawl. This macho ideal has made it exceedingly difficult for women who have entered police service.³

Female police applicants tend to be more assertive and non-conforming and to have a higher energy level than male applicants. They are also less likely to identify with traditional sex roles than male applicants. About 60% of female who leave their agency do so during their second to fifth years on the job.⁴

Women go through the police academy along side their male peers. Both men and women "wash out" due to not having "what it takes." A large majority of female candidates become outstanding officers. On entering the police service, women go through three stages: the *honeymoon stage*, the *ambivalent stage*, and the *transition stage*. The *honeymoon stage* is a period of adjustment to the academy, the Field Training Officer Program, overcoming fears and becoming reasonable adjusted to the demands of the job. Over a period of time, the new officer may begin to doubt her ability to accept the new role: she now enters the *ambivalent stage*. Traditional values inculcated over a lifetime, can cause the officer to suffer from internal conflict as she attempts to assume the role demanded by the new occupation. The *transition stage* is a period when internal conflicts are resolved and as she begins to perform effectively, she acquires a feeling of status and self-fulfillment.⁵



<http://www.justice.eku.edu/images/futureStudentsCareers.jpg>

The primary question: how effective are female police officers? In general, evaluations of policewomen show them to be equal or superior to male officers in most areas of police work. Research shows them as less

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Women In A Male Dominated Police Culture, continued

likely to use force; to have the ability to avoid violent encounters with citizens; able to de-escalate potentially violent arrest situations; and are typically the target of fewer citizen complaints. Studies show that policewomen are still: struggling for acceptance; believe that they do not receive equal credit for their job performance; and are sexually harassed by their co-workers in this male-dominated police culture.⁶

While improvement in the work place is still needed for females, it is quite likely that as the number of women in police work increases, so too will their job

satisfaction. It is imperative that we strive to treat all officers fairly and as equals as there is no room for discrimination. A police officer, male or female, deserves nothing less.

Sources

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²More, Harry W. *Special Topics in Policing*, 2nd ed., Cincinnati, OH: Anderson Publishing Company, 1998. Page 204.

³More, Harry W. *Special Topics in Policing*, 2nd ed., Cincinnati, OH: Anderson Publishing Company, 1998. Page 201.

⁴Peak, Kenneth J. *Policing America: Methods, Issues, Challenges*. 4th ed., Upper Saddle River, NJ.: Prentice Hall, Page 70.

⁵More, Harry W. *Special Topics in Policing*, 2nd ed., Cincinnati, OH: Anderson Publishing Company, 1998. Page 205.

⁶ Siegel, Larry J. *Criminology*. 9th ed., Belmont, CA: Thomson/Wadsworth, 2006. Page 537.

THE COURTHOUSE

“Anticipatory” Search Warrants: High Court Gives Thumbs Up

Shirley Snyder
Assistant Professor

Earlier this year, the Supreme Court entertained arguments on the constitutionality of anticipatory search warrants in the case, *United States v. Grubbs*, 547 U.S. ____ (2006), (Slip Opinion No. 04-1414). On March 21, 2006, the Court held that anticipatory search warrants were not per se, by itself without more, unconstitutional.

The *United States v. Grubbs* case involved a magistrate's issuance of an “anticipatory” search warrant based upon information from an affidavit by a federal officer. The affidavit explained that the search and seizure under the warrant would not be executed until the defendant Grubbs received a package containing a videotape of child pornography ordered by Grubbs from an undercover postal inspector during a sting operation. Two attachments to the affidavit described the residence and the items to be seized. After the package was delivered, the warrant was executed against Grubbs and he was provided a copy of the warrant with attachments but without the supporting affidavit attached. The residence was searched, the contraband seized, and Grubbs was arrested. The defendant pleaded guilty while reserving his right to appeal his motion to suppress the evidence with a constitutional violation under the Fourth Amendment based on a defective warrant challenge.



<http://en.wikipedia.org/wiki/Thumb>

The defendant in this case used as the core of his argument, the Fourth Amendment to the United States Constitution, which provides protections against overreaching by the government in its efforts to investigate crimes, gather evidence, and prosecute criminals. This amendment guards against “unreasonable searches and seizures” by the government and is written to protect everyone, the innocent as well as those suspected of criminal wrongdoing. Final interpretation of the meaning of this amendment and the rest of the Constitution rests with the U.S. Supreme Court.

The language of the Fourth Amendment to the United States Constitution outlines the requirements for valid warrants:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon *probable cause*, supported by Oath or affirmation, and *particularly describing* the place to be searched, and the persons or things to be seized. (Emphasis mine).

The Supreme Court has determined through prior cases, that the 4th amendment is to be interpreted in two parts. The first part of the amendment provides that people have a constitutional right to be protected against unreasonable searches and seizures. Reasonable searches and seizures however, are justified and individuals are not

“Anticipatory” Search Warrants, continued

protected against those searches. The Court has interpreted the second part of the amendment to mean that when a warrant is required, the warrant must be issued in the manner described in the amendment; upon a showing of probable cause with the agent who requests the warrant, swearing to its accuracy and truthfulness, and describing with particularity the place to be searched and persons and things to be seized. Probable cause has been defined to mean that the law enforcement agent has determined enough facts and circumstances to believe that a crime has been, is being, or is about to be committed.¹ This is an objective basis requirement and cannot be based on hunch or whim.²

The first challenge in the *Grubbs* case that the high Court addressed was whether anticipatory warrants were unconstitutional under the Fourth Amendment’s probable cause provision. The Supreme Court had not addressed this issue previously. The Court in *Grubbs*, held that, by definition, “An anticipatory warrant is “a warrant based upon an affidavit showing probable cause that at some future time (but not presently) certain evidence of crime will be located at a specified place.”³ Also, most anticipatory warrants, according to the Court in the *Grubbs* case, “subject their execution to some condition precedent . . . a . . . triggering condition.”⁴

The defendant argued that because the warrant was based on an affidavit arguing probable cause at a future time rather than enough current probable cause evidence, the affidavit failed to establish the constitutional requirements for a valid warrant, and as such, the warrant was defective. The high Court disagreed, arguing that probable cause exists when “there is a fair probability that contraband or evidence of a crime will be found in a particular place.”⁵ The Court noted that when anticipatory warrants were issued, “the fact that the contraband is not presently located at the place described in the warrant is immaterial, so long as there is probable cause to believe that it will be there when the search warrant is executed.”⁶

The Court looked to the facts of the *Grubbs* case and determined that the successful delivery of the videotape to the defendant at this residence, the triggering condition, would establish the probable cause needed for the execution of the warrant and the subsequent search. Additionally, the affidavit provided probable cause to believe that the triggering condition would be satisfied because the defendant ordered the pornography that was to be delivered to his residence. As such, the Supreme Court gave a “thumbs up” for anticipatory warrants even though the warrant will be based on probable cause evidence “currently unavailable” at the time of the request for the warrant. However, under the Court’s interpretation, when the warrant is exe-

cuted, there will be enough evidence to meet the probable cause requirement.

The defendant argued that the triggering condition identified in the affidavit, was not identified in the warrant he was given, and as such the warrant was not valid. The Ninth Circuit agreed with this reasoning. The U.S. Supreme Court did not. The Court held that since the particularity requirement under the fourth amendment requires specificity in the description of two matters, the place to be searched and the items to be seized, the defendant’s argument that the triggering condition must be described with particularity in the warrant was without merit. The Court in the *Grubbs* case did not allow the defendant any leeway with this technicality, holding that the Fourth Amendment did not require the warrant to set forth the magistrate’s reasons for finding probable cause nor the triggering condition, and as such, the invalidation of the warrant at issue here was an error by the Court of Appeals.⁷

Ultimately, the Supreme Court in *United States v. Grubbs* has provided its stamp of approval on the use of anticipatory warrants and has held that probable cause may be established by the probability of contraband or other illegalities being found in a particular place, even if it involves a triggering condition, prior to the evidence being in that location. The use of anticipatory warrants should be extremely useful to law enforcement agents, especially in investigations where sting operations will involve knowledge and perhaps, even part of the control for the triggering condition being brought into position for the purposes of meeting the probable cause requirement for a valid warrant.

Sources

- ¹ Samaha, Joel. Criminal Procedure. 6th ed. Thompson/Wadsworth. Belmont, CA. 2005, Page 160.
- ² *Ibid.* Page 161.
- ³ *United States v. Grubbs*, 547 U.S. ____ (2006), (Slip opinion No. 04-1414); quoting 2 W. La Fave, *Search and Seizure* §3.7(c), p. 398 (4th ed. 2004), on pages 3-4 of the *Grubbs* slip opinion. <http://www.supremecourtus.gov/opinions/05pdf/04-1414.pdf>. Last visited: April 17, 2006.
- ⁴ *Ibid.* Page 4.
- ⁵ *Ibid.* Page 4. The *Grubbs* slip opinion, quoting *Illinois v. Gates*, 462 U.S. 213, 238 (1983).
- ⁶ *Ibid.* Page 5. The *Grubbs* slip opinion, quoting *United States v. Garcia*, 882 F.2d 699, 702 (CA2 1989), (quoting *United States v. Lowe*, 575 F.2d 1193, 1194 (CA6 1978); internal quotation marks omitted).
- ⁷ *Ibid.* Page 7.

COUNTER-POINT

Are Law Enforcement Leaders Really Proactive?

Dick Tanous
Assistant Professor

Are today's law enforcement leaders truly proactive and accountable or do they just want to create that appearance? The life of a proactive law enforcement executive is often limited by the resistance of those within organizations who are happy with the status quo. We often find that citizens are willing to accept a new law enforcement Chief Executive Officer ("CEO") based on the law enforcement CEO's popularity and persona rather than the CEO's willingness for accountability and openness. This is not only reflective of law enforcement but governmental agencies in general.

One of the most important characteristics of a law enforcement CEO should be their ability set forth a strategic plan. In order to take this giant step they must first develop strategic thinking skills. "Strategic thinking refers to a creative, divergent thought process."¹ In the process of learning strategic thinking skills one must realize "The purpose of strategic thinking is to discover novel, imaginative strategies which can rewrite the rules of the competitive game and to envision potential futures, significantly different from the present."² Many CEOs may have an active imagination with lots of ideas but the critical issue within the critical thinking mode is the ability to implement ideas into an agency's operations.

The ability to move from the strategic thinking aspect of change to a plan requires much more than just putting it down in writing. It requires a vision not that of the CEO but rather the employees and people the organization serves. Success will not come at the implementation of the CEO's vision but rather through the participatory vision of employees and citizens.

"The traditional methodology used for implementing change or improvement often takes the following steps:

- Step 1-** Identify the problem.
- Step 2-** Bring in an expert who seems to understand the problem best, or read in a book about the latest and greatest "new" solution to the problem.
- Step 3-** Tell people how to do their jobs differently and better from the way they have been doing them.
- Step 4-** Spend tremendous amounts of time, energy, and money trying to:
 - a) Overcome the resistance to caused by Step 3, and
 - b) Make someone else's solution work for us

It is not surprising that it takes most companies using" (the normal process of excluding these participants) "...such a process three to five years to implement a quality program. Most of their time is spent on **Step 4** – convincing resistant employees to try something new, making sure they actually follow through, and force-fitting someone else's solution to their needs."³

It is important that in government leadership the CEO should not be the only visionary. Who should be the participants? Employees from all levels of the organization must be involved, but for true success, those citizens served must be involved as key participants. We have seen over the years many law enforcement agencies' unsuccessful attempts for organizational change. With the formula of shared and participatory vision along with strategic planning success can be achieved. In the context of Community Policing, a shared partnership between both its citizenry and

READER FEEDBACK

The NSU Criminal Justice News wants to provide a medium for news of interest to our readers. If you have ideas about issues you would like to see addressed in this newsletter, find one of our articles particularly motivating, or liked or didn't like an article, please contact us with your feedback. We would love to hear from you.

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Law Enforcement Proactive? continued

employees can work through issues that can bring more and more aboard the “train of change”. In the strategic planning for organizational change it is critical to begin with a plan:

- I. Identify the planning team: Include the involvement of several key stakeholders, both internal and external to the organization.
 - * Department and city leadership
 - * Department personnel: Supervisors, officers, non-worn staff members, and all members of the department should be included.
 - * The community: The plan must be developed in partnership with the community it is designed to serve.
 - * Interagency partners: These include both staff and other government agencies and representatives of key social welfare agencies.⁴

To proceed, it will be critical that a step-by-step strategic plan be implemented based on the participatory vision of the planning team. Another crucial aspect of planning is that there should be planned open meeting sessions allowing for both open citizenry input and media coverage of those meetings. It is important that timelines be set and met. If participants and citizens do not see progress and timely commitments there will be less likely to support and success will hard to achieve.

Those in leadership must recognize that when opening the door to participatory leadership with both internal and external participants, there will be greater scrutiny and

accountability of previous management issues. Therefore it is important that the CEO be willing to recognize that the examination of past practices and future vision will empower both employees and citizens alike. It has been said that “if one is to understand the worth and accuracy of their information, then give it away”⁵ but be aware that it may hold false or incorrect information. If one truly wants to improve what one has then one must be willing to accept one’s missteps and be willing to correct them.

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¹ Kenneth J. Peak and Ronald W. Gleansor. Community Policing and Problem Solving: Strategies and Practices. 4th Ed. Upper Saddle, New Jersey: Pearson Prentice Hall, 2004, p. 118.

² Elton Lawrence. “Strategic Thinking: A Discussion Paper”. Research Directorate, Policy, Research, and Communications Branch, Public Service Commission of Canada, Ottawa, Ontario, Canada, April 27, 1999, p. 6.

³ Ed Oakly and Doug Krug. Enlightened Leadership: Getting to the Heart of Change. New York, New York: Simon & Schuster, 1991, p. 16.

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⁵ Author Unknown.

THE GRAB BAG



Scholarships Awarded: Frank C. Kyle Memorial Scholarships & Glen Denning DeVanie Memorial Scholarships Awarded To Northwestern State University Students

The Criminal Justice Program at Northwestern State University awards *Criminal Justice Memorial Scholarships* each spring to criminal justice juniors and seniors who apply and meet requirements for consideration for these scholarships. This process includes completion of an application, provision of a reference, meeting the GPA requirements, and submitting an essay for consideration. The essay must address the student’s plans to impact and contribute to the criminal justice field and identify how each student perceives that the criminal justice degree will help them accomplish their goals.

The Frank C. Kyle Memorial Scholarship was established to honor the legacy of Frank C. Kyle, a deceased member of the Criminal Justice Program in the department of social sciences at Northwestern State University in Natchitoches, Louisiana. The Frank C. Kyle Memorial Scholarships for fall 2006-spring 2007 were awarded to two deserving students, *Krystal Nicole Gipson and Megan Marie Gevry*.



Scholarships Awarded, continued



The Glen Denning DeVanie Memorial Scholarship was established to honor the legacy of Glen Denning DeVanie, a criminal justice major and an Alexandria deputy marshal at the time of his death in the spring of 2003. The scholarship honors Glen through financial assistance by encouraging students who are working toward their Criminal Justice Degree to take their learning experience along with Glen's legacy into the future. The Criminal Justice Program is proud to present, for the third year, the Glen Denning DeVanie Memorial Scholarships for fall 2006-spring 2007 to *Ashley D'Ann Baker and Nikita Nieshiea Glover*.

These four students have demonstrated excellence in their studies and their accomplishments and were honored at the Liberal Arts Honors Banquet on April 4, 2006, at Northwestern State University.

Northwestern State University has grown into an outstanding and thriving institution of higher learning since

its beginnings in 1884. A significant amount of that progress is attributed to friends who have supported the university and its mission. The faculty and staff of the Criminal Justice Program are excited by the determination and merit of these scholarship recipients and want to encourage other students to strive for distinction as well. One way to encourage and support these students is by the provision of scholarships. The Frank C. Kyle Scholarship and the Glen DeVanie Memorial Scholarships are the ideal way to continue to attract the best and the brightest students in Criminal Justice and to honor the memory of both of these honorable men.

If readers would like to make a contribution to the Frank C. Kyle Memorial Scholarship, they may download the contribution form at: <http://www.nsula.edu/criminaljustice/docs/Kylecontribution.pdf>.

If readers would like to make a contribution to the Glen DeVanie Memorial Scholarship, please download the contribution form at: <http://www.nsula.edu/criminaljustice/docs/GlenDeVaniecontributionform.pdf>.

1ST Annual Criminal Justice Scholarships Golf Tournament A Success

The Criminal Justice Program at Northwestern State University of Louisiana hosted the **First Annual Memorial Scholarships Golf Tournament** on March 11, 2006, to raise scholarship funds and to honor the memories of the Frank C. Kyle & Glen Denning DeVanie. Fourteen teams played in the tournament, which began bright and early on that Saturday morning.

The contributions from this tournament are used to partially fund two scholarships; 1) The Frank C. Kyle Memorial Scholarship, established to recognize the professionalism in Criminal Justice that embodied the character of Assistant Professor Frank Kyle, a deceased faculty member of the Northwestern State University Criminal Justice Program, and 2) The Glen Denning DeVanie Memorial Scholarship established to honor the legacy of Glen DeVanie, a criminal justice major and an Alexandria deputy marshal, by assisting students who are working toward their Criminal Justice Degree, to take their learning experience along with Glen's legacy into the future.

The weather for the golf tournament threatened rain the entire week and on the big day delivered lovely weather, albeit a little overcast and windy. The faculty and staff

from the Criminal Justice Program were delighted and so were the members of the Criminal Justice Club who were on site to lend a helping hand. The first place winners of the tournament, the *Jay Bankston-Jacob Cooper* team were awarded handsome trophies, and prizes in the amount of \$75.00 each. The second place winners, the *Thomas Hilton-Hall Adams* team received trophies for their excellent accomplishment as well, and prizes of \$50.00 each. The winner of the Longest Golf Drive was Jay Bankston who received a gift certificate from Mariners Restaurant. The winner of the Closest to the Hole Putt was Jacob Cooper who received a Polaroid PDC 3070 Camera from Walgreens.



1st Place Winners
Jacob Cooper &
Jay Bankston

The faculty and staff want to thank all those who assisted in making this tournament a success, including but not limited to the Golf Tee Sponsors, the contributors of prizes and charitable funds, the N.S.U. Criminal Justice

Golf Tournament a Success, continued

Club, Subway's, N.S.U.'s golf course staff, The Foundation, and those faculty members who worked so hard to gather door prizes and tee sponsorships. This tournament was a success because of those selfless contributions, advice, input, and participation. In fact, prizes totaling over \$1,000.00 were awarded to winners and participants of the 2006 tournament. Northwestern State University's Criminal Justice Program thanks the families of Frank Kyle and Glen Denning DeVanie for their support and participation in the tournament. Finally, it is only right that the participants of the golf tournament be thanked for their involvement and commitment to the day. The day was filled with laughter, fun, and funds!

Total funds taken in for the golf tournament for green fees, tee sponsorships, and mulligans came to approximately \$2015.00. These amounts collected were in addi-



2nd Place Winners
Hall Adams &
Thomas Hilton

tion to donations provided to each of the scholarship funds during the period from January 2006 through the date of the golf tournament.

Our readers are invited to contribute and participate in next year's golf tournament to be held in the Spring 2007. Please *ink* in March 2007 on your calendars for the **Second Annual Criminal Justice Scholarship Golf Tournament**. Please consider representing your organization, friends, co-workers, golf enthusiasts, and all others interested in the challenges of the game and enjoying the day while giving to an N.S.U. charitable cause.

Readers may desire to be involved in this tournament in other ways as well and also to contribute to these worthy scholarships. It is not too early to provide door prizes, charitable contributions, and prizes for longest drive, closest to the hole, 1st or 2nd place, door prizes, ditty bag items, and/or food and drink. The Criminal Justice Program appreciates your ideas, your participation, and your contributions! See you in March 2007, 8 am. Be ready to swing that club!

G.S.R.C.P.I.—Expansion of Courses and Services

Established in 1997 by the Department of Justice Office of Community Oriented Policing (COPS), the Louisiana Community Policing Institute (LCPI) was a part of the Regional Community Policing Institute (RCPI) Network, 35 Institutes strong. The RCPIs were and still are the only National Training Network funded to provide low and no cost training to law enforcement and the communities they serve.



Through a partnership with the Gulf States HIDTA, LCPI began offering training in Mississippi and Alabama. In 2002 our relationship with Mississippi and Alabama became permanent when LCPI changed our name and our region to the Gulf States Regional Community Policing Institute. We expanded our Governing Board to include members from those states and shared our resources and relationships evenly. GSRCPPI has continued to grow. We have the only two National Training COPS Technology contracts for In Car Camera Training and Digital Case Files. GSRCPPI continues to aggressively seek training and funding to



provide our region with the training and resources they need. Expanding partnerships include the FBI, BJA, FLETC, HIDTA, U.S. Attorney - LECCs, Homeland Security, the State of Louisiana, and more. Our course offerings have grown over the years far beyond our original roots of community policing into areas such as DNA, Human Trafficking, Leadership for Law Enforcement, Homeland Defense and Emergency Preparedness.



Public Safety
Training

In 2006 the GSRCPPI Board voted to change our name to reflect the expansion of cutting edge offerings to reach a wider audience base. GSRCPPI is now the **Gulf States Regional Center for Public Safety Innovations**.

We are still GSRCPPI, still the same staff dedicated to making you and your communities safer, we are still a part of a National RCPI Network committed to sharing best practices from across the Nation. This name represents what we have grown into and allows room for what we can become in the future.



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