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Preventing the 10 Deadly Errors 30 Years Later

By JOSEPH PETROCELLI

In 1975, Los Angeles Police Department Homicide Investigator Pierce R. Brooks authored “...officer down, code 3” that now, 30 years later, still stands as one of the most compelling accounts of the dangers associated with the law enforcement profession. In this landmark book, Detective Brooks identified 10 Deadly Errors that repeatedly have led to officers’ deaths. For the past 30 years, law enforcement officers in the United States at every level of the profession—from recruit

trainers to supervisors—have read, on at least one occasion, these 10 Deadly Errors.

Although felonious, line-of-duty law enforcement deaths have decreased during this time (from 129 in 1975 to 57 in 2004), officers continue to be assaulted and killed every year.¹ In many cases, they have committed one of the 10 Deadly Errors. To help his fellow officers, the author offers some simple, yet effective, steps they can take to combat the occurrence of these tragedies.²

1) FAILURE TO MAINTAIN PROFICIENCY AND CARE OF EQUIPMENT

Inspections

Regular inspections by first-line supervisors can ensure the proper care of weapons, vehicles, and equipment. Supervisors do not have to conduct them personally but can delegate the task to a properly trained member of the squad. Lesser experienced personnel may assist a proficient inspector, thereby gaining knowledge.

Inspections should be thorough but not necessarily as formal as those at the academy. After all, the goal is to educate, not embarrass, the officer. Inspections can take place one-on-one in a safe area. Supervisors should note deficiencies and also suggest remedies.

At a minimum, inspections should include checking for the presence of required equipment and ensuring that it is in good working order. Officers should have their equipment, especially flashlights and intermediate weapons, on their duty belts, not locked in the trunk of their patrol units. During hot weather, supervisors should remind officers that perspiration seeping into firearms and expandable batons could compromise their utility. Extreme changes in weather may adversely affect chemical weapons just as an accumulation of lint in the nozzle can inhibit delivery of the product. Officers should replace chemical weapons annually, regardless of whether they have expended the contents.³

Although not expected to check for mechanical problems as this is outside their scope of expertise and best left to the motor pool or an outside agent, officers should visually examine the tires and lights of their patrol vehicles. They also must inspect and clean their units, especially the backseat area, prior to and at the end of patrol.

Officers also should briefly inspect the station house, especially areas where suspects may be processed. Are there physical barriers between suspects and civilian personnel? Is the processing area clean, or are there innocuous weapons of assault, such as pens, telephones, computer monitors, or coffee mugs, present? What about the area where the suspect will wash? Are chemical cleaners present? Toilet plungers? Breakable mirrors? What else is around? Snow shovels? Brooms? Fire extinguishers? Officers should take on the mind-set of a motivated, assaultive offender going to jail for a long time and *then* inspect the station house.

Training

Departments can promote proficiency with firearms by facilitating training with them.

At a minimum, agencies should provide information about possible tax incentives for training expenses. Although all departments face budgetary challenges, they should encourage officers to attend brief training sessions (one box of ammunition or less) that take place during different lighting conditions. Officers should shoot from a barricaded position or with the support hand. Allowing officers to use lunch breaks or down time to practice would incur no cost. Of course, agencies should have a supervisor or specially trained squad member available to assist with remedial training and provide an adequate supply of materials to clean the weapons.

Proficiency with impact weapons should prove even easier, and cheaper, to maintain. At least once a month, a squad

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should shorten roll call and practice riot-squad formations. A pad or heavy bag for departmental training should not pose a major expense (even a stack of used tires can serve as an impact-weapon target). During this training, supervisors can review proper techniques with the striking weapon, including acceptable and prohibited target areas, and also note deficiencies or the need for supplemental training. In general, officers should be able to correctly strike a target for 30 seconds without sacrificing technique.

Officers also must remain competent in first aid. They always should check the first-aid kit in their patrol units and replace any missing items or, at least, leave a note indicating what is needed. Supervisors should quiz officers on proper response to first-aid situations. For quick reference, officers can attach CPR or other first-aid information to their clipboards.

While maintaining their proficiency and properly caring for their weapons, vehicles, and equipment, officers must not forget their most important asset, their brains. Officers must keep this most vital tool in excellent working order, too. Supervisors should provide them with digestible recounts of recent case law interpretations and show them how these court decisions impact their day-to-day actions. They should quiz

officers with “what if?” scenarios and critique and discuss their responses. This will better prepare officers and improve their decision-making processes.

Officers must receive information about how others in the profession are being assaulted or killed. The Internet can provide a number of resources.⁴ Officers should study these incidents and learn about steps to take to avoid becoming involved in similar situations.

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Ultimately, each officer must take responsibility for maintaining proficiency and care of weapons, vehicles, and equipment. Supervisors can facilitate the process. Squads often include officers drawn from different backgrounds. For example, those with military or firearms experience can conduct weapon inspections. Officers with legal expertise can monitor, interpret, and present recent court decisions. Those

with first-aid knowledge can review proper first-responder techniques. Senior officers and tactical team members can share their experience on related matters. If everyone briefly speaks on their areas of expertise once or twice a month, all officers will benefit.

2) IMPROPER SEARCH AND USE OF HANDCUFFS

Immediately upon reviewing this deadly error, officers should note that the steps are out of order. Officers *always* should handcuff first, then search.

Handcuff Position

Prior to patrol, officers should place their handcuffs in an accessible position on the duty belt. Most use handcuff holders positioned on their support-side hip, which requires them to twist to open the case and remove the handcuffs. This movement, often done while trying to maintain a hold on a suspect, puts officers off-balance and makes them susceptible to being knocked over.

A better position for the handcuffs may be hanging from the duty belt with a leather strap on the officer’s strong side just in front of the firearm, thereby eliminating any interference with the weapon. Officers can access them easily by pulling down on the snap. They never have to shift their bodies and

can keep constant, direct contact with the suspect. The leather strap exposes the handcuffs to the elements but makes access much quicker and easier. Of course, officers must remember that the handcuffs may bounce and cause noise, a severe disadvantage when searching for a hidden suspect.

Officers should carry a handcuff key and have one on the key ring of their patrol units. If they employ flexible cuffs, they should carry a cutting device to remove them when necessary.

Handcuff Maintenance

Maintenance of handcuffs is simple. An occasional squirt of a lubricant from the motor pool applied to the single strand, rivet, ratchet area, locking mechanism, and double-lock hole should keep them functioning properly. Exposure to extreme moisture or heat may compromise handcuffs. Also, officers who store their handcuffs near their lower back (or any other position where pressure is applied) may find that the double strands are pushed together and the single strand does not pass through easily.

Handcuff Techniques

Prior to handcuffing (when possible), officers should place subjects on their knees with their ankles crossed and sitting back on their ankles.

April 1975: Deadly Error #2?

A deputy apprehended a young man for burglarizing a service station and placed him in the patrol unit. At this point, the male produced a .22-caliber handgun. During an ensuing struggle, the subject obtained the deputy's .38-caliber service weapon and forced the deputy to drive the vehicle. After a short distance, the male allegedly shot the deputy in the chest and head with the deputy's service weapon. The subject fled the scene in the patrol vehicle. He was taken into custody later, found guilty of murder, and received a life sentence.

Source: U.S. Department of Justice, Federal Bureau of Investigation, Law Enforcement Officers Killed Summary, 1975 (Washington, DC, 1976).

They should issue these commands from a distance and not approach until the individual complies. Failure to obey should heighten the officer's concern. It is better for the officer to determine compliance from a distance, rather than after making physical contact. The subject in the kneeling position should minimize the risk of assault, including reverse head butts and kicks. However, officers always should have backup when making arrests.

Officers should apply handcuffs behind offenders' backs with their palms open and facing out. In addition, officers always should double lock the handcuffs.⁵

Search Strategies

Officers tend to mentally let down after applying

handcuffs. This would rarely happen if they knew the number of assaults that subjects have launched at this point. Motivated suspects train for these encounters. Some repeat offenders store handcuff keys in the small of their backs, making them accessible after being handcuffed. Subjects schooled in martial arts are just as dangerous with their feet as others are with their hands. Drug-addled suspects can use any available body part to attack a relaxed officer. Relating such incidents to officers during roll call can remind them to always conduct a complete, intrusive search from a position of tactical advantage on all arrested, handcuffed suspects.

Many handcuffed subjects have numerous weapons, including concealed ones and parts of the body (e.g., head

butts, body blocks, knees, and feet) at their disposal. In addition, officers must not forget the transmission of bodily fluids. To mitigate this threat, they should conduct the search from the rear with the offender kneeling.

While officers may perform a search in many different ways, they should use a systematic and complete method. Logically, they will start the search in the area immediately accessible to the suspect's hands—the lower back. Officers should check this location not only for weapons but also for handcuff keys or any small metal item that the subject may employ to pick the lock. They should not run their hands along the belt line but, rather, lift the shirt to visually inspect it. Searching officers never should thrust their hands into an area that they cannot visually check first. From a kneeling position, the next most accessible area for a suspect is the ankle and lower leg, a common place for holsters and socks that can hold any type of contraband.

After searching kneeling suspects, officers should have them stand up and again check the lower back area, shaking the pants to see if anything falls out. They should search parts of the body previously inaccessible, including the groin. If two officers are present, both should conduct separate searches prior

to placing the suspect in the patrol vehicle.

Finally, officers must overcome any aversion to searching subjects arrested by other officers. This occurs most often when the delivering officer is senior to the receiving one or from another agency. The receiving officer's search is seen as questioning the delivering officer's ability to do one properly. Rather than offend the

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delivering officer, the receiving officer accepts the prisoner, assuming that a thorough search has been done. This mind-set, however, must change in today's world of violent criminals bent on causing as much harm to law enforcement officers as possible.

When delivering a suspect to another officer, that officer should *request* the receiving officer to thoroughly search the

suspect. This will remove any discomfort the receiving officer may feel. This search will better serve the delivering officer, the receiving officer, and the public.

3) SLEEPY OR ASLEEP

Most officers lead active lives, including remaining physically fit, raising families, and working other jobs. Certain factors endemic to the profession, such as shift work, unscheduled overtime, and court appearances, may disrupt officers' sleep patterns. A number of different schedules allow for 24-hour coverage. Departments should investigate using a different scheduling grid if it means keeping their officers more alert.

Supervisors should remain approachable concerning matters of rest. They should know the number of hours that their officers devote to outside employment. Officers' motivation to work may prove greater than their ability to do so. An exhausted officer may survive a shift only to crash on the way home. A supervisor who believes an officer is overly tired should reconfigure the schedule to allow the officer to ride with a partner for that night.

Officers themselves must monitor their level of tiredness. They must use their sick time judiciously or only when they

cannot properly perform their duties. Otherwise, they will find themselves without any when they are exhausted and need a day off to rest.

4) RELAXING TOO SOON

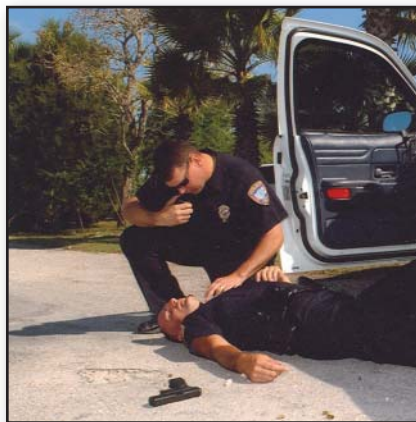
Relaxing too soon is a learned mental process. No recruit graduates from a police academy doing this. Instead, they first observe this indifference and then slowly learn it from senior officers and the supervisors who allow it to continue until it becomes the culture of the department. Analogous to the smart student in high school who, because of peer pressure, begins to slack off, vigilant young officers are teased by their senior counterparts. Oftentimes, they adopt this posture just to fit in.

This mentality manifests itself in many different ways. Prior to patrol, officers may not inspect their equipment or vehicles. They may quit wearing a bulletproof vest and fail to call in motor vehicle stops. Officers may skip roll call, not pay attention to legal updates, and not turn in motor vehicle summonses on time. Reports may sit unwritten for days.

While not deadly in itself, this general malaise creates a culture of lowered standards that may prove lethal under certain circumstances. That is, when these officers meet

offenders who are *not* relaxed. By then, skills taught in the academy have atrophied to the point of being useless. These officers have relaxed too soon for too long.

To counteract this, supervisors must correct such behavior in their charges. Leaders of departments must remain watchful and intervene at the first sign of this malady. Only through example and constant contact with their officers can managers instill the importance of never relaxing too soon.



5) MISSING DANGER SIGNS

In this profession, the danger signs occur everywhere. Each day officers are injured or avoid harm by quick thinking. In both cases, lessons should be learned and passed along. Books, journals, videotapes, and seminars exist that officers should consult to become aware

of danger signs. In addition, Web sites, such as the Officer Down Memorial Page (<http://www.odmp.org>), honor fallen officers by giving a brief narrative surrounding their demise. Officers should mourn their loss but make sure that if they find themselves in a similar position, the outcome is different. To this end, officers should consider some basic aspects of danger signs.

Hidden Weapons

Officers should know the types of hidden weapons available to offenders. They can peruse the Internet to see what the market offers. This can increase their knowledge and expand the scope of their searches.

Current Crime Information

Before commencing patrol, officers should arm themselves with the most current crime information and trends. They should receive a "hot sheet" at roll call enumerating the crimes that have occurred in the last 24 to 48 hours. Officers should know about any local crime trends, suspicious vehicles, and wanted persons.

Classes or Seminars

Officers should remain current and adroit by taking classes or seminars. A local academy may offer in-service classes, and a number of private firms

provide free or affordable training. An officer who neglects to take a tactical class or one in identifying deceptive behavior may miss a danger sign and not even know it.

Proactive Supervision

Supervisors must ride along on calls to observe officers in action and learn any danger signs displayed by their charges. If an officer involved in a disproportionate number of motor vehicle crashes receives no remedial driving training, the supervisor may have missed a danger sign. If an officer transports a handcuffed, compliant, misdemeanor suspect to headquarters at dangerous speeds with lights and sirens activated, the supervisor must address this danger sign. If an officer's suspects always arrive at headquarters bleeding, the supervisor faces another danger sign. A supervisor who has not counseled an officer who repeatedly commits any of the 10 Deadly Errors is missing a danger sign.

Administration Misses

Departments can miss danger signs as well. Examples can range from failing to schedule additional traffic officers for a parade to not actively recruiting new members when faced with an aging work force. Of even graver concern involves not taking action when officers

constantly request not to work with one particular officer.

Officer Suicide

Sadly, those in law enforcement must recognize other types of danger signs, those of officer suicide. Profound stress, high rates of divorce and alcohol consumption, and easy access to firearms put law enforcement professionals at risk. Statistics indicate that those in law enforcement are two to three times more likely

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to commit suicide than to be killed in the line of duty.⁶ Coworkers and supervisors must learn the danger signs of police suicide. Missing these can have truly tragic consequences for the entire profession. The signs include—

- a high number of off-duty accidents;
- a rise in citizen complaints about aggressiveness;

- a change in personality wherein a quiet officer becomes very talkative or an outgoing one becomes withdrawn; and
- a behavioral or verbal clue (e.g., officers give away equipment, tell others how much they will be missed, or suddenly make a will).

Officer Accountability

Officers should not rely solely on supervisors and coworkers to advise them of danger signs. For instance, when the switch from summer to winter uniforms reveals that the shirt does not quite button, it probably is not due to a build up of solid muscle mass. This event coupled with walking up a flight of steps and being out of breath should not require officers to rely on anyone to advise them that these are danger signs. Officers must accept responsibility for their own well-being and lifestyle choices.

Proper Preparation

Just as dangerous as missing a danger sign is failing to properly prepare for a hazardous event. Alert officers should constantly consider what to do if a certain situation arose. For example, when stopped at a light in front of a convenience store, they should think about what they would do if a suspect suddenly ran out waving a gun

or if the car in front of them was wanted in connection with an armed bank robbery. What is the first thing they would do? What action would they take?

This mental exercise can help officers hone their tactical response skills. When an actual crisis arises, they will have thought through similar hypothetical situations. Such activity also helps officers develop better problem-solving skills.

Moreover, officers should discuss scenarios and possible responses with senior officers and supervisors. Their feedback can prove valuable and help officers improve their thought processes when situations occur requiring a quick, precise response.

6) TAKING A BAD POSITION

Taking a bad position may hinge on many different factors. Officers must recognize all threats present, their proximity to them, and how the scene is progressing. On a motor vehicle stop, for example, they may assume that the threat is the offending driver when, in fact, passing traffic poses the real danger. Officers do not have to complete accident reports in the intersection where they occurred. They could move to a better position around the corner, away from traffic. Conducting a domestic dispute

investigation in a kitchen, garage, or tool shed poses added dangers due to easy access to items that subjects could utilize as weapons.

During field interviews, officers should not stand directly in front of suspects or with their backs to a hostile crowd. They always should have subjects write their names, dates of birth, or other personal information. This allows officers to watch from a safe distance and encumbers the suspect's hands. Officers should contact offending motorists from the passenger side of the vehicle and never turn their backs to moving traffic when laying out a flare line. Finding themselves in a stairway looking up at a subject

constitutes one of the worst situations.

Officers should review circumstances that have led to other officers being injured and note the different, less obvious, threats in these incidents. The proliferation of police video shows on television has provided one source of studying officer positioning. Supervisors or members of a squad can make tapes of these for review during roll call. Objectively critiquing these can help others avoid taking a bad position when confronted with a similar situation.

Whether officers initially take a bad position or find themselves in one, they face severe consequences and should remember the one friend always

November 1986: Deadly Error #6?

Efforts to stop a suspect for speeding resulted in a high-speed chase by officers from three jurisdictions. In an attempt to stop the subject, a trooper blocked the two lanes of an interstate highway with his patrol unit. He exited the vehicle and signaled the violator to stop. Reportedly, the suspect intentionally drove his vehicle down the shoulder of the road, striking and killing the trooper. The driver was arrested and charged with murder and reckless homicide.

Source: U.S. Department of Justice, Federal Bureau of Investigation, Law Enforcement Officers Killed and Assaulted, 1986 (Washington, DC, 1987).

September 1991: Deadly Error #8?

While off duty, in civilian clothes, and not wearing body armor, a deputy was buying gas at a convenience store when he saw a robbery occurring inside. After retrieving a handgun from his vehicle, he opened the door of the store and was immediately confronted by one robber who fired a .357-magnum handgun taken from a store employee. Mortally wounded in the head, the deputy died at the scene. Several days later, the subject was arrested and charged with murder.

Source: U.S. Department of Justice, Federal Bureau of Investigation, Law Enforcement Officers Killed and Assaulted, 1991 (Washington, DC, 1992).

available, distance. They should create distance, reassess the threat, and take a safe position.

7) FAILURE TO WATCH THEIR HANDS

Seasoned officers will recognize a flaw in this deadly error. They do not want to watch the *hands*; they want to see the *palms* of a suspect's hands. Many offenders are skilled in cupping items in their hands, giving the appearance of compliance when actually concealing contraband. Officers should master techniques of observing subjects' hands during motor vehicle stops. They should practice approaching on the passenger side and using the right-side exterior mirror to see the driver's hands prior to approaching the kill zone.⁷ With minimal effort, officers should be able to view the offender's

hands from a position parallel to the backseat. If not, they can issue a verbal command. If the subject ignores this, officers should create distance, reassess the threat, and proceed from a safe position.

8) TOMBSTONE COURAGE

Some energetic officers have to be protected from themselves. Supervisors can take steps to help those officers who instinctively react to defend others without regard for their own safety. For example, departmental policy should require all officers to call in every motor vehicle stop and pedestrian contact, including the number of subjects encountered. Also, officers should have to report any suspected criminal activity.

Supervisors should identify dangerous locations in the community, easily measured

by the number of assaults on officers or felony arrests emanating from a specific locale. Any officer responding to a call in that area automatically would receive backup. Supervisors should establish a staging site where the responding units could meet to coordinate their approach.

Dangerous areas in the community also should include businesses or factories with confined spaces or ones that store hazardous materials. Proactive officers may be drawn into a lethal situation if they enter these locations without the proper training or equipment.⁸

9) PREOCCUPATION

When Detective Brooks first identified the 10 Deadly Errors in 1975, he never could have foreseen how technology would preoccupy law enforcement officers. These modern advances offer many benefits but also pose some risks. Departments should enforce strict rules as to what portable electronic devices officers need on patrol.

Unfortunately, most agencies have more to worry about than technological distractions. Stress, inherent in the profession, comes from many different areas. Surprisingly, dealing with hardened criminals is somewhat low on the list of what causes stress in officers' lives. Much higher on the list are unreasonable expectations

from administrators, lack of proper training, failure to be recognized, marital problems, and shift work.

Departments should take a proactive approach to monitoring officers' stress. Many psychological tools can help accomplish this.⁹ Although not perfect, they would give agencies some idea of which members are under a great deal of stress away from the job. Administrators could correlate this information with what they know about their officers at work. Have they handled a fatal accident or had to deliver a death notification? Are they the target of an internal affairs investigation? Are they being sued? Have they worked a natural disaster? Have they been physically assaulted? Such information should enable agencies to identify officers under a great deal of stress.¹⁰ Failure to monitor an officer under this type of stress aptly illustrates the fifth Deadly Error, Missing Danger Signs.

Law enforcement should join other progressive professions in allowing personnel to use sick leave as "mental health" days. It is better to allow an officer under mounting psychological pressure to take a day off before it manifests as a physical illness or a poor use-of-force decision. As with all sick time, agencies would have to monitor these "mental

health" days, but, if properly applied, they can reduce larger problems in the future.

10) APATHY

Apathy, probably the most insidious of the 10 Deadly Errors, contributes to each in varying degrees. It is hard to measure because it is a crime of omission, rather than commission. Still, departments must take steps to recognize apathy.

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Supervisors can monitor some indicators to gauge if officers are becoming apathetic. These include what time officers arrive for work, how often they miss court, how long it takes them to respond to and clear a call, and how many miles they drive on patrol. Supervisors can check the evidence log to see who turns in the most and review the motor vehicle summons log to see how often each officer needs a new summons book. They can compare each officer against

the standards set by the rest of the squad. Supervisors should ride along on calls to see if officers perform to departmental standards.

Reversing apathy poses some challenges. Supervisors may try to motivate officers by putting them in charge of a speciality that they may possess and having them develop a lesson plan for roll call or by identifying an interest and sending them for additional training. Sometimes, the best recourse involves preventing these officers' attitudes from infecting the rest of the squad.

CONCLUSION

Some of the 10 Deadly Errors are physical mistakes and others are mental. Unfortunately, law enforcement trainers never can train officers for *every* situation they may encounter. But, by training them to remember these common dangers and to "think like a cop," trainers can better educate officers for any situation.

Supervisors should review the 10 Deadly Errors on a regular basis—maybe at roll call on the 10th of every month. Only by constantly discussing these errors and the ways to avoid them will officers react correctly when tested. At that split second when their lives are threatened, officers will not recall some obscure lesson taught the first week of the academy.

Rather, they will rely on the information their supervisors and senior officers impart to them on a regular basis. If officers study the 10 Deadly Errors, they will have a proper tactical response prepared. Perhaps, over time, they will relegate these errors to a chapter in the profession's past and make the need for the heart-wrenching words *officer down, code three* obsolete. ♦

Endnotes

¹ U.S. Department of Justice, Federal Bureau of Investigation, *Law Enforcement Officers Killed and Assaulted 2004*, at <http://www.fbi.gov>.

² For additional information on officer safety, see Anthony J. Pinizzotto, Edward

F. Davis, and Charles E. Miller III, U.S. Department of Justice, Federal Bureau of Investigation, *Killed in the Line of Duty* (Washington, DC, 1992); *In the Line of Fire* (Washington, DC, 1997); and *Violent Encounters* (Washington, DC, 2006).

³ As a reminder, officers should pick an anniversary date (wedding, child's birth, academy graduation) and purchase a new container at that time.

⁴ For additional information, see *supra* notes 1 and 2.

⁵ Oftentimes, subjects will complain that handcuffs are too tight. Officers should take great care when inspecting handcuffs. In some cases, offenders have used this as a ruse to get officers to move in closer. For additional information, see *supra* note 2.

⁶ The National P.O.L.I.C.E. Suicide Foundation, <http://www.psf.org>.

⁷ That is, within a 10-foot radius of the offender. For additional information, see Anthony J. Pinizzotto, Edward F. Davis,

and Charles E. Miller III, "Escape from the Killing Zone," *FBI Law Enforcement Bulletin*, March 2002, 1-7.

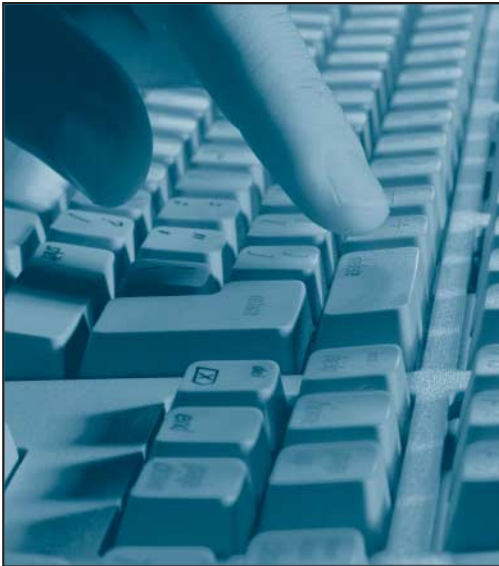
⁸ For additional information, see Shannon Bohrer, Edward F. Davis, and Thomas J. Garrity, Jr., "Establishing a Foot Pursuit Policy: Running into Danger," *FBI Law Enforcement Bulletin*, May 2000, 10-15.

⁹ For example, one such instrument, the Social Readjustment Rating Scale developed in 1967 by Thomas Holmes and Richard Rahe, assigns a numerical value to life events, such as marriage, divorce, obtaining a mortgage, death of a family member, and birth of a child. A total score indicates how susceptible an individual is to physical or mental health problems from stress.

¹⁰ For additional information, see Donald C. Sheehan and Vincent B. Van Haselt, "Identifying Law Enforcement Stress Reactions Early," *FBI Law Enforcement Bulletin*, September 2003, 12-17.

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