

~~SAINT LEON UNIVERSITY~~
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Term Project/Situational Report

Courtlaney Pass is a mid-sized municipality in the Southeastern United States. It has a population of 80,000 residents made up of: 55% white, 38% black, and 7% Hispanic. The primary industry is agricultural and industrial with the unemployment rate at 8.7%. By national standards the city would be considered "blue collar" with a median household income of \$38,000. The school system remains troubled as the drop-out rate is high and, other than the elementary schools, the middle and high schools have perpetual "D" ratings. There is a great deal of "southern pride" evident in this community as confederate flags are frequently flown and unfortunately, the fledgling local KKK is attempting to revitalize itself.

Two out of the five city council members are considered "good old boys" that are satisfied with the status quo and are apathetic towards the civil unrest that has been percolating in the black community. Within the past twelve months there have been protests in the black community that have steadily been growing. Those residents complain that policing is biased against them and that unnecessary and excessive force is commonplace; especially amongst young black males. Due to recent nationwide events surrounding similar claims, the national media is paying particular attention to Courtlaney Pass.

The police department is appropriately sized to police this jurisdiction. The chief is a 42-year-old white male who has been with the department for twenty years working his way up the ranks. He has no college degree but is working towards it via on-line classes. The demographics of the agency do not mirror the community as 94% of the department is white. The only minorities in the agency work in non-sworn support roles. The chief claims that he is attempting to attract minority applicants but the majority of those interested cannot pass the entrance exam. He claims that those who can pass end up going to work for the state police instead where the salary is \$12,000 per year more.

Questionable Enforcement Tactics?

There are eight major intersections in Courtlaney Pass (CP) and each is equipped with intersection cameras. As municipalities that employ such devices share the revenue from fines with the manufacturer, the city averages \$2.1 million dollars per year in revenue from these fines. The constitutionality of this practice is highly debated and public support is low according to recent surveys. A local "action group" has filed a lawsuit against the city in an attempt to remove these cameras; this lawsuit is pending a court date. A recent study conducted by a local CP reporter indicated that per capita, the revenue generated for the city is twice as high as any similarly situated city in the state that utilizes these cameras. The reporter also alluded to the fact (not substantiated yet) that black residents are twice as likely as whites to be ticketed for intersection violations.

Courtlaney Pass is listed by AAA as the "Biggest Speed Trap in the South" as a major highway runs north to south through the town. Particularly, the speed limit reduces from 55 mph to 35 mph in a 50-yard stretch of road and consistently a police officer is running radar (in a concealed fashion) at the 35 mph speed sign. The CP reporter has also written that blacks and out of town travelers passing through receive 87% of the speeding tickets. This statement is backed up by the reporter's study of statistics from the Department of Highway Safety and Motor Vehicles. The reporter has also spoken to former officers (off the record) who report that the Chief of Police mandates that each officer issue at least 12 citations per shift. It is common

that most traffic enforcers allow a motorist 10 mph over the posted limit, but during a recent interview with the chief he has stated that he has a "zero tolerance for speed, as it kills" so he instructs his officers to issue tickets for 5 mph over the limit. The chief would not comment on the 12 citation minimum per shift policy.

As Courtelaney Pass has recently seen its violent crime rate soar by 35%, the chief believes that this is due to the proliferation of street drugs being sold in open air, drive up, drug markets. These "markets" are located on the southern edge of the city where the majority of the population is minority. The CP Police Narcotics Unit conducts regular and aggressive enforcement actions including crack cocaine search warrants and reverse sales operations wherein undercover officers pose as drug sellers and customers are arrested for purchasing. During one of these operations, a shooting occurred wherein a known dealer shot at the undercover officer who returned fire, killing the dealer. The ensuing internal affairs investigation cleared the officer and the day that this report was made public, rioting erupted in the minority community. This unrest actually spilled over into the down-town area requiring the chief of police to call in re-enforcements from neighboring agencies and the state police. As a result, 13 businesses were badly damaged, 8 officers injured, and 112 rioters and looters were arrested. The minority community has warned that if relations do not immediately improve with the police that more unrest was certain. After this shooting incident and subsequent riots, the chief has suspended all narcotic enforcement actions in the area.

Political Influences

The 5,600 Hispanic residents are counted only as those who responded to the census or were property owners. It is estimated that an additional 5,000 + undocumented immigrants also call Courtelaney Pass home. The majorities of these folks work in the immense strawberry fields and orange groves and are paid \$5.00 per hour in cash (off the books). It is very common for these migrants to be the victims of home invasion robberies on pay day. Local drug dealers and MS13 gangsters kick in their doors, take their hard earned cash, and occasionally even rape their wives. The CP Police Sergeant that oversees street crimes reports that these migrants are easy prey as they will not report these crimes to the police for fear of being deported. The sergeant addressed this issue at a city council meeting where no words of wisdom were offered to him. At the conclusion of the meeting, in the parking lot, a white city councilman told the sergeant "I couldn't care less what happens to those people.... they don't vote!!!"

More Revelations

4 years ago, Kayla Williams disappeared from her bedroom. Kayla, a 9-year-old African American child was sleeping in her bed in a very small bedroom with no air-conditioning so, as typical, her window was open. Her mother found her bed empty the next morning and frantically called the police. The responding officer from Courtelaney Pass Police Department downplayed the mother's fears by stating that Kayla probably ran away. The officer told her to call back if Kayla did not come home by the next day and left without documenting the incident. The horrified mother spoke with her father who told her that the police would not help them as they are "the wrong color" and they must help themselves. The family and friends convened a search party and two days later found Kayla's body in a cypress swamp bordering Lake Diemer. She was wearing her night shirt, no panties, and there were no visible signs of trauma or injury.

The police were summoned to the scene and two officers responded. Upon viewing her body, which laid on its back almost in a peaceful sleeping position, the officers notified the forensics unit and one technician came to the scene. The body was photographed and the area was

searched for any sign of evidence. Numerous footprints, large and small, were detected in the immediate area which was no surprise; the area is a favorite fishing spot. Most of the footprints were photographed, but plaster casts were not made. Kayla's ripped panties were discovered on the leaf covered trail that leads to the water's edge. The medical examiner responded to the scene and removed the body. The following day, Det. Singer attended the autopsy which was to be performed by Dr. Elmer Clausen, a lifelong resident of CP. Det. Singer was surprised that the doctor did not perform a full autopsy wherein the body cavity was opened and internal organs examined, nor did he perform a sexual assault examination. When asked by Det. Singer, the doctor stated that he had already "surmised" that she had died as a result of a snake bite, probably from a water moccasin. He pointed out two small puncture type wounds on the back side of Kayla's right thigh. He promised Singer that toxicology would support his belief. When Singer questioned him about the ripped panties, he replied "That's your job; there is a scratch by her upper thigh that looks like a tree branch hit her, it probably ripped her panties and they fell off". When Det. Singer reported this to his Sergeant he was told that there is no fighting Dr. Clausen.... historically what he says goes!! Kayla Williams "official" cause of death was snake venom poisoning, even though the toxicological results were still pending, and she was buried the following week.

The black community was outraged at what it deemed an insufficient investigation due to the fact that Kayla, and her family, was poor and black. Det. Singer, who was relatively new to the police department and area, was invited to lunch with a reporter from the Courtelaney Journal. The reporter told Singer that this was not the first time a young minority girl had been found dead under suspicious circumstances in Courtelaney. During the past seven years, three other pre-teens, two Hispanic, one black, were discovered "missing" from their bedrooms and later their bodies were discovered in wooded areas. Reportedly, none had obvious signs of trauma and all were deemed "Death by Non-Homicide" by Dr. Clausen.

Very recently, retired CP police Detective Sid Throtmorton became terminally ill and called for his best friend and local plumber Tom Johnson to come to his bedside. Sid, knowing that he was hours away from death told Tom that he had to make something right before he died. He asked Tom if Tom remember Officer Iozzi who worked for the agency for ten years before being fired for gross insubordination. Tom vaguely recalled Iozzi. Throtmorton told Tom that Iozzi was attracted to young girls and that he had raped and killed that "little Kayla girl". He further advised that Iozzi, also a former police defensive tactics instructor, bragged that by utilizing a "carotid choke hold" he could kill someone without leaving marks on the victim's neck. Just before dying, Throtmorton also reported that other officers, still with the agency, are aware of what Iozzi did. After being terminated from the department, Iozzi moved to Idaho. Tom reported this revelation to Det. Singer.

One month ago, as a result of continual racial tensions and allegations of corruption, the Chief of Police resigned under pressure. Governor Neely has installed an interim Chief of Police to heal the community, examine and evaluate policy, practices, and procedures, and restore the faith and trust of the people. He also appointed a Special Prosecutor to examine all things of legal relevance to the issues in this community. The Special Prosecutor must evaluate civil and criminal issues pertaining to the governance of Courtelaney Pass and utilize his/her legal power as needed to issue subpoenas, search/arrest warrants, etc. The Interim Chief of Police has brought with him/her a special investigator who will hold the rank of Captain of Investigations. This individual will evaluate, examine, lead, and investigate all issues pertaining to criminal acts.

Instructions

After carefully reading and studying this situational report, contemplate which of these three roles/tracks you wish to assume for your senior project:

Chief of Police- You have full authority to examine all policies and practices within the agency. As such, you can make policy, dispose of bad policy, and address employment and hiring concerns. You will be responsible to effectively deal with the racial unrest and identify its core. You have the power to hire, fire, demote, and/or promote.

Special Prosecutor- Your role is to examine, evaluate, and act upon any and all legal issues, civil and criminal, that may arise from your research and investigation. This includes hiring practices, enforcement techniques and strategies, issues relative to discrimination, excessive force, and evidence handling issues. You can issue subpoenas, search and arrest warrants, wire-tap orders, and any and all other legal tactics available. You would also serve as the prosecutor for any arrests made under this inquiry.

Captain of Investigations- Lead, and participate in, all criminal and forensic investigations and issues that arise from the situational report. Suspect identification, location, arrest, forensic analysis, setting strategies for needed criminal investigations, and execution of search warrants, arrest warrants, etc. are some of the typical duties involved.

Deliverables

Identification of Research and Investigative Issues and Questions:

From the situational report, comprise a list of concerns and issues that are relative to your position. Hint: There are at least a half dozen issues and concerns for each position. You must articulate why your issue is a concern and not simply list it without explanation. For example: Do not simply list "Ticket Quotas". If you feel this is an issue, explain why you feel ticket quotas may be problematic for the city. List those issues very specifically as this will be the launch pad for your over-all inquiry. This is due in Module 2.

Annotated Bibliography:

Utilizing the Saint Leo Library and any other supplemental resources, locate at least ten (10) peer reviewed articles regarding your inquiry. During this assignment you will have the opportunity to examine what the experts have researched, studied, and written about in your specific discipline. There is a plethora of articles related to civil and criminal law, as well as case law, leadership issues regarding hiring, promotion, anti-discrimination, civil unrest, forensic science, DNA analysis, exhumation procedures, etc. Utilize library resources in addition to <https://owl.english.purdue.edu/owl/resource/560/01/> in order to refresh yourself on creating an annotated bibliography. Your assignment requires 10 annotated bibliographies relative to your situation report position. This is due in Module 3.

Literature Review:

Utilizing your annotated bibliography, create a brief literature review that synthesizes what you have learned from your research. Utilize library resources in addition to <https://owl.english.purdue.edu/owl/resource/560/01/> in order to refresh yourself on creating a literature review. Your literature review should be 3-4 pages. This is due in Module 4.

Preliminary Report – Executive Summary:

Create an executive summary for the Governor. In this summary, you will synthesize what you have determined and accomplished thus far and what you anticipate discovering and