



CSU Fresno
Dept. of Criminology
Newsletter LXIII

JUNE 2012



Global News



**Germany
DNA SPRAY**

Reducing Copper Wire Theft

A discussion of wire theft prevention with a representative of the Berlin, Germany Landeskriminalamt (State Bureau of Criminal Investigation) during a visit to Germany in June of this year, revealed that several jurisdictions in northern Germany are successfully using DNA spray as a method of identifying a wide range of property or objects and that the use of DNA spray has resulted in a significant drop in metal thefts.

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TRACK ASST. PROF. POSITIONS

In Bremen, Germany, schools are using DNA spray to mark electronic and other expensive equipment with similar success. The use of DNA spray was pioneered in the United Kingdom and reported in an earlier newsletter (April 2009). Access it at: <http://zimmer.csufresno.edu/~haralds/deptdocs/Newsletters/April%2009%20CSUF%20Criminology%20Newsletter.pdf>

Artificial DNA can also be applied in the form of paint that can be brushed onto various surfaces/areas. Police in Hamburg are even using DNA spray to mark boating equipment. If you can read/understand German, you can obtain additional information on this topic from the Bremen, German police at: www.polizei.bremen.de. The German federal railroad is using the technique to mark copper wiring and, if stolen, miniscule molecules from the DNA can transfer to the offender's clothing or hands and can be spotted with a specially modified UV light.

<http://www.welt.de/regionales/hamburg/article106404607/Mit-DNA-Hightech-gegen-Metallklau-bei-der-Bahn.htm>

Part of the campaign by German police is for used metals dealers to examine any material purchased by them with the UV light.

This newsletter is not an official publication of CSU Fresno or the Department of Criminology. Dr. H.O. Schweizer is the sole author and responsible for its content. You can email him at: haralds@csufresno.edu

BAVARIA and SHARIA LAW

The Bavarian Justice Minister is initiating concerted action against Muslim Imams who operate “parallel justice” by practicing sharia law in the Muslim communities and thereby undermine or subvert existing civil law and statutes. Such sharia courts are also seen as particularly problematic when dealing with the rights of women.

While this information appeared in numerous news publications, the Bavarian Justice Ministry’s own website does not reflect information or any notices concerning this issue.

<http://www.justiz.bayern.de/>

FRANCE



PARIS

PICKPOCKETS

Warning signs about pickpockets are numerous and can be seen on subways, trains, buses, and even at the entrance to the world famous LOUVRE museum. Interestingly enough, even signs in French use the English term “pickpocket” though the French are keen to avoid the use of foreign terms when speaking French.

The signs do not exaggerate the threat, as personal experience has shown. On 22 June, 2012, I was on a train nearing the “de la Concorde” Subway station in Paris. I was wearing a pair of cargo pants with lower outside pockets. I believed that the low height of the pocket would not make it an attractive target for pickpockets. I had placed all of our (the family’s) passports in that buttoned pocket thinking it was the safest place for them.

Just before arriving at the Concorde station, I felt something pushing against my right leg and noticed an older female holding a large bag against my right upper leg. I pushed the bag aside and saw her hand in the cargo pants pocket containing the passports. She had already unbuttoned it. I pushed her away just as the train doors opened and she and a male accomplice rushed out. Below a fleeting photo of the female pickpocket.



While my normal reaction would have been to chase down the pickpocket, this was not an option, since my wife and children would have been left on the train without me.

Security is ever present at the main attractions in Paris and consists of private plain clothes security personnel, uniformed police officers, and even heavily armed military personnel.

PARIS and crime...



Pickpocket sign at the Louvre



Military at Notre Dame Cathedral

POLICE AT THE EIFFEL TOWER



Interestingly enough, less than 100 meters from the Eiffel Tower plaza, groups of con artists “rip off” unsuspecting passerbys with variations of three card monte or shell games.



HIV/AIDS AND POLICE IN THE U.S.

Research concerning the prevalence of AIDS/HIV among police and military personnel in other parts of the world led to interesting data, as reported in the May 2012 newsletter. Statistics were available for police or security services, including military personnel, in many parts of the world. This information then logically led to the question of “what is the situation here” in the United States.

Even extensive research led to only a dearth of information. There are no national figures concerning the number of active police officers with HIV in the U.S. and the status of such officers is in flux.

In New York City as in Los Angeles, police officers have filed for disability retirement on the basis of having contracted HIV on the job, while other officers in the same agency who are also HIV positive continue to serve. None of these agencies test applicants for HIV, which later makes it difficult to prove the source of an infection when an officer files for disability.

At the same time, however, a recent medical report/study indicates that persons with HIV can still enjoy long life, particularly as new medication is developed and improved. The U.S. Military tests applicants for HIV and rejects those who test positive. If an active soldier is found to be HIV positive, however, the soldier is not discharged, but he/she cannot be deployed. All service members are tested for HIV every two years and the numbers, while low when compared with the general population, are rising. One military official indicated that their research has shown that soldiers who contract HIV and other sexually transmitted

diseases, do so due to high risk behavior.

High Risk Behavior contributes to rise in STDs

<http://www.iber.af.mil/news/story.asp?id=123291240>

Interestingly, police agencies screening applicants need to know if applicants have engaged or do engage in “high risk” behavior, not only because of security considerations, but also when it has health implications. The prohibition against testing for HIV makes this a difficult task. Some applicants may also not be aware of their own positive HIV status, in which case that person can become a costly employee. Health insurance, sick time and disability issues become problematic.

With more than 18,000 state and local police agencies, the hiring of most police (other than federal law enforcement or the military) is a local matter and while there are some state mandated physical requirements for police applicants/officers, individual agencies have extensive discretion in areas not addressed by state mandates or commissions such as California’s POST. While the California POST Medical Examination and Evaluation Guidelines indicate that HIV/AIDS is considered an infectious disease which has direct implications on the ability to perform as a police patrol officer, a test for HIV/AIDS to determine suitability for employment is prohibited under the California Health and Safety Code.

<http://www.cdph.ca.gov/programs/aids/Documents/RPT2007-06-14-2849-2006AIDSLAWS.pdf>

A medical examination would have to focus on indirect health indicators that impact an applicant’s ability to perform but which may be the result of HIV/AIDS, without asking the applicant about their HIV/AIDS status.

HIV/AIDS AND POLICE IN THE U.S.

Excerpt from California POST:

A. GENERAL SCREENING RECOMMENDATIONS

1) History:

The Medical History Statement includes routine questions regarding a history of abnormal liver tests, hepatitis, and tuberculosis. Asking whether the candidate is HIV+ would not be consistent with the intent of the California Health & Safety Code (s. 199.21f) which prohibits HIV testing to determine suitability for employment. An alternative that is more legally tenable is to limit routine inquiries to those manifestations of HIV disease that are relevant to patrol officer duties. These would include severe immunodeficiency (CD4+ lymphocyte count of 500 or less), unexplained diarrhea lasting >1 month, fevers lasting >1 month, night sweats, involuntary weight loss of >10% of baseline, or chronic fatigue. However, the physician should discuss any HIV screening protocols with the hiring agency before implementation. The physician should also be aware that there are civil and criminal penalties for disclosing a candidate's HIV status without his/her specific authorization. A generic medical release form is not adequate.

<http://lib.post.ca.gov/Publications/InfDiseases.pdf>

This approach, however, will only screen out those applicants who show symptoms or other signs of having an infectious disease. There are “unique legal restrictions” in HIV testing that do not apply to other diseases according to POST and the section on infectious diseases elaborates that the courts have not yet dealt with this issue in police hiring. It should be noted that the POST guidelines do not require or state that a law enforcement agency cannot hire someone who is HIV positive.

The actual hiring decision is guided by the local jurisdiction. Additionally, since there are currently HIV positive police officers serving in California, POST medical screening primarily serves as a guideline for hiring and not retention.

A confounding issue is whether being HIV positive gives one protected status under the Americans with Disabilities Act. If an applicant is considered “legally “ disabled” then the hiring process becomes more complex. The U.S. Department of Justice concludes that HIV/AIDS is a disability and further states:

Persons with HIV, both symptomatic and asymptomatic, have physical impairments that substantially limit one or more major

life activities or major bodily functions and are, therefore, protected by the law.

http://www.ada.gov/aids/ada_q&a_aids.pdf

While POST indicated that the courts have not yet ruled on the issue of HIV in police hiring, the issue has been litigated in other parts of the country.

In *Holiday v. Chattanooga*, #98-5619, 206 F.3d 637, 2000 U.S. App. Lexis 3660, 10 AD Cases (BNA) 501 (6th Cir.). [2000 FP 83], the federal appeals court ruled in favor of a police applicant who sued after being rejected from a police position because he was HIV positive.

The City of Chicago agreed in 1995 to stop its HIV testing of police applicants after a successful federal lawsuit filed by the ACLU on behalf of two applicants who were required to have an HIV test and then rejected for being HIV positive.

No Hiv Testing For Police Jobs

http://articles.chicagotribune.com/1995-02-15/news/9502150337_1_hiv-police-jobs-testing

In conclusion, since HIV/AIDS is a disability but does not automatically exclude a person from police employment, the regularly used statement in government employment ads that **Women, minorities and persons with disabilities are encouraged to apply**, also means that persons with HIV/AIDS are encouraged to apply. In the absence of being able to require a test for HIV or to ask for an applicant's HIV status, however, such applicant would have to volunteer their positive HIV status.

Example from an employment ad:

The City of Gridley is an Equal Opportunity Employer and supports workforce diversity. Women, minorities and persons with disabilities are encouraged to apply.

<http://www.gridley.ca.us/city-departments/human-resources>

OFF CAMPUS DEGREE COMPLETION PROGRAM

New classes begin this August as indicated below. Any active or retired government employee with about two years of prior college coursework is eligible. This includes persons in the military or national guard. For additional information contact Dr. H.O. Schweizer via email at: haralds@csufresno.edu

Aug/Sep 2012

Crim 174 Ethnic and Gender Issues taught by Dr. Muscat

Class meets twice from 0900-1200 on the following Saturdays

Aug 11, Sep 29.

Remaining instruction is on line. Computer literacy and ability to use Internet based instructional services (Blackboard) is required

Crim 113 Forensics in C.J. taught by D. Heredia, the director of the California DOJ crime lab in Fresno.

Meeting dates on Mondays: August 6, 13, September 17, 24 (1800-2230)

Saturdays: August 4, September 8 (0800-1500)

Oct/Nov 2012

History 101 (Women in History) Upper division GE COURSE in area ID taught by Dr. Walsh

Instruction for this course is on-line except for two class meetings in the downtown classroom on Monday Oct 1 & Nov 19 (1800-2000)

Crim 127 Advanced Crim Legal Process taught by Dr. Kissner

Class meets Wednesday evenings (1800-2230) on Oct 3, 10 Nov 14, 21

and Saturdays from 0800-1500 on October 20 & November 17



High Tech SEWER LID

German police have a new tool to check for excessive tire wear on vehicles. The tool looks like a sewer lid and underneath the tinted high impact glass is a light diode laser, video camera and super fast data processor. Every time a tire rolls over the lid, it checks for tire wear and can determine if the remaining tread is less than the legal minimum of 1.6 mm.

The camera is capable of taking 16,000 photos per second and can capture tire wear information even if the vehicle is traveling at 80 mph. The tire data and photos of vehicles that are in violation of law are then transmitted to police in a nearby location, who then stop the vehicle. The equipment is in use on city streets, not on highways, where there are many areas with no speed limit.



California State University, Fresno

College of Social Sciences

Criminology

Vacancy # 11812

<http://www.csufresno.edu/socsci/>

General Information:

California State University, Fresno is one of 23 campuses in the California State University System. The University's mission is to offer high quality educational opportunities to qualified students at the bachelor's and master's levels, and in certain applied disciplines at the doctoral level. The current enrollment is approximately 20,000 students with diverse and culturally rich backgrounds. The University serves the San Joaquin Valley while maintaining deep involvement with the state, nation, and world. California State University, Fresno promotes student learning and community engagement through faculty scholarship and service learning opportunities in collaboration with community organizations, education, industry, business and government. The university was one of the first US Colleges and Universities to be selected by The Carnegie Foundation for the Advancement of Teaching for its new Community Engagement Classification.

Metropolitan Fresno, with a multi-ethnic population of over 600,000, is located in the heart of the San Joaquin Valley on the western edge of the Sierra Nevada Mountain Range. The campus is within easy driving distance of San Francisco, Los Angeles, Yosemite, Kings Canyon and Sequoia National Parks, the Monterey Peninsula, Lake Tahoe, beaches, sailing, lakes, and numerous ski resorts. Fresno boasts one of the most reasonable housing markets in California and offers a wide array of locally grown fruits and produce.

Law Enforcement (2 positions)

Assistant Professor - AY

California State University, Fresno is a learning-centered University. We believe learning thrives when a strong and active commitment to diversity is shared by all. This is because learning can only take place in a climate where differing positions are welcome, and diversity of all kinds is valued by everyone.

- Available for Academic Year: 2013/2014.
- Fresno State has been recognized in the Community Engagement classification by The Carnegie Foundation for the Advancement of Teaching
- Fresno State has been recognized by the Federal government as an Hispanic-Serving Institution (HSI).
- Faculty members gain a clear path to tenure through the University's Probationary Plan Process.
- Salary placement depends upon academic preparation and professional experience.
- Instructional Level: Undergraduate and Graduate

Position Characteristics: The Department is seeking a criminologist with an emphasis in law enforcement. Primary teaching responsibilities will be in undergraduate and graduate criminology courses. Substantive area in criminology is open, although there is a particular need for an individual who can develop and teach courses related to law enforcement and global criminal justice systems. A thorough knowledge of the organization and management of law enforcement at the federal, state and local level is essential. Specific assignments will depend on departmental needs. Other duties will include, but are not limited to, advising criminology and pre-law students, participating in program development, actively engaging in research and problem solving activities, and committee service at all levels of university governance. The successful candidate may be called upon to teach in a distance education mode and will be encouraged to develop web-enhanced and/or web-based instruction. Outcomes assessment and service learning are important components of the university curriculum. The successful candidate will be expected to work cooperatively with faculty and staff in the department and college. Refereed publications are required for tenure.

Academic Preparation: An earned doctorate in Criminology or other closely related discipline is preferred. Applicants with a J.D. in addition to a master's degree in criminology or a similar combination of degrees may be considered if: 1) the J.D. is from an ABA approved school; 2) the applicant is a member of the bar; and 3) the applicant has extensive prior experience with a government law enforcement or intelligence agency.

Teaching Or Other Experience: Candidates with verifiable prior experience with any law enforcement or government intelligence agency will be preferred. Candidates are expected to demonstrate a commitment to and potential for teaching excellence and scholarly activity at the university level. Candidates with a record of publications, presentations, and/or participation in grant activities are strongly preferred. Candidates must be able to provide knowledgeable career information in the area of law enforcement. Our preferred candidate will have the ability to work effectively with faculty, staff, and students from diverse backgrounds. The University is committed to promoting the success of all, and to reducing the barriers to success related to differences in areas such as race, ethnicity, culture, disability, and more. Candidates who can contribute to that goal are encouraged to apply and identify their strengths and experiences in this area. For additional information on the University's commitment to diversity visit: www.fresnostate.edu/academic/diversity.

Equal Employment Opportunity: California State University, Fresno is committed to maintaining and implementing employment policies and procedures in compliance with applicable state and federal equal employment opportunity laws and regulations. Executive Order 883 prohibits discrimination and Executive Order 927 prohibits harassment on the basis of protected status: race, color, religion, national origin, ancestry, age, sex (including gender identity, per HR 2004-12), sexual orientation, marital status, pregnancy, mental disability, physical disability, medical condition and covered veteran status. Retaliation

against individuals for complaining about proscribed conduct, opposing such conduct, or participating in an investigation or proceeding involving such conduct is prohibited by both executive orders. Further, California State University, Fresno's statement of commitment to equal employment opportunity principles is also found in the various collective bargaining agreements.

Application Instructions: Complete application online at <http://jobs.csufresno.edu>, attach 1) curriculum vitae 2) cover letter, 3) transcripts (unofficial) and 4) three current letters of reference (dated within the last 6 months) for review. For information, contact: Associate Professor Harald Otto Schweizer, Search Committee Chair Department of Criminology California State University, Fresno 2576 East San Ramon Avenue, M/S ST104 Fresno, CA 93740-8039 Phone: (559) 278-2305 Fax: (559) 278-7265 E-mail address: haralds@csufresno.edu

Open Until Filled: To ensure the full consideration, applicants should submit all application materials by 12/1/2012. Searches automatically close on 4/1/2013 if not filled.

The Immigration Reform and Control Act of 1986 requires the University to inform you that we can employ only U.S. citizens and aliens lawfully authorized to work in the U.S. Each new employee is required to present documentation verifying his/her identity and authorization to accept employment.