Policing in 2015: Addressing Use of Force and Other Critical Issues

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Executive Director
About PERF
Why was PERF founded?

- Founded by 10 chiefs in 1976
- Dedicated to questioning the conventional thinking in policing
- Conducts research on best practices and policies
- PERF is governed by a member-elected President and Board of Directors and a Board-appointed Executive Director. A staff of approximately 30 full-time professionals is based in Washington, D.C.
Who are PERF members?

PERF members include chief executives of large and smaller police agencies in the United States and around the world; executives below the rank of chief; researchers and scholars; and others interested and involved in the criminal justice field. All members must be committed to PERF’s founding principles and must possess a four-year college degree.
What does PERF do?

• Research
• Publications
• Management Services
• Executive Searches
• Senior Management Institute for Police
Meetings with chiefs from across the country

Senior Management Institute for Police
PERF’s International Work

Middle East police heads meet in effort to strengthen law in region

(CBS News) Israel’s police commissioner announced Wednesday he’s been secretly meeting with his Palestinian and Jordanian counterparts as part of a joint effort to strengthen the rule of law in the region.

Issues on the table range from fighting terrorism to managing large events.
Police chiefs pledge more transparency after Ferguson

Research group proposes reforms to St. Louis-area policing

U.S. issues recommendations for San Diego police
PERF Publications

Managing A Multijurisdictional Case: Identifying the Lessons Learned from the Sniper Investigation
GERARD R. MURPHY, CHUCK WEXLER, WENDY COX, HEATHER J. DRUDGE, MARINA PLETSTON

Command Performance: A Career Guide for Police Executives
SECOND EDITION
Charlotte Lansinger

Good to Great” Policing: Application of Business Management Principles in the Public Sector
Chuck Wexler
Mary Ann Wycoff
Craig Fischer
A Critical Issue for Police Chiefs: Handling “Defining Moments”
Defining Moments: Key Issues

Transparency after a critical incident

– When to release an officer’s name

– When to take disciplinary action against an officer
  • “Going upstream”
Defining Moments: Key Issues

How to approach mass demonstrations

– Start with a softer approach

– Be prepared in case the situation gets worse
Defining Moments: Other Key Issues

- How to build closer ties with the community
- How to address internal issues in an agency
- Ways to better work with the news media
Strengthening Police-Community Relationships
Acknowledging the Problems

• Millions are getting their impressions of police from controversial use of force incidents happening nationally.

• Officers today are not responsible for past injustices of police, but they must understand that history.

• Uses of force that are “legally justified” may not always be seen as “morally justified” by the community.
Establishing Community Trust

• Give the community a voice in developing policy
  – Citizen Advisory Councils
  – Police and Community Relations Councils
  – Community Meetings

• Officer interaction with the community

• Fair and impartial policing/procedural justice
Establishing Community Trust

• Working to remove “bad apples” from the force
• Transparency
• Build relationships during non-crisis times
• Recruit officers with the right goals in mind
PERF’s guidelines for police body-worn cameras
Body-worn cameras: Policy issues

- When to turn cameras on
- Who gets to see the footage
- How long to retain data
- Cost concerns – storage costs can be substantial
Research on Body-Worn Cameras

• An early study from California found a 60% reduction in officer use of force incidents after they started using body cameras. Citizen complaints against officers also declined.
Research on Body-Worn Cameras

• Other early reports suggest cameras are having a positive impact. Birmingham, AL implemented cameras in June. In July and August they saw a 34% decrease in use of force and a 70% decrease in citizen complaints.

• PERF and others are currently conducting additional research into body-worn cameras.
Re-Engineering Use of Force
Law enforcement group calls for big changes to cut down on police shootings

As tensions rise around the nation over police shootings and overly aggressive law enforcement tactics, a police research and policy group has issued a blunt and essential call for change.

"It's time for an overhaul of police training, policy, supervision and culture on use of force," says a report issued last week by the Police Executive Research Forum. The group's members include leading law enforcement experts and commanders from police departments across the country.

The report analyzes controversial police shootings over the last year and concludes that some could have been avoided, even though they were deemed legally justified.

And it urges police departments to adopt training methods and tactics that encourage peaceful resolution of issues instead of conveying to officers that their job is to make things right - sometimes at the expense of the accused.

The report names Kansas City as a department moving in the right direction. Police Chief Darryl Ford has ordered all officers to be trained in an approach called "tactical disengagement."

"Throughout the history of law enforcement, we've had the idea of never back down, never retreat," Ford explained in a post on his blog. "We are encouraging and training our officers to use critical thinking and problem-solving to avoid a situation in which they have to shoot someone to protect themselves."

Police Rethink Long Tradition on Using Force

WASHINGTON — During a training course on defending against knife attacks, a young Salt Lake City police officer asked a question: "How close can somebody get to me before I'm justified in using deadly force?"

Dennis Tueller, the instructor in that class more than three decades ago, decided to find out. In the fall of 1982, he performed a rudimentary series of tests and concluded that an armed attacker who bolted toward an officer could clear 21 feet in the time it took most officers to draw, aim and fire their weapon.

The next spring, Mr. Tueller published his findings in SWAT magazine and transformed police training in the United States. The "21-foot rule" became dogma. It has been taught in police academies around the country, accepted by courts and cited by officers to justify countless shootings, including recent episodes involving a homeless woodsman in Seattle and a schizophrenic woman in San Francisco.

Now, amid the largest national debate over policing since the 1991 beating of Rodney King in Los Angeles, a small but vocal set of law enforcement officials are calling for a rethinking of the 21-foot rule and other axioms that have emphasized how to use force, not how to avoid it. Several big-city police departments are already re-examining when officers should chase...
Chiefs call for reform of use of force, Police Executive Research Forum releases new critical report on training

By Kevin Flannery For The St. Louis American

The same research group that issued a blistering report last April on the fragmentation of St. Louis-area police departments has now issued an eye-opening report that calls for an overhaul of police training and culture.

The Police Executive Research Forum (PERF) produced the report, "Re-Engineering Training on Police Use of Force," amid a period of introspection taking place within the nation’s law enforcement community since former Ferguson police officer Darren Wilson shot and killed Michael Brown Jr. on August 9, 2014.

That introspection has led to new thinking about issues such as officers’ mentality about their role, the generally unwritten, but widely accepted, 21-foot rule that purports to govern the legality of officers’ use of force in edged-weapon situations, and appropriate crisis intervention training and response.

PERF’s primary contribution consisted of creating a space for raising the issues. Comments from high-ranking police officials from across the country make up the bulk of the report and drive the conclusion that a systematic overhaul is needed.
PERF’s “Re-Engineering Use of Force” Survey

• The survey was conducted to obtain information about current training practices and approaches regarding use-of-force policy, training, and supervision
• 281 agencies responded
• Results provide a snapshot of police recruit and in-service training
Which of the following best describes your use-of-force training for recruits?

- Linear or "Matrix" Use of Force Continuum (35%)
- Circular: officer levels of force are linked to subject levels of resistance, but around a circle (43%)
- Circular: with no link between officer levels of force and levels of subject resistance (7%)
- "Objective Reasonableness" (22%)
- Other (combination) (4%)

Source: Police Executive Research Forum Survey
Basic Recruit Training (cont.)

What style of learning best describes your recruit training program?

- Para-military based learning only: 2%
- Adult based/collegiate learning only (no military influence): 17%
- Combination of para-military and adult based/collegiate learning (explain): 12%
- Other: 60%

Source: Police Executive Research Forum Survey
Basic Recruit Training (cont.)

### Hours Spent on Use-of-Force Topics for Basic Recruit Training (median values)

- **Firearms**: 58 hours
- **Defensive Tactics**: 49 hours
- **Con Law/Legal Issues**: 40 hours
- **UoF Scenario-Based Training**: 24 hours
- **Basic first-aid**: 16 hours
- **Communication Skills**: 10 hours
- **UoF Policy**: 8 hours
- **De-escalation**: 8 hours
- **Crisis Intervention**: 8 hours
- **Baton**: 8 hours
- **ECW**: 8 hours
- **OC Spray**: 6 hours

*Source: Police Executive Research Forum Survey*
Basic Recruit Training (cont.)

Percent of Agencies Reporting Greater than 20 Hours of Basic Training in...

- Firearms: 72%
- Defensive Tactics: 62%
- Con Law/Legal Issues: 49%
- UoF Scenarios: 42%
- Basic first-aid: 30%
- Communication Skills: 17%
- Crisis Intervention: 15%
- UoF Policy: 14%
- De-escalation: 10%
- Baton: 6%
- OC Spray: 2%
- ECW: 2%

Source: Police Executive Research Forum Survey
In-Service Training

Agencies with Use-of-Force In-Service Training in...

- Firearms: 93%
- UoF Policy: 90%
- Defensive Tactics: 87%
- Baton: 82%
- ECW: 82%
- Basic first-aid: 82%
- UoF Scenario-Based Training: 81%
- Con Law/Legal Issues: 81%
- OC Spray: 71%
- Crisis Intervention: 69%
- De-escalation: 65%
- Communication Skills: 62%

Source: Police Executive Research Forum Survey
In-Service Training (cont.)

Hours Spent on Use-of-Force Topics for In-Service Training (median values)

- Firearms: 8 hours
- Defensive Tactics: 5.5 hours
- Con Law/Legal Issues: 4 hours
- UoF Scenario-Based Training: 4 hours
- Crisis Intervention: 4 hours
- Basic first-aid: 4 hours
- ECW: 4 hours
- UoF Policy: 2 hours
- De-escalation: 2 hours
- Communication Skills: 2 hours
- Baton: 2 hours
- OC Spray: 2 hours

Source: Police Executive Research Forum Survey
National Decision Model (NDM)

- Gather Information and Intelligence
- Code Of Ethics
- Assess Threat and Risk and Develop a working strategy
- Consider Powers and Policy
- Identify Options and Contingencies
- Take Action and Review what happened
Controversial Use of Force Incidents

• North Charleston, SC
• Cleveland
• Dallas
• Pasco, WA
• Albuquerque
Issues with use of force in the United States

• Not enough training time is spent on de-escalation and communication
• Training is conducted in silos
• “21-foot rule”
• Changing policy won’t necessarily change culture
• Cops want to take charge and resolve things quickly
Use of Force Recommendations
Use of Force Policy

- Include language about use of de-escalation tactics
- Ban shooting at moving vehicles
- Implement a “duty to intercede” policy for officers witnessing unreasonable use of force
- Mandate the provision of medical aid when possible
Use of Force Policy (continued)

• Stress the sanctity of human life throughout your policy

• Supervisors should respond to the scene when use of force occurs

• Fully investigate all officer-involved shootings regardless of outcome
Training

• Warrior vs. Guardian
• Use scenario-based training that includes de-escalation
• Go beyond state mandated in-service training hours to spend more time on decision making and communication skills
• Use department-wide training to set agency expectations and policy changes
Training (continued)

• Train call-takers and dispatchers to identify and handle mental health crises

• Rethink training on police tactics and decision making to include concepts like tactical retreats

• Integrate training to avoid training in silos: de-escalation, communication skills, negotiation skills, tactics, legal concepts should be included in all blocks of instruction
Training (continued)

• Discuss actual cases during training – learning from incidents is not “second-guessing”

• Train supervisors to investigate use of force

• Ensure your academy is teaching your philosophies
Crisis Intervention/Mental Illness

• Consider implementing a specialized CIT unit

• Train a percentage of officers in crisis intervention

• Partner with public mental health agencies/providers

• Train officers to recognize signs of mental health crisis
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