



Council Staff Memo

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer, Council Staff

DATE: September 16, 2014

**RE: Police Training in Non-Lethal
Use of Force**

PROJECT TIMELINE:

Briefing: September 16, 2014

Set Date:

Public Hearing:

Potential Action:

Council Sponsor: **Council Member Luke Garrett**

[VIEW ADMINISTRATION'S PROPOSAL](#)

ISSUE AT-A-GLANCE

Council Member Garrett would like to investigate legislative options to ensure Salt Lake City Police officers are provided with adequate training on avoiding and minimizing use of lethal force during encounters with humans or animals.

In an August 19, 2014 press conference, Chief Chris Burbank reported that officer involved shootings and other instances of use of force are down. Two recent incidents have brought increased attention to the issue, and the Council has requested additional information.

The Administration's transmittal outlines training already required of officers. Included in the transmittal are the following reports and training materials:

- Officer Involved **Shootings**
- Understanding Human Behavior and Mental **Illness**
- Introduction to the Crisis Intervention **Team**
- Response to the Mental Health **Crisis**
- Management & Recognition of Excited Delirium/Agitated Chaotic **Event**
- Conflict Resolution (Utah Peace Officers Standards and **Training**)
- Basic Use of **Force**
- Conflict Resolution (Salt Lake City Police **Academy**)
- In-Custody Death & Ripp Hobble **Restraints**
- Emerging Use of Force **Issues**
- **Chief's Order** – Updates to Policy III-310 Use of Force and III-680 **Reports**

On September 11, 2014, Chief Burbank provided the following attachments



- Fall 2014 Trimester Training Lesson **Plan**
- Fall 2014 Trimester Training (PowerPoint slides for debriefing of 2465 South 1500 East incident during which a dog named Geist was **shot**)

Transmittal attachments “**Basic use of Force**” and “In-Custody Death & Ripp Hobble **Restraints**” delve into greater detail about the training officers receive.

Staff has identified the following range of potential Council actions:

- Non-binding resolution encouraging the Salt Lake City Police Department to provide increased training beyond what is currently required for officers to further train them on methods of non-lethal force.
- **Contingent appropriation to provide funding for City police officers’** increased training. Funding would be restricted to that exclusive use. A budget opening would be required to provide funding. The Administration recommends two **options** in the attached transmittal for how additional funds could be used.
- New ordinance requiring City police officers to receive training on non-lethal uses of force. It could dictate initial and ongoing training requirements. Additional options might include a provision that no officer may serve on the force after a certain date unless he or she has completed this training. The Council may want to consider appropriating additional funding to the Police Department for the training. Any additional funding would require a budget opening.

Council staff is looking to the Council for direction on how to proceed on this matter.

POLICY QUESTIONS

1. The Council may wish to ask the Administration for information about police training for dealing with animals.
2. The Council may wish to discuss with the Administration other topics that could be included if training requirements are expanded.
3. **The Council may wish to discuss and/or straw poll the Administration’s recommendations for how additional training funds could be spent:**

\$150,000 - Police Use of Force Training Simulator

\$35,000 (annual) – “**Public Engines**” map-based crime reporting

ADDITIONAL & BACKGROUND INFORMATION

The Administration’s transmittal includes a **table** with data on officer involved shootings in Salt Lake City for the past twenty years. Yearly totals range from 0 to 7 shootings. There were a total of 58 officer involved shootings over the 20 year timeframe which is an average of 2.9/year. No information is provided on what percentage of these shootings involved humans vs. animals or resulted in death. The Administration has also provided data, where available, from other **cities**.

The transmittal includes a list of seven officer training courses offered by the Salt Lake City Police Department. These include mental health training, conflict resolution, use of force and use of restraints. The transmittal references a clear policy regarding use of force.

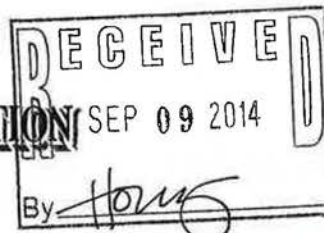
The transmittal includes a potential option for **additional officer training**. A “**Use of Force Training Simulator**” helps officers practice making critical decisions involving varying levels of force. The Administration cites studies that **have shown “better training, disciplinary action, policy and political representation can reduce the number of police shootings.”** Initial cost is estimated to be \$150,000. There would be unspecified additional annual costs for an equipment service contract.

A crime analysis program called “Public Engines” was also included in the Administration’s transmittal. This system allows residents to view crime on a graphic user interface map. Reports can be generated that display patterns of crime in a given community. The transmittal suggests this would allow improved partnerships with community members through increased transparency and policing partnership. Annual cost is estimated at \$35,000.



CHRIS BURBANK
CHIEF OF POLICE

SALT LAKE CITY CORPORATION
POLICE DEPARTMENT



CITY COUNCIL TRANSMITTAL
RECEIVED

SCANNED TO: [signature]
SCANNED BY: [signature]

DATE: 09/09/2014

[signature]
David Everitt, Chief of Staff

SEP 09 2014

SLC COUNCIL OFFICE

Date Received: 09/09/2014

Date sent to Council: 09/09/2014

TO: Salt Lake City Council
Charlie Luke, Chair

DATE: September 3, 2014

FROM: David Everitt, Chief of Staff

SUBJECT: Training on Minimizing Use of Lethal Force

STAFF CONTACT: Chris Burbank, Chief of Police
801-799-3802

COUNCIL SPONSOR: Council requested

DOCUMENT TYPE: Informational

BACKGROUND/DISCUSSION: The Council office requested information regarding the record of the City Police in avoiding and minimizing the use of lethal force. The table below shows officer involved shooting statistics for the last twenty years.

Year	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004
# of Incidents	2 (to date)	1	0	4	3	2	0	5	2	3	4
Year	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994	
# of Incidents	2	1	5	1	7	4	0	5	4	3	
20 Year Total			Per year Average			High		Low			
58			2.8			7		0			

Attachment A is a chart that compares officer-involved shootings with a range of other municipalities.

The following related officer training curriculums are also included:

- Mental Health Training 1010: Understanding Human Behavior & Mental Illness

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- Mental Health Training 1020: Introduction to the Crisis Intervention Team
- Mental Health Training 1030: Response to the Mental Health Crisis
- Mental Health Training 1040: Management & Recognition of Excited Delirium/Agitated Chaotic Event
- PTRL (Patrol): Conflict Resolution
- PTRL (Patrol): Basic Use of Force
- Salt Lake City Police Academy: Conflict Resolution
- Salt Lake City Police Academy: In Custody Death & Ripp Hobble Restraints
- International Association of Chiefs of Police (COPS) Report: Emerging Use of Force Issues
- Chief's Order: Updates to Policy III-310 Use of Force and III-680 Reports

Because the Council requested information on how additional funds could be spent to support officer training regarding the use of force, the following information is submitted:

Use of Force Training Simulator

While the Police Department already has clear policy regarding use of force, and has historically held officers accountable for use of force, realistic and practical training will always be an ongoing need and will evolve as technology changes. Studies have shown that better training, disciplinary action, policy and political representation can reduce the number of police shootings. As officers are trained and become comfortable with tools and tactics they become better at making critical decisions. New use of force training simulators help officers practice making critical decisions involving varying levels of force. The simulators help teach officers effective solutions to many varying problems. Initial costs are estimated to be around \$150,000. There would also be some annual cost to maintain a service contract for the equipment.

Public Engines Command Central

In order to enhance our ability to analyze crime patterns, and deploy resources in a more efficient manner while also sharing this information with the public, the department has been evaluating crime analysis programs. In the Public Engines system, citizens can see crime on a graphical user interface map. Current information can also be displayed in various reports that can be provided to council members and citizens so they can easily see crime patterns and identify problems to look for in their community. If a neighborhood is seeing a rise in violent crime, or a problem with burglaries or other crimes, citizens can become more vigilant and report related suspicious activity. This would allow us to better partner with the community by increasing transparency and improving our community policing partnership, addressing crimes and those who perpetrate them before they become entrenched and violent. This would involve a \$35,000 annual recurring charge.

Respectfully,



Chris Burbank
Chief of Police

**Attachment A
OFFICER INVOLVED SHOOTINGS**

CITY	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014 (to date)
SLC	5	1	2	4	3	2	5	0	2	3	4	0	1	2
ALB													8	6
CHI									57	44	58	57	43	27
DEN	7	7	10	4	1	6	10	7	4	6	3	3	9	6
HOU													25	
LA									63	56	66	38	13	
LB													14	
LV											25	18	7	13
NOR													3	4
NYC											36	45		
PITT													12	
PHO								26	14	18	20	18	32	
POR														
SEA												1	6	

* Only partial data was found for most of the listed cities. If a slot is blank, it is because the information was unavailable. If the number was 0, it is listed that way.

This information is derived from internet searches of police agencies and media reporting.

UNDERSTANDING HUMAN BEHAVIOR AND MENTAL ILLNESS MHT 1010

COURSE GOAL

This course is designed to help the cadet gain an understanding of basic principles related to the study of human behavior. This course is the first of a series in the Mental Health Training (MHT) block. It is designed to give the cadet a foundation of knowledge and skills to assist in responding to individuals who may be suffering from mental illness or are in an emotional or behavioral crisis. Many people, including peace officers have misconceptions about people with mental illnesses. Components of this block of training are designed to clarify these misconceptions.

COURSE DIRECTION

This course shall be taught by those who are certified as Crisis Intervention Team (CIT) officers. These instructors may utilize local health care professionals to assist in delivering this course. Instructors should emphasize that it is not the role of law enforcement to diagnose mental illness, but officers need to have an understanding of these principles to assist them in determining a proper response to those who appear to be exhibiting abnormal behaviors utilizing the best practices.

LEARNING OBJECTIVES

DEFINITIONS MHT 1010.101

The cadet will define mental health, disability and mental illness, and recall the mental illness facts listed below.

- ◆ Mental health is a relative term and means different things to many people. In general, mentally healthy people have a positive self-image and can relate successfully to others. Mental health is the ability to integrate to ones environment and is reflected in:
 - Solid personal relationships
 - Satisfaction in living
 - Success and achievements
 - Flexibility and coping skills
 - Maturity
- ◆ Disability refers to a physical or mental impairment that substantially limits one or more major life activities.
- ◆ The term mental illness is not easily defined. It describes a group of distinct disabilities characterized by disturbances in thinking, feeling and relating. Like mental health, mental illness is a relative term meaning that it can affect different

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UNDERSTANDING HUMAN BEHAVIOR AND MENTAL ILLNESS MHT 1010

people in different ways. Symptoms do not necessarily progress in a clearly defined manner as they do with many physical illnesses.

- Mental illness can affect people of any age and in any family
- Mental illness can vary in severity from mild to serious
- Mental illness can affect children, young adults or older adults
- Mental illness may not be permanent
- ◆ The National Institute of Mental Health reports that one in seventeen (1/17) Americans live with serious mental illness and it affects every section of the population.
- ◆ The National Institute of Mental Health reports that one in four (1/4) adults experience a mental health disorder in a given year.
- ◆ The U.S. Surgeon General reports that ten percent (10%) of children and adolescents in the United States suffer from serious emotional and mental disorders causing severe impairment of their day-to-day lives.
- ◆ The World Health Organization reports that by 2020, Major Depressive illness will be the leading cause of disability in the world for women and children.

DEVELOPMENTAL DISABILITIES AND NEUROLOGICAL DISORDERS MHT 1010.102

The cadet will explain the difference between developmental disabilities and mental illness. The cadet will list the characteristics of people who have autism and a developmental disability. The cadet will list the other neurological disorders that can be confused with mental illness.

- ◆ Autism is characterized by one or more of the following:
 - Severe disorders of communication and behavior that begin in early childhood, usually prior to age three (3)
 - Difficulty communicating or relating to people
 - Non-responsiveness to sound – the person appears not to hear
 - Lack of interest in nearby people or objects
- ◆ Developmental disabilities (known formerly as mental retardation) are one of the nation's leading disabling conditions affecting more than 7.5 million children and adults.
 - The vast majority of people who have developmental disabilities are capable of living full and productive lives.

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UNDERSTANDING HUMAN BEHAVIOR AND MENTAL ILLNESS MHT 1010

- A developmental disability is not a disease and it should not be confused with mental illness. It is permanent although the degree of disability can be lessened with appropriate support.
- ◆ Other neurological disorders that can be confused with mental illness include and are not limited to:
 - Seizure disorders including epilepsy – occurs through disturbed electrical rhythms of the brain that may result in a seizure.
 - Cerebral palsy is a disorder of posture and movement due to dysfunction of a portion of the brain. People may have difficulty in controlling muscle coordination and often speech, hearing and vision are affected.
 - Alzheimer's disease is primarily found in an aging population and is characterized by confusion, loss of memory and disorientation.
 - A stroke is caused by a brain hemorrhage or blood clot and can be identified by having a person smile, talk, raise both arms and stick their tongue out.
 - watch for a crooked smile, listen for the person to speak a simple sentence and see if the person can raise both arms. A crooked tongue can be an indicator of a stroke.
 - Brain injuries are usually a result of an accident and the person may be highly irritable or impulsive.

SPECIFIC MENTAL ILLNESSES MHT 1010:103

The cadet will recall five specific mental illnesses that will commonly be encountered during the various law enforcement functions and list signs and symptoms for each. Although there are many categories of mental illnesses, this objective will provide information on five (5) specific categories most applicable to law enforcement.

- ◆ Schizophrenia is a term used to describe a complex and extremely puzzling condition. Schizophrenia can be viewed as deterioration in one's personality to a point where feelings, thoughts and behavior are not coherent and the person may demonstrate the lack of involvement in the care of hygiene, nutrition and shelter. Important facts about schizophrenia include:
 - It is one of the most chronic and disabling of the major mental illnesses.
 - Affects men and women with equal frequency.
 - Symptoms are often seen in the early teens or twenties in men and the twenties and thirties in women.
 - Medication is the most common treatment.

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UNDERSTANDING HUMAN BEHAVIOR AND MENTAL ILLNESS MHT 1010

- When treated, most people who have schizophrenia are no more violent than people who do not have the illness
- Not the same as “split personality” which is a different disorder
- People with schizophrenia are often withdrawn and isolated from others.
- ◆ Mood disorders are severe depression and bipolar disorders (also known as manic depression).
 - Severe depression causes one to suffer so that interest in pleasure and activities is lost. Unlike the normal down or depressed feelings everyone experiences at one time or another, major depression is a biologically based illness that can last for years. Severe episodes can cause the person to have hallucinations or delusions.
 - Manic depression, also known as bipolar disorder, involves extreme and rapid mood swings with depression alternating with periods of mania or elation. Symptoms can include: hyperactivity, explosive temper, impaired judgment, increased spending and sex drive, aggressive behavior, grandiose notions and often delusions.
 - The possibility of suicide is the most serious complication of depressive disorders. Not all who suffer depressive disorders attempt suicide, nor are all those who attempt suicide suffering from a depressive disorder.
- ◆ Anxiety disorders – Most anxiety is a normal unavoidable part of life and when it becomes too severe to control, it can be considered a mental illness. These types of disorders are often referred to as a phobia or an anxiety disorder and interfere with everyday functioning. Three types of anxiety disorders are:
 - Simple phobia – the fear significantly interferes with the person’s normal routine or relationships. The person recognizes that their fear is excessive or unreasonable
 - Panic disorder – similar to phobia in that a specific object or situation causes unreasonable fear and is accompanied by at least four of the following symptoms:
 - shortness of breath
 - dizziness or unsteady feelings
 - palpitations or increased heart rate
 - trembling or shaking
 - sweating

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UNDERSTANDING HUMAN BEHAVIOR AND MENTAL ILLNESS MHT 1010

- choking
- nausea or abdominal distress
- numbness or tingling sensations
- hot flashes or chills
- chest pain
- fear of going crazy or doing something uncontrolled
- Obsessive compulsive disorder – causes the person to exhibit either obsessions or compulsions
- ◆ Dissociative Disorders
 - Multiple personality disorder – usually a rare dissociative reaction in which the person develops two or more distinct personalities.
 - Psychogenic fugue – a personality dissociation characterized by amnesia and sudden, unexpected travel away from one's home or usual customary place of work and may involve:
 - an assumption of a new identity and/or;
 - the inability to recall previous identity
 - Amnesia – the sudden inability to recall important personal events and information- can appear suddenly stressed.
- ◆ Personality Disorders
 - People with personality disorders suffer from a mental disorder characterized by deeply ingrained, inflexible, maladaptive patterns of relating, perceiving and thinking. They often remain in touch with reality and do not have delusions or hallucinations, but their disorder often interferes with functioning.
 - There are several different types of personality disorders and treatment for the disorders is difficult. Some traits of these disorders include, but are not limited to:
 - lack self control
 - failure to learn from past mistakes
 - lack good judgment
 - lack morals or ethical values
 - provoke trouble, often breaking the law
 - selfish
 - prodigious liars
 - manipulative and are often con artists

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REVISED 05/28/2014

UNDERSTANDING HUMAN BEHAVIOR AND MENTAL ILLNESS MHT 1010

UNDERSTANDING AND RECOGNIZING CRISIS BEHAVIOR MHT 1010.104

The cadet will list and explain the following factors regarding the nature of the crisis behaviors law enforcement personnel will often encounter.

- ◆ Crisis behavior results when a person suffers a temporary breakdown in coping skills that include perception, decision making and problem solving ability.
- ◆ Generally, healthy people who are in crisis often fear they are becoming mentally ill.
- ◆ Temporarily distorted perceptual process should not be confused with mental illness. A person in crisis suffers from a temporarily distorted perceptual process as their usual pattern of thinking is disturbed. After the crisis is resolved, the person usually returns to a normal perception very rapidly.
- ◆ When a usually healthy person is in crisis, they will often seek help from others to compensate from the temporary inability to cope. By doing so they demonstrate they understand they are in crisis and they remain in touch with reality. This distinguishes them from people with mental illness.
- ◆ Anyone can suffer from a crisis-both individuals who are mentally healthy and those who are ill. Crisis can vary with time, place and the person. Some examples are:
 - A person locked out of their house
 - Loss of a job
 - Victim of a serious crime

UNDERSTANDING HUMAN BEHAVIOR AND MENTAL ILLNESS MHT 1010

DIFFERENCES BETWEEN DEVELOPMENTAL DISABILITIES AND MENTAL ILLNESS MHT.1010.105

The cadet will recall the following list to contrast those who suffer from mental illness versus those who have a developmental disability.

Developmental Disabilities	Mental Illness
Refers to significantly below average intellectual functioning.	Has nothing to do with intelligence.
Refers to impairment in social adaptation.	Characterized by disturbances in thinking, feeling and relating to others or the environment.
Usually occurs during early development or is present at birth. A brain injury or toxemia may cause a developmental disability disorder at any age.	Can strike anyone at any time.
A developmental disability is permanent, but can be compensated for through education and development.	Mental illness may be temporary or chronic. Episodes may ebb and flow.
A person with a developmental disability can usually be expected to behave rationally at their operational level.	A person with a mental illness may vacillate between normal and irrational behavior. Some people with mental illness may be erratic or violent especially when not undergoing treatment.

IMPORTANCE OF UNDERSTANDING HUMAN BEHAVIOR FOR LAW ENFORCEMENT MHT.1010.106

The cadet will list the following reasons why gaining an understanding of human behavior and applying that understanding to the law enforcement profession is important.

- ◆ Law enforcement personnel who understand basic human behavior will gain a greater personal psychological mindedness to deal with hazards such as:
 - Burnout
 - Suicide
 - Negative effects of stress
 - Officer safety

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UNDERSTANDING HUMAN BEHAVIOR AND MENTAL ILLNESS MHT 1010

- ◆ Greater understanding of the influences may potentially decrease the stress on the family; reducing the chances for divorce and child delinquency.
- ◆ Understanding of fellow officers helps to increase positive work relations, the breakdown of boundaries and the increase of positive ethics.
- ◆ Greater insight into the behavior of the public.
- ◆ Greater understanding of those who enter the criminal justice system as suspects, repeat offenders, deviants and those who suffer from mental illness and the ability to properly respond to each.

ASSESSMENTS

- ❖ The concepts presented in this course will be assessed through intermediate and certification exams and reinforced through scenario training.

PREREQUISITES

None

REFERENCES

Police Executive Research Forum, (1997). *The Police Response to People with Mental Illnesses*. Retrieved May 7, 2014, from Trainers Guide and Model Policy:
<http://www.ptb.state.il.us/resources/mentalillness/mpolicerresponse.pdf>

ATTACHMENTS/HANDOUTS

INTRODUCTION TO THE CRISIS INTERVENTION TEAM

MHT.1020

COURSE GOAL

The cadet will develop a working knowledge of the capabilities of the Crisis Intervention Team (CIT) and will be able to identify situations where CIT should be called out. The cadet will also gain skills to assist in successfully handling situations involving persons amid mental health crisis.

COURSE DIRECTION

This course is designed to introduce the cadet to CIT, mental health situations, and possible patrol encounters. This course shall be taught by an individual who has been certified at the CIT academy and has patrol experience dealing with individuals in mental health crisis.

LEARNING OBJECTIVES

CRISIS INTERVENTION TEAM BASICS MHT 1020.101

The cadet will identify why CIT was developed. Cadets will receive an overview of the CIT certification program, which is much more involved and time intensive than this course and includes certification and practical examinations not included with this course.

- ◆ Crisis Intervention Team Training
 - Designed to educate and prepare officers for contact with people with severe mental illnesses
 - Trained to recognize the signs and symptoms of possible mental illness in order to respond effectively and safely
 - Encourages officer understanding and compassion

OVERVIEW OF THE CIT PROGRAM MHT.1020.102

The cadet will be able to list how the CIT program benefits Utah law enforcement and gain an understanding of how it is administered throughout the state.

- ◆ The CIT program began development in the year 2000 when leaders from state and local agencies created a committee to evaluate how law enforcement responds to and handles mental health issues. Original committee members included officers from the following agencies:
 - Salt Lake City Police Department
 - National Alliance on Mental Illness (NAMI), Utah Chapter
 - Veteran's Administration

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INTRODUCTION TO THE CRISIS INTERVENTION TEAM

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- The Utah Division of Substance Abuse and Mental Health
- University of Utah Medical Center
- Salt Lake City Grants Office
- ◆ In April of 2001, the first CIT academy was held after Salt Lake City officers received training from the Memphis Police Department's CIT Academy.
- ◆ The State of Utah Division of Substance Abuse and Mental Health is the host sponsor of the CIT program and The Salt Lake City Police Department is the administering agency for Utah.
- ◆ At least ten (10) regions across the state conduct CIT sponsored training academies in conjunction with local mental health providers, hospitals and local community resources.

BENEFITS OF CIT PROGRAM MHT.1020.103

The cadet will recall the benefits of the Utah CIT program to include, but not limited to:

- ◆ The reduction of criminal recidivism by mental health consumers
- ◆ Dispositions of mental health calls are more appropriate
- ◆ Officer injury and use of force rates are reduced
- ◆ Officers are better trained to understand legal and liability issues surrounding mental health response
- ◆ Mental health consumers and their family members report having positive experiences with officers who are CIT certified.

Information referenced from CIT Utah History and Benefits webpage
<http://www.citutah.com/page-1139882>

GOALS OF THE CIT PROGRAM MHT.1020.104

The cadet will recall the goals of the CIT program to include:

- ◆ Establishing a cadre of CIT law enforcement officers within all jurisdictions throughout Utah.
 - The goal of the law enforcement responder is to safely de-escalate the situation
 - Often times law enforcement officers are the first to respond when a person is experiencing a mental health crisis
 - Historically, mental health training has been minimal and the implementation of CIT training and mental health response

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INTRODUCTION TO THE CRISIS INTERVENTION TEAM

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training has become a high priority for the law enforcement professional

- ◆ Another goal of the CIT training is to assist in establishing a mental health response system that includes members of law enforcement as integral members of the system.
 - Specially trained officers gain knowledge and best practice response methods to assist in interacting to those who are suffering from mental illness or are in crisis
 - CIT trained officers understand what mental health resources are available in their local communities to assist in providing long term solutions for mental health and crisis calls

THE CIT ACADEMY MHT 1020.104

The cadet will list the areas in which an officer who is trained in CIT will gain knowledge to apply to a situation involving someone experiencing a mental illness or crisis.

- ◆ CIT academy students receive training in:
 - Clinical disorders
 - Psychotropic medications
 - Personality disorders,
 - Substance abuse
 - Co-occurring disorders
 - Commitment laws
 - Developmental disabilities
 - Voices simulation
 - Community resources
 - Family and consumer perspectives
 - Intervention strategies
- ◆ Officers who wish to become CIT certified must:
 - Demonstrate skills through scenario based testing
 - Pass a State of Utah Crisis Intervention Team written exam
 - Certification issued by the Division of Substance Abuse and Mental Health
 - valid for two years
 - Officers must attend four hours of training every two years to maintain certification

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INTRODUCTION TO THE CRISIS INTERVENTION TEAM

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CRISIS INTERVENTION MHT 1020.105

The cadet will list the following functions that may be performed by a certified CIT member:

- ◆ Response
 - Most CIT certified officers respond to day-to-day calls, but will respond to those calls involving individuals with mental illness or experiencing a crisis either as a primary or secondary officer.
- ◆ Suicide Assessment
 - CIT certified officers are trained and have experience in recognizing certain suicidal behaviors and tendencies that are exhibited by a suicidal individual Note – it is not the goal of the CIT certified officer to diagnose specific mental health conditions, but to understand and make decisions with the intent provide the safest outcome of the situation
- ◆ Assessing Lethality
 - Officer safety is foremost on any call and this emphasis is maintained during all aspects of training (including the scenario training)

ASSESSMENTS

- ❖ The concepts presented in this course will be assessed through scenario training and certification exams.

PREREQUISITES

- ❖ None

RESPONSE TO THE MENTAL HEALTH CRISIS

MHT 1030

COURSE GOAL

This course is designed to help the cadet understand that normal, abnormal and deviant behaviors are complex matters partly determined by societal standards and cultural contexts. The cadet will develop recognition of certain serious disorders of behavior to help in determining the best response to the behavior. This course is the second of a series in the Mental Health Training (MHT) block. It is designed to give the cadet a foundation of knowledge and skills to assist them when responding to those who are suffering a mental health crisis.

COURSE DIRECTION

This course shall be taught by those who are certified as Crisis Intervention Team (CIT) officers. These instructors may utilize local health care professionals to assist in delivering this course. Instructors should emphasize that it is not the role of law enforcement to diagnose mental illness, but officers need to have an understanding of these principles to assist them in determining a proper response to those who appear to be exhibiting abnormal behaviors utilizing the best practices.

LEARNING OBJECTIVES

MENTAL HEALTH RESPONSE DEFINITIONS MHT.1030.101

The cadet will define the following terms relating to reacting and responding to individuals who are in crisis or appear to be suffering from a mental illness.

- ◆ Crisis Intervention Team (CIT) – A partnership between the police, telecommunicators, mental health professionals and the community that seeks to achieve the common goals of safety, understanding, and service to persons in crisis, the mentally ill, and their families.
- ◆ CIT Officer – A law enforcement officer trained and certified in first response crisis intervention. The CIT officer works in partnership with the community mental health care system.
- ◆ Crisis Incident – Any call in which an individual would benefit from the specialized knowledge of the CIT member. Crisis incidents include, but are not limited to, calls involving persons known to have mental illness who are experiencing a crisis; persons displaying behavior indicative of mental illness with attempted or threatened suicides; calls involving gravely disabled individuals; or calls in which individuals may be experiencing emotional trauma.
- ◆ Mentally Ill – A person who has a mental or emotional condition, which has substantial adverse effects on their ability to function, and who requires care

UTAH PEACE OFFICER STANDARDS AND TRAINING

RESPONSE TO THE MENTAL HEALTH CRISIS

MHT 1030

and treatment. Persons who are alcohol or drug dependent are excluded from this category because they would unlikely be receptive to intervention efforts.

- ◆ Gravely Disabled – A condition in which a person, as a result of mental or physical impairment, is in danger of serious harm as a result of an inability or failure to care for their own human needs, and the person is mentally incapable of determining whether or not to accept treatment.
- ◆ Incapacitated person – A condition in which a person is, as a result of alcohol or drug use, judgment impaired, so they are incapable of realizing and making a rational decision regarding the need for medical treatment.

FACTS REGARDING MENTAL ILLNESS AND RECOVERY MHT.1030.102

The cadet will list the following important facts regarding mental illness as a serious medical condition.

- ◆ Treatments for serious mental illness are highly effective. Between seventy (70) and ninety (90) percent of individuals have a reduction of symptoms and improved quality of life with a combination of pharmacological and psychosocial treatments. Mental illness often times cannot be overcome through willpower alone.
- ◆ Early identification and treatment is vital for an individual to start the recovery process. Law enforcement can have a positive impact by:
 - Not allowing a stigma towards those who suffer with mental health issues to prevail in the response. (Information taken from the National Alliance on Mental Illness http://www.nami.org/template.cfm?section=about_mental_illness)

SUBSTANCE ABUSE AND MENTAL HEALTH ACT MHT.1030.103

The cadet will recall the following aspects of the Utah Substance Abuse and Mental Health Act to include definitions, requirements and procedures for temporary commitment of an individual.

- ◆ 62A-15-602 – Definitions
 - “Commitment to custody of the local mental health authority” means an adult is committed to the custody of the local mental health authority
 - “Local comprehensive community mental health center” means an agency or organization that provides treatment and services to

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residents of a designated geographic area, operated by or under contract with a local mental health authority...

- “Mental health facility” means the Utah State Hospital or other facility that provides mental health services under contract with the division...
 - “Mental illness” means a psychiatric disorder as defined by the current edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association which substantially impairs a person’s mental, emotional behavioral or related functioning.
 - “Patient” means an individual under commitment to the custody of, or to the treatment services of a local mental health authority.
 - “Substantial danger” means the person’s behavior, due to mental illness, is at serious risk to:
 - Commit suicide
 - Inflict serious bodily injury on himself or herself; or
 - Because of his or her actions or inaction, suffer serious bodily injury because he or she is incapable of providing the basic necessities of life such as food, clothing and shelter...
 - “Treatment” means psychotherapy, medication, including the administration of psychotropic medication, and other medical treatments that are generally accepted medical and psychosocial interventions for the purpose of restoring the patient to the optimal level of functioning...
- ◆ 62A-15-629 Temporary Commitment Requirements and Procedures
- An adult may be temporarily, involuntarily committed to a local mental health authority upon:
 - A reasonable person who has reason to know the individual is likely to cause serious injury to self or others if not immediately restrained...
 - A certification by a licensed physician or designated examiner having an opinion the individual has a mental illness and is likely to injure self or others if not immediately restrained.
 - Application or certification of a peace officer to take an individual into custody and transport the individual to that authority’s designated facility.
 - If a peace officer observes a person involved in conduct that gives the officer probable cause that person has a mental illness as defined in

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62A-15-602 (above), and there is substantial likelihood of serious harm to that person or others...The peace officer shall transport the person to the designated facility of the appropriate local mental health authority...The application shall be on prescribed form and include:

- A statement by the officer based on the officers observation of the mental health illness
 - The specific nature of the danger
 - A summary of observations upon which the statement of danger is based
 - A statement of facts which called the person to the attention of the officer
- A person committed under this section may be held for a maximum of 24 hours, excluding Saturdays, Sundays, and legal holidays. At the expiration of that time, the person shall be released unless application for involuntary commitment has been commenced pursuant to Section 62A-15-631.
 - If a person requires medical attention, the peace officer shall direct that transportation be made to the appropriate medical facility for treatment.
- ◆ 62A-15-631(6) Proceedings for commitment of an individual under the age of 18 years to the division may be commenced by filing a written application with the juvenile court...

SUBSTANCE ABUSE AND DRUG DEPENDENCE MHT 1030.104

The cadet will define and understand the difference between drug abuse and drug dependence. The cadet will also recognize the difference between psychotropic drugs and medications that will most commonly be dealt with while on patrol.

- ◆ Substance abuse defined – A pattern of use leading to impairment or distress one to two times within a 12 month period.
- ◆ Substance dependence defined – A pattern of use leading to impairment or distress three or more times within a 12 month period.
- ◆ Psychotropic drugs
 - Alcohol
 - LSD
 - Marijuana
 - Methamphetamine

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RESPONSE TO THE MENTAL HEALTH CRISIS

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◆ Psychotropic medications

- Thorazine
- Prozac
- Valium
- Lithium
- Ritalin
- Paxil
- Zoloft, etc.

RESPONDING TO INDIVIDUALS WITH SUSPECTED MENTAL ILLNESS

MTH.1030.105

When faced with a person in crisis or suffering from a mental illness, the cadet will recall the goal of law enforcement's response to include the following:

- ◆ Recognize those in crisis and seek a safe de-escalation
 - Use of verbal skills
 - Officer safety awareness maintains priority
- ◆ Consider transport to a psychiatric facility – locations and protocol varies throughout the state
- ◆ Consider arrest as outlined in Utah Code 62A-15-602 or for other criminal violations.
- ◆ Consider utilizing officer's who are CIT certified for assistance in responding

MENTAL HEALTH RESPONSE TRAINING SCENARIO AND ROLE PLAY

MTH 1030.106

The cadet will participate in scenario training focused on individuals who are in crisis or suffering from mental illness. The scenarios should include, but not be limited to, the following situations and role plays.

- ◆ A family member, friend, or other concerned person calls the police for help during a psychiatric emergency.
- ◆ A person with mental illness feels suicidal and calls law enforcement for help.
- ◆ Law enforcement encounters a person with mental illness behaving inappropriately in public.
- ◆ Citizens contact law enforcement because they feel threatened by the unusual behavior or the mere presence of a person with mental illness.

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- ♦ A person with mental illness calls the police for help because of imagined threats.

ASSESSMENTS

- ❖ The concepts presented in this course will be assessed through intermediate and certification exams.

PREREQUISITES

None

MANAGEMENT & RECOGNITION OF EXCITED DELIRIUM/AGITATED CHAOTIC EVENT™

MHT.1040

COURSE GOAL

The goal of this course is to educate cadets about excited delirium syndrome and the potential it has to lead to sudden death. Cadets will learn to identify physical signs and behavioral cues of excited delirium or agitated chaotic event.

COURSE DIRECTION

This course will address the need for law enforcement to understand, recognize the signs of, and employ strategies to reduce the risk of sudden death in those who exhibit signs of excited delirium.

LEARNING OBJECTIVES

DEFINITION OF SUDDEN IN-CUSTODY DEATH MHT.1040.101

The cadet will define sudden and in-custody death

- ◆ Sudden Death:
 - Unexpected cardiac death of individuals who were in stable medical condition less than 24-hours previously with no evidence of a non-cardiac cause. (Chan, T. 2006)
- ◆ In-Custody Death:
 - Any unintentional death that occurs while a subject is in police custody. Such deaths usually take place after the subject has demonstrated bizarre and/or violent behavior, and has been restrained. (Krosch, Binkerd, & Blackroune, 1992)
 - Death in Custody Reporting Act (D.I.C.R.A. 2000) defines an in-custody death as:
 - The death of a person in the process of arrest,
 - En route to be incarcerated,
 - Or incarcerated at a ... correctional facility
 - Including juvenile facility

HISTORY OF SUDDEN DEATH MHT.1040.102

The cadet will identify the historical cases of sudden death and explain how specific police tactics have been associated with reported cases of sudden in-custody death.

- ◆ Historical explanations for sudden death
 - "Bell's Mania" or "exhaustive Mania"; first described by Luther Bell in 1849

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- Mania and fever
- Exhaustion due to mental excitement
- Neuroleptic Malignant Syndrome (NMS) – 1960
 - Fatal complication of antipsychotic drugs
- Cocaine Psychosis – 1980's
 - First recognized in “crack” cocaine users
 - Hyperthermia
 - Elevated core body temperature
 - Drug toxicity
 - Most commonly cocaine, PCP, methamphetamine or amphetamine
 - Catecholamine-induced fatal cardiac arrhythmias
- Excited Delirium – 1985
 - Agitated Chaotic Event™
- ♦ Law enforcement tactics historically blamed for sudden in-custody deaths
 - Lateral Vascular Neck Restraint (LVNR) – Choke Holds
 - Positional asphyxia – Hog Tying
 - Oleoresin Capsicum (OC) Spray – Pepper Spray
 - Electronic Control Devices (ECD) – Taser

PHYSICAL SIGNS AND BEHAVIOR FORESHADOWING SUDDEN DEATH

MHT.1040.103

The cadet will list the following physical signs and behavioral cues, which may help identify a person at high risk for sudden death.

- ♦ Physical Signs
 - Dilated pupils
 - Profuse sweating
 - Hyperthermia – High core body temperature (103° F to 110° F)
 - Skin discoloration (redness or flushing)
 - Large belly
 - Foaming at mouth (rare, but could be visible)
 - Uncontrollable shaking, shivering (may indicate substance withdrawal)
 - Respiratory distress (difficulty breathing)
- ♦ Psychological Behaviors
 - Demonstrates intense paranoia

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- Demonstrates extreme agitation
- Rapid emotional changes (laughing, crying, sadness, anger, panic, etc.)
- Disoriented about place, time, purpose
- Disoriented about self (visions of grandeur)
- Hallucinations
- Delusional
- Scattered ideas about things
- Easily distracted (cannot follow commands)
- Psychotic in appearance
- Described as “just snapped” or “flipped out”
- Makes people feel uncomfortable
- ◆ Communication Behaviors
 - Screaming for no apparent reason
 - Pressured, loud incoherent speech (mumbling)
 - Grunting; guttural sounds
 - Talks to invisible people
 - Irrational speech
- ◆ Physical Behaviors
 - Demonstrates violent behavior (toward others or objects)
 - Demonstrates bizarre behavior
 - Demonstrates aggression toward inanimate objects (glass, mirrors, shiny objects)
 - Running into traffic
 - Running for no apparent reason
 - Running wildly
 - Naked or stripping off clothing (trying to get cool)
 - Apparent super human strength
 - Seemingly unlimited endurance (fails to get tired)
 - Resists violently during capture, control, and restraint
 - Resists violently after being restrained
 - Muscle rigidity (stiff arm may not be resistance)
 - Diminished sense of pain (OC may have no effect)
 - Insensitivity to pain (baton strikes ineffective)

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- Self-induced injuries (cuts self with sharp objects)
- Says “I can’t breathe” (indicates respiratory distress leading to respiratory arrest)

SUDDEN DEATH PRE-DISPOSING FACTORS MHT.1040.104

The cadet will identify the following pre-disposing factors for sudden or in-custody death. (These factors will likely remain unseen and unknown until medical assessment or autopsy)

- ◆ High Body Mass Index (BMI) – Obesity
- ◆ Prior cardiac or respiratory problems
- ◆ Past or present use of illicit drugs especially cocaine, methamphetamine, ecstasy, PCP or LSD
- ◆ Failure to take prescription or overdose of prescription drugs
- ◆ Dehydration
- ◆ Hypoglycemic (low blood sugar)
- ◆ Psychiatric disease
- ◆ Head Injury
- ◆ Brain Disorder-Maladapted dopamine transporter

TACTICS THAT MAY INCREASE RISK OF SUDDEN DEATH MHT.1040.105

The cadet will list the following law enforcement tactics that may aggravate the risk factors for sudden death.

- ◆ Restraining a subject in a prone (face down) position vs. restraining a subject face up
- ◆ Placing officer’s body weight on the restrained subject’s back or chest
- ◆ Hogtie or hobble in prone restraint position.
- ◆ Subject pushed forward with the chest on, or close to, the knees
- ◆ Restraint hold around the subject's neck

RECOGNITION AND INTERVENTION MHT.1040.106

The cadet will list the four common phases of excited delirium leading to sudden death and list actions that should be taken to reduce the risk of sudden death.

- ◆ Excited Delirium Phases
 - Hyperthermia – elevated temperature, sweating
 - Agitated Delirium

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- Respiratory distress – Respiratory Arrest
- Cardiac Arrest – Death
- ♦ Intervention
 - Recognize incident as a medical emergency
 - Activate EMS
 - Plan response on scene with other officers and EMS providers
 - Capture subject rapidly as possible to stop physical activity and minimize physical stress to subject
 - Consider:
 - Multiple officer response
 - Pepper spray (may not be effective)
 - Electronic control devices – Taser
 - Restrain the Subject
 - Restrain while under power of ECD if necessary
 - Move to non-prone position soon as possible
 - Emergency medical treatment on-scene by properly trained and authorized providers
 - Chemical sedation where authorized
 - Monitor/support airway and breathing
 - Control body temperature
 - Oximetry (measure of blood oxygen level)
 - Cardiac monitoring
 - Check blood glucose
 - Fluid support
 - Treatment for rhabdomyolysis
 - Immediate transport to medical facility
 - Transport by Ambulance
 - Non-prone position
 - Do not transport to a law enforcement or correctional facility prior to a complete evaluation at a medical facility
 - Transport in law enforcement vehicle only if ambulance is unavailable and a second officer accompanies to constantly monitor the subject
- ♦ Sudden cessation of struggling should be seen as a significant warning sign as it may immediately precede respiratory arrest

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MHT.1040

DOCUMENTING ARREST MHT.1040.107

The cadet will identify the importance of documenting through report writing the steps taken to prevent sudden death by describing the following:

- ◆ Date, time, and location of the event
- ◆ What was observed upon arrival at the scene
- ◆ Subject's behavior and appearance
- ◆ Communication with subject, actual and attempted
- ◆ Initial force used to control subject
- ◆ Whether initial force was effective or force had to be escalated
- ◆ How the subject was restrained
- ◆ Subject's behavior during restraint attempts
- ◆ Resistance offered by subject
- ◆ Subject's position and condition after being subdued
- ◆ Medical assistance rendered – by whom
- ◆ Subject's behavior during preparation for transport
- ◆ Transportation of subject – method, position, restraints
- ◆ Subject's behavior during transport
- ◆ How the subject was monitored during transport
- ◆ Facility providing medical evaluation/mental health observation
- ◆ Pertinent witness information
- ◆ Injuries received during the event – subject, officers, and others
- ◆ Agency and names of police, fire, and EMS personnel who responded

POST IN-CUSTODY DEATH INVESTIGATION MHT.1040.108

The cadet will identify the importance of conducting a thorough investigation and list critical factors that should be considered in the investigation to include:

- ◆ History of illicit substance use
 - Chronic or long term
 - Past or current
- ◆ Prescription medications
 - Prescribed dosage and amounts actually taken
- ◆ Reconstruction of subject's life in days or weeks preceding event
- ◆ Mental health or mental illness history

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MHT.1040

- ◆ History of traumatic injuries especially head injury

ASSESSMENTS

- ❖ The concepts presented in this course will be assessed through a certification exam. Objectives will be included in scenario training to reinforce concepts taught.

PREREQUISITES

- ❖ FND.1060 Introduction to Defensive Tactics

References: Agitated Chaotic Event is a registered trademark of the Institute for the Prevention of In Custody Deaths, INC. John G. Peters, President.

Material in this curriculum provided by the Institute for the Prevention of In-Custody Deaths, INC. John G. Peters, President.

MANAGEMENT & RECOGNITION OF EXCITED DELIRIUM/AGITATED CHAOTIC EVENT™

MHT.1040

UTAH PEACE OFFICER STANDARDS AND TRAINING

REVISED 01/17/2014

CONFLICT RESOLUTION

PTRL.1020

COURSE GOAL

The cadet will demonstrate a working knowledge and understanding of how to successfully resolve conflict using the principles taught in this course. Since conflict is a central feature of the profession, successful resolution of different types of conflict are an expectation of the public, peers, and offenders.

COURSE DIRECTION

This course is designed to introduce the cadet to the concept of conflict resolution and how it can be utilized to reduce the need for physical force. This course should be taught by a peace officer that has conflict resolution experience.

LEARNING OBJECTIVES

UNDERSTANDING CONFLICT PTRL.1020.101

The cadet will list the dynamics that contribute to conflict, list the components of conflict resolution, and define the goal of conflict resolution.

- ◆ The goal of conflict resolution is to resolve conflict
- ◆ Various dynamics contribute to the development of conflict, to include:
 - Loss of trust
 - Differing perceptions
 - Competition for resources
 - Communication ambiguities
- ◆ The three main components of conflict resolution are:
 - The public
 - The officer
 - The offender

FORCE OPTIONS PTRL.1020.102

The cadet will list the following elements of the relationship between use of force options and conflict resolution.

- ◆ The relationship between the need for law enforcement action and the level of cooperation of the offender, determines the response of the officer.
 - Response must be balanced
- ◆ The three levels of conflict resolution are:
 - Non-verbal intervention
 - Verbal intervention

UTAH PEACE OFFICER STANDARDS AND TRAINING

CONFLICT RESOLUTION

PTRL.1020

- Physical intervention
- ◆ Successful conflict resolution depends on the ability of the officer to choose, from a wide range of options, those tactics which best fit the totality of the situation
- ◆ Force options and the officer awareness color code are tied together; as the color code increases the use of some type of force becomes more likely to occur
 - Color code review
 - White – Unaware, unprepared
 - Yellow – Relaxed, alert
 - Orange – Alert, specific
 - Red – Fight, engaging threat
 - Black – Sensory overload, unable to react

UNDERSTANDING YOURSELF PTRL.1020.103

The cadet will define reaction and response as they relate to conflict resolution

- ◆ Officer reaction and officer response to conflict are defined as:
 - Reaction is an automatic, instinctive immediate action
 - Response is a planned thought out action
- ◆ The following are personal considerations which influence conflict resolution
 - Officers must develop the mindset of becoming a professional conflict manager
 - Officers must develop sufficient insight into the officer's own behaviors and beliefs and how these factors contribute to the officer's ability to resolve and manage conflict
 - Biases
 - Prejudices
 - Values
 - Beliefs
 - Triggers and buttons

THE THEATER OF WORK PTRL.1020.104

The cadet will list the following concepts of "the theater of work" and how they apply to conflict resolution.

- ◆ Identifying officer roles
- ◆ Recognizing the stages on which the roles are acted out
- ◆ Importance of using scripts during situations that require generating cooperation

UTAH PEACE OFFICER STANDARDS AND TRAINING

CONFLICT RESOLUTION

PTRL.1020

- ◆ Identifying the audiences who are observing.
- ◆ The following concepts of “the theater of work”, (the stage, roles, scripts, congruence, masks, voice, and other non-verbal) contribute to the officer’s professionalism
 - Always on stage
 - The message
 - Semantics – the meaning of language
 - Specialized language – avoid using language specific to the law enforcement profession such as ten-codes and legal jargon
 - The voice
 - Pace, pitch, tone, and modulation
 - Other Non-Verbal’s
 - Proximity – physical space between the speaker and listener
 - Kinesics – also known as body language or how a person stands or moves their body to communicate
 - The three approaches in conflict resolution:
 - Ethical
 - Logical
 - Practical

CONFLICT RESOLUTION SKILLS PTRL.1020.105

The cadet will identify and explain skills needed to resolve conflict.

- ◆ Understand that a key to conflict resolution is to prevent conflict from happening, through the use of kinesics, proxemics, image projection, responsiveness, and empathy
- ◆ Demonstrate a basic ability to de-escalate conflict. Know and demonstrate the skills needed in verbally resolving conflict.
- ◆ The proverbial line or gate that exists between verbal and physical interventions
 - This concept can be used to understand escalation and de-escalation of conflict. The threshold between verbal intervention and physical intervention can be considered a gate and it swings both ways; meaning it can escalate or de-escalate depending on the situation.
- ◆ Understand the importance of responding appropriately to a situation and the importance of articulating the episode
 - Response is more easily defended than reaction
 - Certain situations may require a response, especially when force is used

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CONFLICT RESOLUTION

PTRL.1020

ASSESSMENTS

- ❖ The concepts presented in this course will be assessed through quizzes, certification exams, and scenario training.

PREREQUISITES

- ❖ Foundation Courses

UTAH PEACE OFFICER STANDARDS AND TRAINING

REVISED 03/01/2013

Basic Use of Force

Patrol 1

Graham v. Conner

490 U.S. 386, (1989)

- The U.S. Supreme Court case that defined the standard under which excessive force claims would be judged. The standard established was that of "objective reasonableness". Prior to this, the standard was "police behavior that shocks the conscience".

Graham v. Conner 490 U.S.386, (1989)

- The supreme court instructed lower courts to always ask three questions to measure the constitutionality of a particular use of force:

Graham v. Conner 490 U.S. 386, (1989)

- 1. What was the **severity of the crime** that the officer believed the suspect to have committed or be committing?
- 2. Did the suspect present an **immediate threat** to the safety of officers or to the public?
- 3. Was the suspect **actively resisting arrest** or **attempting to escape**?

Graham v. Conner 490 U.S. 386, (1989)

- The following points should also be noted regarding the Supreme Court's ruling in this case:

Graham v. Conner 490 U.S. 386, (1989)

- The use of force should be measured by what the officer knew at the scene.
- The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments.

Graham v. Connor 490 U.S. 386, (1989)

- The U.S. Supreme Court states nothing about escalating/ de-escalating force.
- There is no requirement to decrease officer response to subject resistance progressively.
- The standard of force employment remains simply that of **OBJECTIVE REASONABLENESS**.

O'Kneal v. DeKalb County (GA) 850 F.2nd 653 (11th Cir. 1988)

- Challenged agencies for failing to use non-deadly alternatives first.
- In this situation the plaintiffs challenged the agency for failing to pursue less-lethal options.
- The court ruled that the use of deadly force instead of non-lethal force against a knife wielding suspect was not malicious or unreasonable.

State Code

• 76-2-402 Force in Defense of Person.

A person is justified in threatening or using force against another when and to the extent that he or she **reasonably believes that force is necessary to defend himself or a third person** against such other's **imminent use of unlawful force**.

• 76-2-403 Force in Arrest.

Any person is justified in using any force, except deadly force, which he reasonably believes to be necessary to effect an arrest or to defend himself or another from bodily harm while making an arrest.

State Code

• 77-7-6 Manner of making arrest.

The person making the arrest shall inform the person being arrested of his intention, cause, and authority to arrest him. Such notice shall not be required when:

- a. There is reason to believe the notice will **endanger the life or safety** of the officer or another person or will likely **enable** the party being arrested to **escape**;
- b. The person being arrested is actually **engaged in the commission** of, or an attempt to commit an offence; or
- c. The person being arrested is **pursued immediately after the commission** of an offense or **an escape**

National Use of Force Framework



National Use of Force Framework



National Use of Force Framework



THE ASSESSMENT PROCESS

- The Situation,
- Subject Behaviors, and
- The Officer's Perception/ Tactical Considerations.

A. THE SITUATION

- Environment
- Number of Subjects
- Perceived Subject's Abilities
- Knowledge of Subject
- Time and Distance
- Potential Attack Signs

Environment

- Weather conditions: rain, snow, wind, heat, etc.
- Moment of the day: Daylight or darkness
- Location: Residential, rural, urban, indoor, outdoors
- Physical position: Roof top, roadside, stairwell, inside vehicle
- Other factors: Cover and Concealment

Number of Subjects

- One subject facing one officer.
- One subject facing two or more officers.
- Multiple subjects facing one officer.
- Multiple subjects facing multiple officers.

Perceived Subject's Abilities

- Under the influence of drugs or alcohol.
- Intoxicated vs. under the influence.
- Subject's physical size, strength, skills.
- Emotional state.
- Proximity to weapons.

Knowledge of Subject

- Versadex history/ cautions.
- Statewide warrants/ NCIC hits.
- Prior history dealing with subject.
- Reputation of the subject.
- Demonstrated ability.

Time and Distance

- Seriousness of situation.
- Must you act immediately?
- Can you create more time and distance?
- Escape routes.

Potential Attack Signs

- Ignoring the officer.
- Repetitious questioning.
- Aggressive verbalization.
- Emotional venting.
- Refusing to comply with lawful request.
- Ceasing all movement.
- Invasion of personal space.
- Adopting an aggressive stance.
- Hiding.

THE ASSESSMENT PROCESS

- The Situation,
- **Subject Behaviors**, and
- The Officer's Perception/ Tactical Considerations.

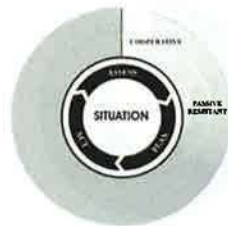
B. Subject Behaviors

- Cooperative
- Resistant (passive)
- Resistant (active)
- Assaultive
- Death or Serious Bodily Injury

National Use of Force Framework



National Use of Force Framework



National Use of Force Framework



National Use of Force Framework



National Use of Force Framework



THE ASSESSMENT PROCESS

- The Situation,
- Subject Behaviors, and
- The Officer's Perception / Tactical Considerations.

National Use of Force Framework



Perception Factors Unique to Each Officer

- Strength/overall fitness
- Personal experience
- Skill/Ability/Training
- Fears
- Gender
- Fatigue/Injuries
- Critical incident stress symptoms
- Sight/Vision
- Cultural Background

Tactical Considerations

- Disengage and Consequences
- Officer Appearance/uniform/equipment
- Number of Officers
- Availability of Backup
- Availability of Cover
- Geographic Considerations
- Containment/Distance/Communication
- Policies and Guidelines
- Special Units: K9, SWAT, POU etc.
- Command Post

Use of Force Principles

- The primary responsibility of a police officer is to preserve and protect life.
- The primary objective of any use of force is public safety.
- Police officer safety is essential to public safety.
- Balance the degree of control versus the potential of injury.

USE OF FORCE OPTIONS

- Officer Presence.
- Communication.
- Physical Control:
 - > Soft.
 - > Hard.
- Intermediate Weapons.
- Lethal Force.

National Use of Force Framework



Mere Presence

- Authority
- Implications
- Level 1/ Consent based encounters
- Knock and Talks
- Plain Smell Doctrine

National Use of Force Framework



Verbal Control

- Policy – Employees are expected to be courteous and dignified at all times as the circumstances allow.
- Goal is to seek verbal compliance
- Communicate expectations to the subject and bystanders.
- De-escalation

National Use of Force Framework



National Use of Force Framework



Physical Force - Soft

- Control Holds
 - Gross Motor Vs. Fine Motor
- Escort Techniques
 - Tactical considerations

National Use of Force Framework



Physical Force - Hard

- Take Downs
- Natural Impact weapons
 - > Palm Strikes
 - > Elbows
 - > Knees
 - > Kicks

National Use of Force Framework



Use of ADT Policy

- An officer is threatened with physical force and other means of controlling the offender are unreasonable or could cause injury to the offender, the officer or others present.
- Dangerous animal Threatening an officer.
- In cases where the size and demeanor of an offender indicates that the officer or the offender would be endangered by the use of other physical force.

Intermediate Weapons

- Tactical batons
 - Certified personnel may use the tactical baton in intermediate force situations. Intermediate force is force requiring more than empty-handed force, but less than deadly force.
 - Non-target Areas
 - Head, neck, solar plexus, spinal column, kidneys and groin

Intermediate Weapons

- Conducted Energy Devices
 - Certified personnel may use the CED in intermediate force situations when a dangerous or violent subject aggressively resists or attempts to flee.
 - The CED may be used to protect a subject when that person is either attempting to injure himself or commit suicide and approach by officers would be unwise.

National Use of Force Framework



Lethal Force

- State Code 76-2-404

- (1) A peace officer, or any person acting by his command in his aid and assistance, is justified in using deadly force when:...
 - (b) effecting an arrest or preventing an escape from custody following an arrest, where the officer reasonably believes that deadly force is necessary to prevent the arrest from being defeated by escape; and

Lethal Force

- State Code 76-2-404 continued

- (i) the officer has probable cause to believe the suspect has committed a felony offense involving the infliction of death or serious bodily injury; or ~~and~~ (policy)
 - (ii) the officer has probable cause to believe the suspect poses a threat of death or serious bodily injury to the officer or to others if apprehension is delayed; or

Lethal Force

- State Code 76-2-404 continue
 - (c) the officer reasonably believes that the use of deadly force is necessary to prevent death or serious bodily injury to the officer or another person.

National Use of Force Framework





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Conflict Resolution



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The Concept

- Increase officer safety
 - Decreased need for physical force
- Enhance professional image of the officer and the Department
- Decrease contact complaints
 - Citizens more likely to side with officer
- Decrease civil liability
 - The less force used, the less potential for law suit
- Decrease personal stress



Self Control

- The ability to reason
- The ability to make choices
- If you cannot defuse yourself, you cannot hope to defuse the opponent without a struggle



Psychological and Emotional Considerations

- Officer Safety while coping with doubt, anger, anxiety, and fear
- Fear and its associated mental tools, such as intuition, are the body's primary self-defense mechanism

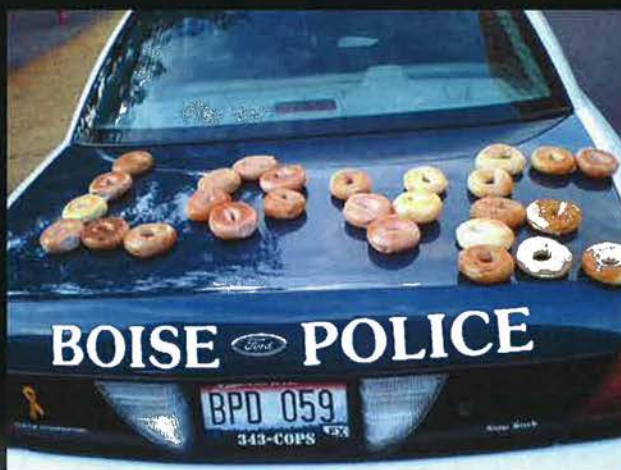


Behavioral Influences

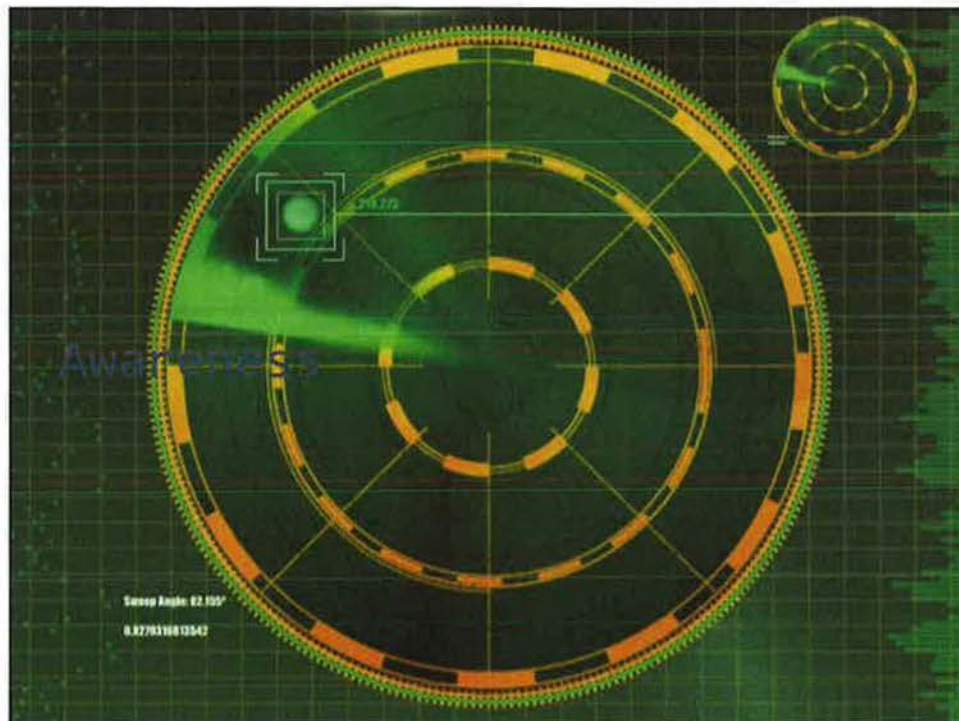
- Ego
- Fear
- Performance Anxiety




Attitude



- We must be ever vigilant to temper our egos with regular doses of humility and reality checks



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Cooper's Color Code

White - relaxed and fairly oblivious of your surroundings, you should only be in this condition if you are at home or another secure setting behind locked doors.

Yellow - the state of not only constant awareness, but the constant recognition of possible threats. In this state, you are observant of your surroundings, allowing you to recognize threats if they present themselves.

Orange - in this state, you have recognized a potential threat, and are ready to defend yourself against this threat if necessary.

Red - you are actively defending yourself or others against a threat that has presented itself to you.

Perspective



Presumed Compliance



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Presumed Compliance

- Dulls your edge (Intuition and Instincts) and diminishes the danger in your mind
- Cooperative & Static vs. Uncooperative & Dynamic
- Apathy ensures you'll go right into denial
- "I can't believe this is happening to me!"
- Denial delays decisiveness



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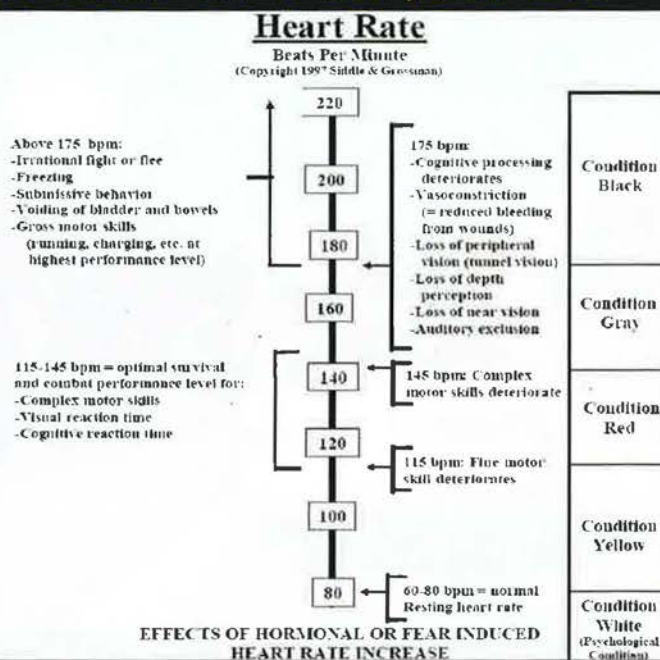
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Fear Management



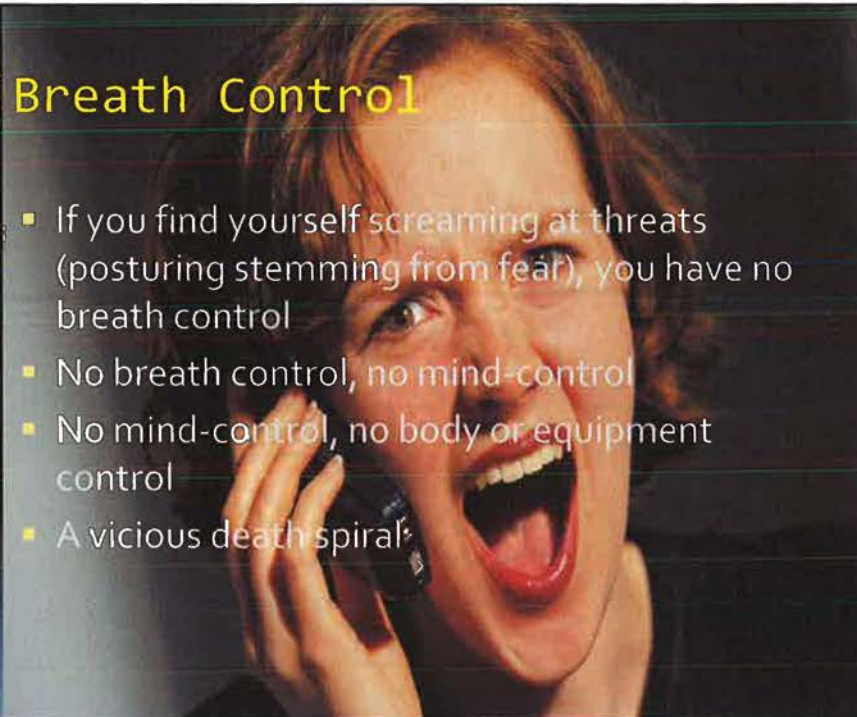
Effects of Fear/Stress





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Breath Control



- If you find yourself screaming at threats (posturing stemming from fear), you have no breath control
- No breath control, no mind-control
- No mind-control, no body or equipment control
- A vicious death spiral




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Guzer.com



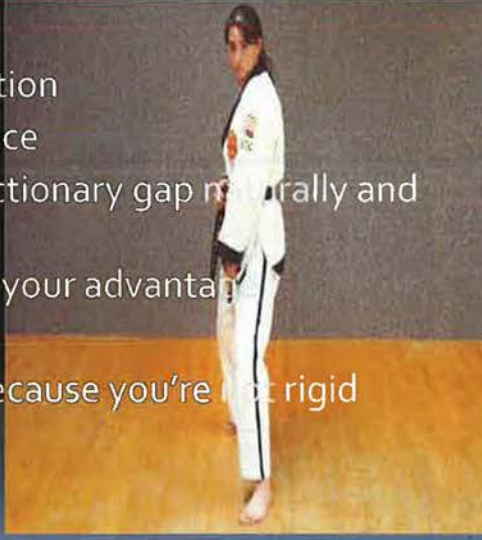



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YOUR Body Language

(A Non-Violent Counter-Attack Posture)

- Relaxes you
- Enhances communication
- Bolsters your confidence
- Lets you close the reactionary gap naturally and slowly
- Lets you use CWCT to your advantage
- Engenders rapport
- Aids your breathing because you're not rigid





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Communication (Presence)

- 60 % Body Language
- 30% Tone
- 10% Words

"I'm gonna kill you."



The Goal?

Voluntary Compliance!



“Courtesy, The Way We Police The City”

- Treat people with dignity and respect
- Be nice until it's time to not be nice
- While you're talking, stay fully aware of surroundings





Categories of Behavior


- Nice persons who are single keyed
- Difficult persons who are multi-keyed
- Person who act single keyed, but are surrounded by clouds of illusions



Point of View


- Imposition of will
- "Loss of face"






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Verbal Manipulation



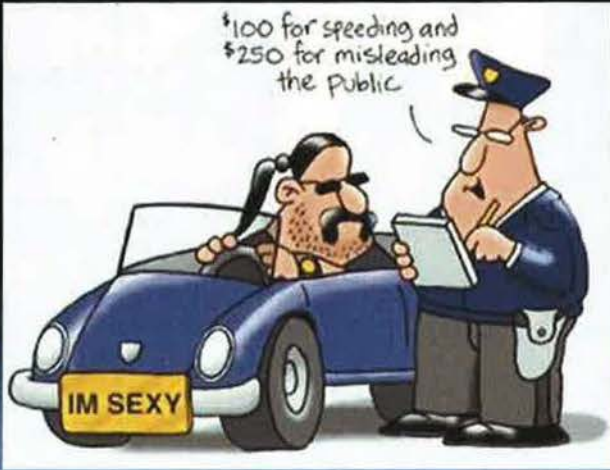
If you're skilled at verbal manipulation, those who talk can usually be persuaded to walk



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Rapport Building

An important part of pre-contact psychology is to create rapport with a subject as soon as you can



\$100 for speeding and \$250 for misleading the public



Three Principles

- Say what you want, do what I say
- I'll give you the last say; I have the last act
- Respect vs. respect = empathy



Getting Results

ASK

TELL

MAKE





Tactical Steps to Conflict

- S – Security
- A – Attack
- F – Flight
- E – Excessive repetition
- R – Revised priority



Indicators of Potential Assault

- Ignoring the officer.
- Repetitious questioning.
- Aggressive verbalization.
- Emotional venting.
- Refusing to comply with lawful request.
- Ceasing all movement.
- Invasion of personal space.
- Adopting an aggressive stance.
- Hiding.



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Verbal Judo 5 Step

- Ask or Order (ethical appeal)
- Explain Why (reasonable approach)
- Present Options (personal appeal)
- Confirmation (practical appeal)
- Act (defensive tactics)

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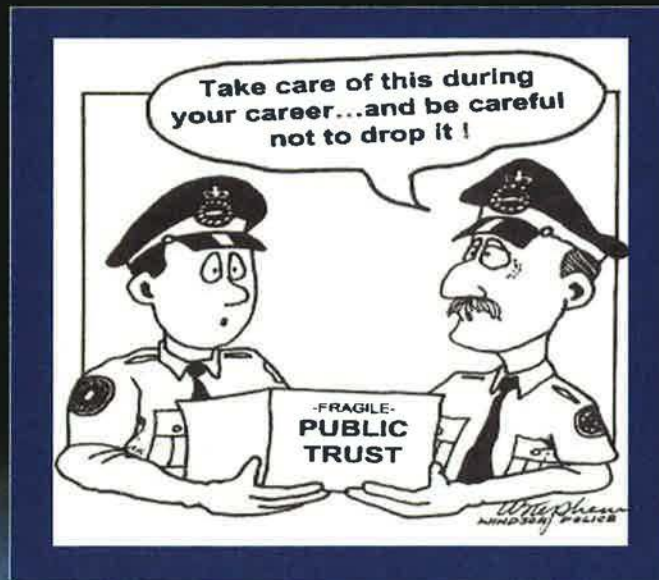
Verbal Judo 8 Step

- 1. Meet and Greet
- 2. Identify
- 3. Reason for the Stop
- 4. Justification?
- 5. Request License
- 6. Registration and Insurance
- 7. Decision
- 8. Effective Close



Conflict Resolution

- L – Listen
- E – Empathize
- A – Ask
- P – Paraphrase
- S – Summarize





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In-Custody Death & Ripp Hobble Restraints



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Hobble / Hog Tie Defined by the Court

- In the Laramie v. Cruz case the 10th Circuit Court found that ;
“Cruz was “hog tied” because the separation distance between the feet and the wrists was one foot or less. If that distance were two feet or more, it appears that it would have been deemed a “hobble restraint”.



Never Hog-Tie ANYONE!!!



Building A Defensible Platform

- Recognition and documentation of a "ICD/Excited Delirium" problem
- Immediate post arrest treatment: Seated *NOT* Hog-Tied
- Transport - Seated upright or by ambulance
- Medical attention –
 - EMS on Scene
 - A Doctor at the Hospital
- Advise Jail of case history
- All Jails should have an observation policy
- Good report writing is your *BEST* line of defense
Document, Document, Document
- "Deliberate indifference" litigation is devastating



If the subject displays symptoms and behaviors described in ICD/Excited Delirium training, have them transported immediately to a medical facility for treatment.



SLCPD Policy

Leg Restraints: Officers may restrain the legs of combative prisoners by using the authorized RIPP commercial leg restraint device. Officers must receive department approved defensive tactics training in proper leg restraint procedures before using leg restraints on prisoners.



Policy Cont...

Restraint Restrictions: Officers will not attempt to restrain a prisoner's legs without the assistance of another officer. The RIPP will not be used to secure prisoner's legs to fixed positions inside a vehicle as this could result in serious injury in the event of an accident.

7



Policy Cont...

The RIPP device will not be affixed to the prisoner's handcuffs, nor will prisoners be transported face down with their hands behind their back and their legs restrained. Note: Transporting face down on an ambulance gurney is permissible when attending medical personnel deem it necessary.

8




Remember...

As soon as the subject is restrained, immediately bring them to an upright and seated position and monitor ABCs.



Document your efforts to
keep the subject alive in
your report . . .
Document – Document –
Document!!!



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RIPP Application Practical

11

EMERGING USE OF FORCE ISSUES

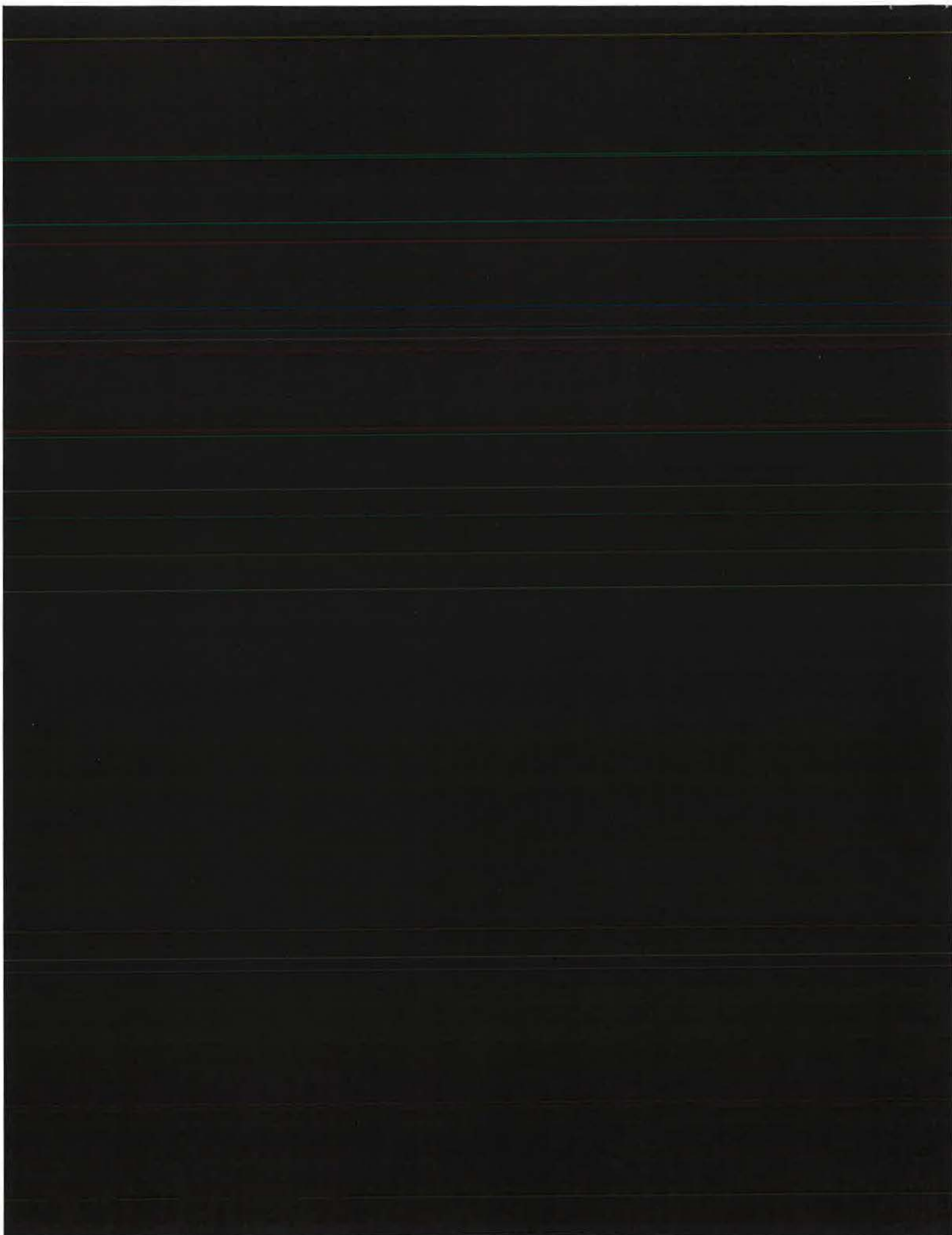
Balancing Public and Officer Safety

Report from the International Association of Chiefs
of Police/COPS Office Use of Force Symposium



COPS
COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE







EMERGING USE OF FORCE ISSUES

Balancing Public and Officer Safety

Report from the International Association of Chiefs of Police/COPS Office
Use of Force Symposium

This project was supported by Grant Number 2005-HS-WX-K016 awarded by the Office of Community Oriented Policing Services, U.S. Department of Justice. The opinions contained herein are those of the author(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice. References to specific agencies, companies, products, or services should not be considered an endorsement by the author(s) or the U.S. Department of Justice. Rather, the references are illustrations to supplement discussion of the issues.

The Internet references cited in this publication were valid as of the date of this publication. Given that URLs and websites are in constant flux, neither the author(s) nor the COPS Office can vouch for their current validity.

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**COPS**
OFFICE OF COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

Dear Colleagues:

Far too often the public's perception of the use of force by police is different from those who are in law enforcement. This perception is heavily influenced by a variety of factors, including depictions in the media, and exacerbated by the increasing power of social media. In today's age, incidents of use of force can create a false narrative for the public concerning the appropriateness of police actions, albeit one that is not statistically representative or supported by data.

In response to this complex environment impacting the critical relationship between police and the communities they serve, the International Association of Chiefs of Police (IACP) and the Office of Community Oriented Policing Services (COPS Office) recognize the importance of these issues, and the influence they can have on community trust. To further examine the intricacies surrounding police use of force, IACP and the COPS Office held a symposium to achieve consensus surrounding the core use of force issues, and to identify strategies that can be employed to address these issues.

We hope that these discussions and recommendations as presented in Emerging Use of Force Issues: Balancing Public and Officer Safety will help your agency and community to work together to successfully navigate these issues.

Sincerely,

Bernard K. Melekian, Director
Office of Community Oriented Policing Services

About the COPS Office

The Office of Community Oriented Policing Services (COPS Office) is the component of the U.S. Department of Justice responsible for advancing the practice of community policing by the nation's state, local, territory, and tribal law enforcement agencies through information and grant resources.

Community policing is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.

Rather than simply responding to crimes once they have been committed, community policing concentrates on preventing crime and eliminating the atmosphere of fear it creates. Earning the trust of the community and making those individuals stakeholders in their own safety enables law enforcement to better understand and address both the needs of the community and the factors that contribute to crime.

- The COPS Office awards grants to state, local, territory, and tribal law enforcement agencies to hire and train community policing professionals, acquire and deploy cutting-edge crime fighting technologies, and develop and test innovative policing strategies. COPS Office funding also provides training and technical assistance to community members and local government leaders and all levels of law enforcement. The COPS Office has produced and compiled a broad range of information resources that can help law enforcement better address specific crime and operational issues, and help community leaders better understand how to work cooperatively with their law enforcement agency to reduce crime. Since 1994, the COPS Office has invested nearly \$14 billion to add community policing officers to the nation's streets, enhance crime fighting technology, support crime prevention initiatives, and provide training and technical assistance to help advance community policing.
- By the end of FY2011, the COPS Office has funded approximately 123,000 additional officers to more than 13,000 of the nation's 18,000 law enforcement agencies across the country in small and large jurisdictions alike.
- Nearly 600,000 law enforcement personnel, community members, and government leaders have been trained through COPS Office-funded training organizations.
- As of 2011, the COPS Office has distributed more than 6.6 million topic-specific publications, training curricula, white papers, and resource CDs.

COPS Office resources, covering a wide breath of community policing topics—from school and campus safety to gang violence—are available, at no cost, through its online Resource Information Center at www.cops.usdoj.gov. This easy-to-navigate website is also the grant application portal, providing access to online application forms.

About the IACP

The International Association of Chiefs of Police is the world's oldest, largest, and most innovative nonprofit membership organization of police executives, with more than 21,000 members in more than 100 countries. IACP's leadership consists of the operating chief executives of international, federal, state, and local agencies of all sizes.

Since 1893, the International Association of Chiefs of Police has been serving the needs of the law enforcement community. Throughout these past 100-plus years, IACP has continued to launch historically acclaimed programs, conducted ground-breaking research, and provided exemplary programs and services to our membership across the globe.

The association's goals are to advance the science and art of police services; to develop and disseminate improved administrative, technical, and operational practices and promote their use in police work; to foster police cooperation and the exchange of information and experience among police administrators throughout the world; to bring about recruitment and training in the police profession of qualified persons; and to encourage adherence of all police officers to high professional standards of performance and conduct.

ABOUT THE IACP

The International Association of Chiefs of Police is the world's oldest, largest, and most influential membership organization of police executives. With more than 51,000 members from over 100 countries, IACP's membership consists of the top police executives from municipal, state, federal, state, and local agencies of all sizes.

Since 1903, the International Association of Chiefs of Police has been working to improve the law enforcement profession. Through its many programs, IACP has provided the national and international law enforcement community with the most current research, and provided ongoing education and leadership in the field.

The Association's Police Executive Research Forum (PERF) is a unique and innovative forum that has improved and enhanced police training and education programs. PERF is a unique forum for police executives to share their knowledge and experience in the field. PERF is a unique forum for police executives to share their knowledge and experience in the field. PERF is a unique forum for police executives to share their knowledge and experience in the field. PERF is a unique forum for police executives to share their knowledge and experience in the field.

For more information, please contact the IACP at 1000 North 17th Street, Suite 100, Arlington, VA 22209. Phone: 703/261-1000. Fax: 703/261-1001. Email: info@icap.org. Website: www.icap.org.

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The International Association of Chiefs of Police project staff would like to acknowledge the following individuals for their strong support of the development of this use of force report:

- The programmatic and financial support provided by the Office of Community Oriented Policing Services (COPS Office), in particular the guidance provided by Al Pearsall, Special Assistant to the Principal Deputy Director for the COPS Office. His in-depth understanding of use of force issues and his passion to see improvements made were critical factors in the success of this effort.
- The counsel and direction of the symposium planning group (see page 30 for complete list) who came together with the IACP and the COPS Office staff to design the symposium and identify achievable goals for that meeting.
- The subject matter expertise provided by the symposium participants (see page 31 for complete list). Their candid input and advice expressed at the symposium became the foundation for the content of this report. We are also in their debt for their subsequent review of the draft report to insure its completeness and accuracy.

The IACP thanks all of the above individuals for allowing us to explore the role of law enforcement leadership in the improvement of use of force policies, procedures, and training, and helping us arrive at the key observations and recommendations reported in this document.

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Deputy Director

Executive Summary

According to the Bureau of Justice Statistics, 40 million persons had contact with police during the most recent year for which data was gathered (2008). An estimated 776,000 (1.9 percent) of the 40 million contacted respondents reported the use or threatened use of force at least once during these contacts.

These facts stand in stark contrast to the public perception of the frequency and appropriateness of force used by the police. In large part, the public perception of police use of force is framed and influenced by the media depictions, which present unrealistic and often outlandish representations of law enforcement and the policing profession. Nightly, police dramas and news programs show officer-involved shootings, high speed chases, and trips to the morgue to recover microscopic evidence. These myths are further reinforced in popular books and film.

Yet data produced regularly by government agencies and researchers who analyze the actions of law enforcement argue against this “made for television” or “ripped from the headlines” narrative that has skewed the public ideas of law enforcement. These reports describe a reality of law enforcement with regards to use of force that starkly contradicts the public perception. As a result of these misconceptions, the public has raised questions regarding police use of force practices. In turn, law enforcement has raised concerns about the public’s support of the public safety mission.

In response to this complex environment impacting the critical relationship between police and the communities they serve, the International Association of Chiefs of Police (IACP) in partnership with the Office of Community Oriented Policing Services (COPS Office) held a symposium that focused on police use of force. The primary goal of the meeting was to achieve consensus surrounding core use of force issues, identifying those topics of particular urgency, and proposing effective strategies that respond to the most critical areas of concern.

In preparation for the symposium law enforcement professionals, use of force experts, and use of force researchers were identified and told to expect they would examine a wide range of topics, to include:

- Current use of force issues and concerns of law enforcement leaders
- Use of force policy and training advancement over the past 5 years
- Recent use of force incidents or issues that have affected law enforcement approach
- Use of force litigation and risk management from a local agency perspective
- New and emerging research on use of force at the university and law enforcement level
- Concerns about use of force that merit further exploration and investigation

During the Use of Force symposium participant discussion clustered around topics that were grouped as pre-incident, point of incident, and post-incident variables (see Figure 1 on page 8).

Pre-Incident 	At Point of Incident 	Post-Incident 
<ul style="list-style-type: none"> ◆ Review of policy effectiveness ◆ Leadership role ◆ Review of training effectiveness ◆ Community education ◆ Citizen input ◆ Utilization of accountability software ◆ Research ◆ Existing standards/case law 	<ul style="list-style-type: none"> ◆ Internal Affairs investigation ◆ Press management ◆ Criminal investigation ◆ Community outreach ◆ Agency transparency 	<ul style="list-style-type: none"> ◆ Accountability ◆ Dissemination of information ◆ Adjustments/improvements ◆ Policy upgrades ◆ Training upgrades ◆ Public forums/meetings to address incident

Figure 1. Use of Force Incident Continuum

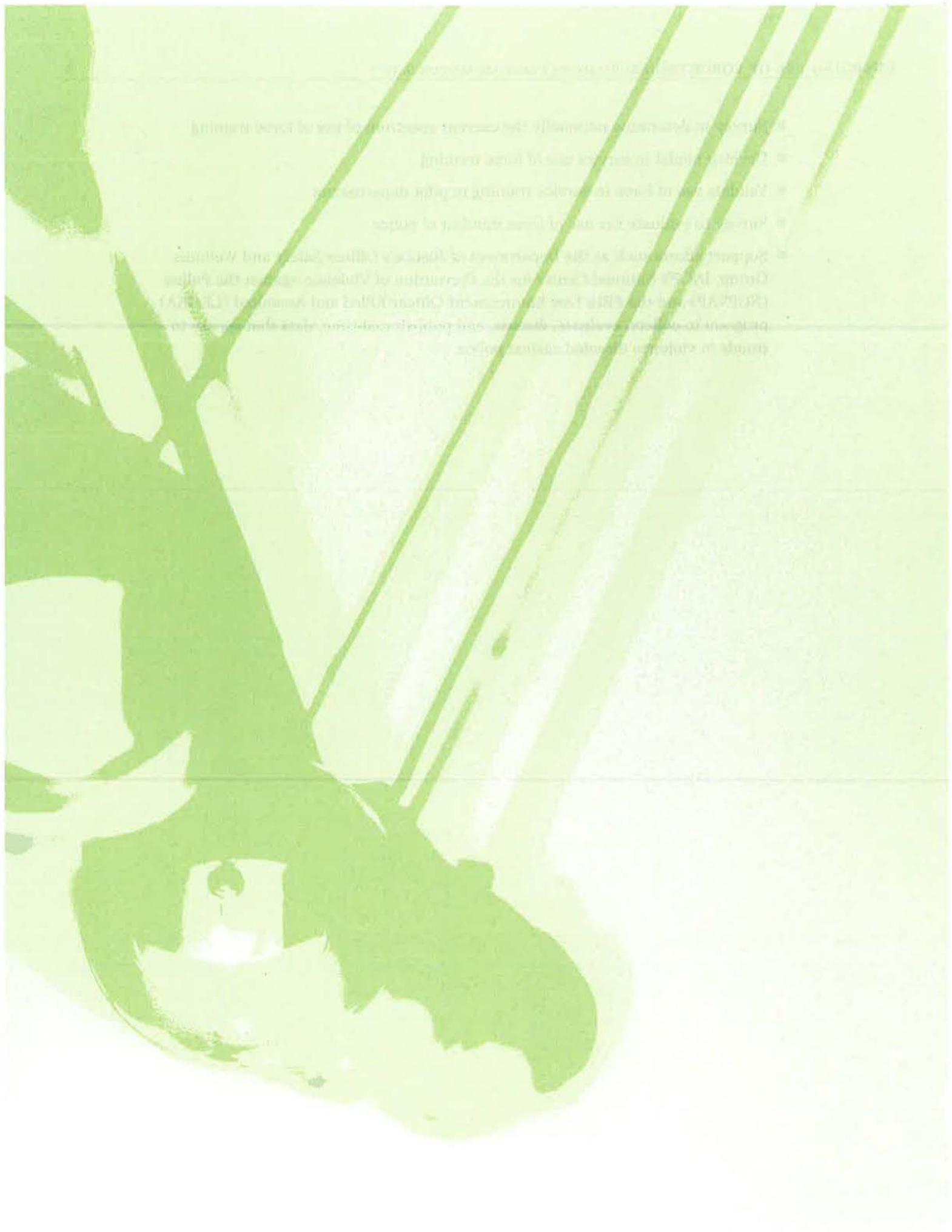
Source: IACP symposium advisory group, created at the January 5, 2011 planning meeting

Recommendations Summary

This publication presents a summary of discussions that took place during the Use of Force Symposium, key findings identified by the group, and recommendations for further action. The following suggested actions are systemic and would require funding support and collaboration between the IACP, the COPS Office, and any number of more private or public organizations to achieve successful completion. To further the good work done at the symposium, IACP and the COPS Office will be discussing the following recommendations shortly to determine possible courses of action to implement them:

- Develop a model communications strategy for law enforcement on the topic of use of force
- Develop a national media guide to inform the public regarding the necessity to use appropriate force in furtherance of public safety
- Develop a sustainable online resource library detailing programs and summaries of approaches that have proven to build better relationships between police and their communities
- Propose national use of force reporting standards
- Collect data and conduct annual national use of force analysis
- Conduct evaluation of use of force issues for the mid-size and small police agency
- Charge a single government sponsored entity with responsibility for disseminating real-time data describing violence directed at police
- Develop and fund a use of force management institute for police leaders
- Develop use of force management publication for city/town or municipal governance

- Survey to determine nationally the current spectrum of use of force training
- Develop model in-service use of force training
- Validate use of force in-service training in pilot departments
- Survey to evaluate the use of force mindset of police
- Support efforts such as the Department of Justice's Officer Safety and Wellness Group, IACP's National Center for the Prevention of Violence Against the Police (NCPVAP) and the FBI's Law Enforcement Officer Killed and Assaulted (LEOKA) program to collect, evaluate, discuss, and publish real-time, data that speaks to trends in violence directed against police



I. Introduction and Background

The Environment

Law enforcement faces innumerable challenges created by the current environment, particularly with regards to use of force. The public perception of the frequency and appropriateness of force used by the police is framed and influenced largely by the media depictions. Media has become saturated with unrealistic and outlandish representations of law enforcement and the policing profession. Nightly, police dramas and news programs depict officer-involved shootings, high speed chases, and trips to the morgue to recover microscopic evidence, while these myths are also reinforced in popular books and film. Data produced regularly by government agencies and researchers who analyze the actions of law enforcement argue against this “made for television” or “ripped from the headlines” narrative that has skewed the public ideas of law enforcement. These reports describe a reality of law enforcement with regards to use of force that starkly contradicts the public perception. As a result of these isolated incidents the public has raised questions regarding police use of force practices. In turn, law enforcement has raised concerns about the public’s support of the public safety mission.

In response to this complex environment impacting the critical relationship between police and the communities they serve the International Association of Chiefs of Police (IACP) in partnership with the Office of Community Oriented Policing Services (COPS Office) held a symposium that focused on police use of force. This publication summarizes key use of force issues identified by subject matter experts in the field who were invited to participate in the symposium, and proposes effective strategies that respond to the most critical areas of concern.

The Facts

According to the Department of Justice, Bureau of Justice Statistics (BJS) we know many facts about law enforcement, in particular police operations and use of force practices. The most recent *Census of State and Local Law Enforcement Agencies, 2008* reports that there are 765,000 sworn officers employed in the United States. BJS has also produced data in their publication *Contacts between Police and the Public, 2008*, which attempts to estimate the frequency by which police use force in furtherance of their duties. BJS determined that 40 million persons had contact with police during 2008. An estimated 776,000 (1.9 percent) of the 40 million contacted respondents reported the use or threatened use of force at least once during these contacts. This report reveals a striking disconnect between public perception and reality—the public is led to believe through the media that law enforcement uses force during every tour of duty, when the reality is most officers never use or threaten the use of force during an entire calendar year. These statistics suggest that use of force by police is infrequent and that inappropriate use of force or negative force related outcomes are relatively rare events.

Where there is little debate among police leadership and members of the community is in the fact that the use of force by police results in public attention. According to Robert K. Olsen, the former Minneapolis Police Chief, in the Police Executive Research Forum (PERF) press release titled "PERF to Identify Best Practices in Police Use of Force and Managing Mass Demonstrations" from February 12, 2004, the use of force is "the single most volatile issue facing police departments." He noted that "just one use of force incident can dramatically alter the stability of a police department and its relationship with a community." Today, in the age of internet communications, news of incidents instantly becomes viral with this rapid sharing of information. A department's relationship with its community can easily be impacted by the actions of an officer in a department thousands of miles away.

The Purpose of a Symposium

The IACP recognizes the importance of continual research and evaluation of police use of force issues and believes findings from systematic and routine inquiry will inform model policies and procedures within the law enforcement community. As the risks to communities change, so do law enforcement responses to mitigate these threats. In recent years, technological advances in police equipment have provided additional use of force options for the front line officer while also generating the need for a new cycle of research and evaluation. Findings from extensive study and evaluation of use of force issues help law enforcement officials make fact-based decisions relating to use of force policy as well as improve communications with the public.

In an effort to focus future research and policy development, the IACP partnered with the COPS Office to organize a symposium of law enforcement and experts in the field to assess the current landscape of use of force issues. Subject matter experts representing diverse constituencies within the criminal justice system were invited to participate in a day-long meeting. An environment was created to foster open and frank discussion on a wide range of highly sensitive topics. The primary goals of the meeting were to learn core use of force issues, identify topics of particular urgency, document differences in opinion where they may exist, and propose effective strategies that respond to the most critical areas of concern.

In preparation for the symposium, law enforcement professionals, use of force experts, and use of force researchers were identified to participate, and asked to expect to examine a wide range of topics, including:

- Current use of force issues and concerns of law enforcement leaders
- Use of force policy and training advancement over the past 5 years
- Recent use of force incidents or issues that have affected law enforcement approach
- Use of force litigation and risk management from a local agency perspective
- New and emerging research on use of force at the university and law enforcement level
- Concerns about use of force that merit further exploration and investigation

This publication presents a summary of discussions that took place during the Use of Force Symposium, key findings identified by the group, and recommendations for further action.

Use of Force Incident Continuum

In examining police use of force issues it is advantageous to view the **incident** with a broad perspective rather than limiting the focus at the moment force is used. Actions taken or not taken **pre-incident** can have a significant influence on use of force decisions by the officer. Actions taken **post-incident** can also impact the future uses of force equally as those decisions prior to the event.

Pre-Incident variables are typified by a systematic approach by which leadership manages the use of force within an agency. Training, assessment, tracking, early-warning systems, community outreach, external relations, case law and research would be further examples of the categories of issues that may influence uses of force by officers within the **pre-incident** environment.

Incident variables include officer use of force decisions, suspect use of force decisions, and all relevant incident circumstances. Subsequent to the actual use of force and still part of the **incident** component of the continuum, a series of actions may be triggered, including agency transparency when discussing the incident, community outreach, press management, and internal or criminal investigative actions.

Post-Incident variables include systems of accountability and review that lead to changes in policy and training, or that may frequently be communicated via “after action” or “lessons learned” reports. Long-term and strategic communication to inform and influence the public reaction to incidents may be considered **post-incident**, as well as appropriate coordination with governing bodies with respect to liability and criminal culpability in those instances when excessive force was used.

During the Use of Force symposium, participant discussion clustered around topics that were identified as pre-incident, incident, and post-incident variables. Besides transparency with respect to details regarding actual use of force incidents, experts believed that actions taken prior to incidents and actions taken following incidents should be the focus of future IACP/COPS Office activities.

Use of Force 2001 to 2011

In 2001, the IACP, in collaboration with the Bureau of Justice Statistics and the National Institute of Justice, published *Police Use of Force in America*, which documented findings from the National Police Use of Force Database project initiated in 1995. The database was created in response to the Violent Crime Control and Law Enforcement Act of 1994 and represented the first substantial national aggregation of state, county, and local law enforcement use of force data. As a result of this landmark study 177,215 use of force incidents and 8,082 use of force complaints from 1991–2000 were examined.

Many guiding standards resulted from this systematic evaluation of use of force incidents. In order to ensure uniformity in reporting of incidents, IACP defined force as, **“that amount of effort required by police to compel compliance from an unwilling subject.”** Excessive force was defined as, **“the application of an amount and/or frequency of force greater than that required to compel compliance from a willing or unwilling subject.”** For the purposes of the 2001 publication, reports of excessive force that were investigated and sustained were considered excessive. Some organizations have rightfully commented that for some members of the public the mere presence of police can be construed as a use of force. Others may also argue that an internal departmental investigation of an officer’s use of force lacks the independence necessary to obtain an unbiased assessment of the level of force used.

The IACP study also attempted to characterize trends in the use of force, uncovering many interesting facts, especially with regard to the impact of new deadly or non deadly technologies on policing. In 1999, the most common force used by officers was physical force. The use of chemical force, primarily *Oleoresin Capsicum* (pepper spray) products, was greater than the totals for electronic, impact, and firearms force combined. Throughout the years of study it was determined that as the use of chemical force increased by police, the reliance by officers on the use of firearm force decreased. This clearly suggests that by providing police with an array of deadly and non-deadly technologies they can perform their duties effectively while limiting harm to members of the community.

By 2005, the IACP recognized that once again, breakthroughs in technology were significantly influencing the method by which police deploy non-lethal force in furtherance of their mission. *Electro-Muscular Disruption Technology*, an IACP publication funded through a grant by the National Institute of Justice (NIJ), outlined a nine-step deployment strategy for departments who had decided to arm officers with state of the art non-lethal weapons such as the TASER®. At the time, 5,000 police departments had already chosen to issue Electronic Control Weapon (ECW) devices to officers.

By 2010, researchers on behalf of NIJ reported in *A Multi-Method Evaluation of Police Use of Force Outcomes: Final Report to the National Institute of Justice* that based on current industry estimates, ECW devices could be found in more than 11,500 police agencies nationwide. Presently, a majority of law enforcement agencies have adopted Conducted Energy Device (CED) (formerly ECW) technology as a use of force option for their agencies.

Use of Force Symposium May 4, 2011

During a daylong exchange of ideas, interactive polling, and debate concerning present and future needs of the policing profession, participants spoke to a variety of topics. For ease of digesting the most significant points of discussion, the themes have been organized in five major areas.

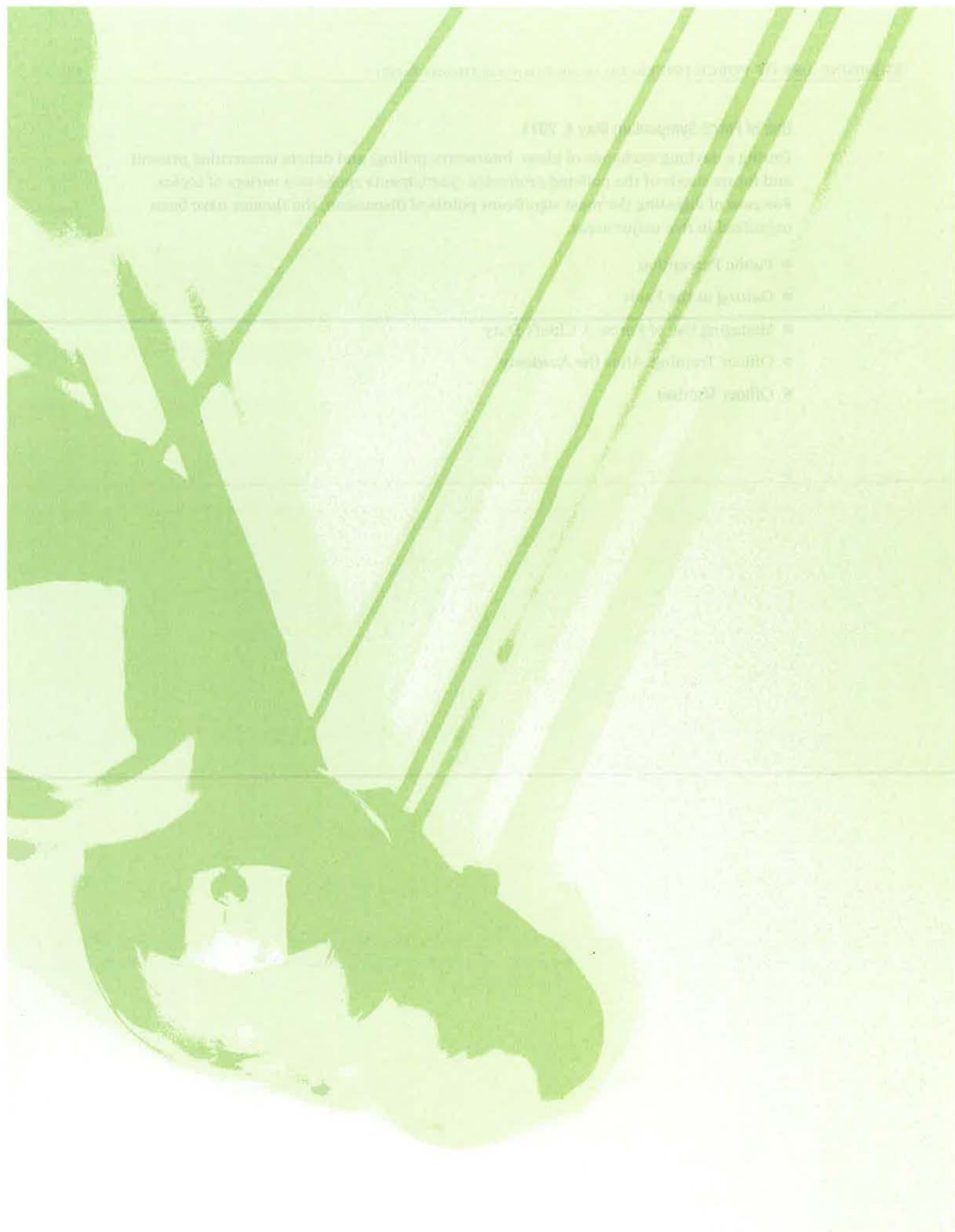
- Public Perception
- Getting at the Facts
- Managing Use of Force: A Chief's Duty
- Officer Training: After the Academy
- Officer Mindset

Panel 1: Symposium on May 8, 2013

Panel 1 is a symposium consisting of three presentations, followed by a debate moderated by the panelists. The presentations are: (a) a review of the literature on the role of social support in the recovery of victims of intimate partner violence, (b) a review of the literature on the role of social support in the recovery of victims of intimate partner violence, and (c) a review of the literature on the role of social support in the recovery of victims of intimate partner violence.

Panel 2: Symposium on May 9, 2013

Panel 2 is a symposium consisting of three presentations, followed by a debate moderated by the panelists. The presentations are: (a) a review of the literature on the role of social support in the recovery of victims of intimate partner violence, (b) a review of the literature on the role of social support in the recovery of victims of intimate partner violence, and (c) a review of the literature on the role of social support in the recovery of victims of intimate partner violence.



II. Public Perception

The public's perception of police use of force was a topic of concern for many symposium participants. When polled, only 4 of 36 symposium attendees believed that citizens were objective when evaluating use of force incidents. One in 10 had confidence that the public would examine the facts and circumstances unique to each individual incident. The remaining participants were divided in their beliefs. By a 3 to 1 majority, participants asserted that a bias against police existed, as compared to a minority who found that a bias in favor of police was typically present.

There was consensus that police leadership was responsible for educating the public and concern that the failure to adopt a proactive national communications strategy hindered police efforts to speak with clarity on the issue. In the absence of a cohesive fact-based message the media and other constituencies are left to frame the topic, which often results in sensationalizing incidents or driving the agenda of various special interest groups. As a result, police officials react to stories framed by others, rather than proactively communicating information within the framework of a unified national theme. Nearly two-thirds of participants believed that police did a poor job conveying information to the public regarding use of force incidents.

Citizen Police Academies are excellent opportunities to help citizens move from misperceptions to full understanding of the complex nature of use of force.

— Al Pearsall
Special Assistant to the Principal Deputy Director
Office of Community Oriented Policing Services

Participants were sensitive to the fact that the success of any future communications strategy was directly related to the level of trust existing between police and the public at the national and, most importantly, the local levels. As such, attendees understood that it was critical that any previous history involving the inappropriate use of force had to be acknowledged. Equally important was maintaining sensitivity to the various harms resulting from this unacceptable conduct and making clear statements necessary to ensure that leadership is not perceived as attempting to minimize the severity of the breach of the public trust.

It was suggested that a fundamental component of the communications message would be the use of common terms. Thirty-one of 34 symposium participants acknowledged that no common language existed for talking about use of force between police and the communities they serve. For example discussions of reasonable versus unreasonable uses of force were preferred as compared to debates over excessive force. Participants felt that misconceptions concerning the appropriateness of the level of force used by police could be often tied to how incidents were discussed. A significant piece of any communications strategy is to explain to the public why the police may employ force at a level greater than the force being used against the officer, and why this is appropriate

There is a large body of case law that permits the police to use force that is reasonably necessary to overcome the force used against them. The public often perceives that force as excessive when it is not.

— Philip Broadfoot, *Chief of Police*
Danville Police Department

and not excessive. Unlike a professional hockey fight where a player would be severely sanctioned for using his stick instead of his fist, an officer is expected and trained to deploy weapons such as a baton, pepper spray, or Taser to counter an offender determined to fight an officer. Use of these technologies is certainly considered a justified, reasonable, and appropriate use of force by an officer sworn to uphold the law and maintain public safety, and is an important action to minimize injury to both officers and suspects.

Participants were supportive of a variety of programs focused on developing better relationships between the police, the public, the media, and special interest groups. Citizen academies and

ride along programs were suggested as vehicles by which participants would be provided an opportunity to better grasp the complexities and realities of being a law enforcement officer. These inclusive activities serve the critical function of making law enforcement policy and practice transparent. Youth programs in school, other extra curricula activities, and events were identified as opportunities to form a positive view of policing at an early age. Focused interactions and relationship building with specific constituencies aimed at developing trust and good will were seen as strategic necessities in anticipation for the need to respond quickly to contain the fall-out from use of force incidents in the future. In furtherance of influencing the public's view of the individual officers, it was also suggested that efforts be made to monitor and positively influence the demeanor of officers towards the public they serve. It was suggested that the everyday attitude of officers during the course of their routine activities has as great an influence on public perception as actual uses of force.

RECOMMENDATIONS:

- ▶ **DEVELOP** a model communications strategy for law enforcement on the topic of use of force.
- ▶ **DEVELOP** a national media guide to inform the public regarding the dangers of policing and the necessity to use appropriate force in furtherance of public safety.
- ▶ **DEVELOP** a sustainable online resource library detailing programs and summaries of approaches that have proven to build better relationships between police and their communities.

III. Getting at the Facts

Stemming from discussions regarding law enforcement's role in informing the public, concern was raised about police leadership's true understanding of current trends and statistics regarding the use of force landscape. Several participants challenged the assumption made by other attendees that police leaders had a firm grasp of the present use of force environment as well as accurate statistics relative to the dangerousness of policing today as compared to historical data. The differences in opinion were most profound when the views of academics, front line officers, and participants supporting police administration were contrasted with those expressed by chiefs of police and command officials. Similar differences were witnessed based on the size of the agency represented, as issues relating to use of force in large urban cities did not always align with issues experienced by mid-size and smaller departments. Supportive of this lack of consensus were the results of a survey where participants disagreed over a fundamental question regarding the trend in the rate of use of force incidents. Eight of 34 participants believed that use of force incidents had decreased, while 6 of 34 suspected that use of force incidents had increased. The majority estimated that force trends had remained the same. It was evident that local views and personal experience most influenced perception as to the overall state of use of force.

Participants agreed that the collection and analysis of use of force data varied widely and that this challenge was likely to continue if not worsen as a result of the economic downturn. In departments forced to downsize, administrative positions traditionally charged with data collection are often the first to be eliminated. As a result, it was suspected that use of force data collection and analysis was currently the province of mostly larger departments. Concerns were also expressed regarding the applicability of findings born from big city data analysis to mid-size and smaller agencies.

Some participants believed that various departments collected use of force data in line with standards established by the Commission for Accreditation of Law Enforcement Agencies (CALEA) or other model reporting protocols. Others described data collection in line with state legislation and consent decrees. There was consensus, however, that for those departments who collected the data, most failed to analyze the data and/or use it for policy development or training purposes. The majority of departments had no policies or procedures in place that mandated annual analysis and reporting.

Before we go out and educate people on use of force we need to educate ourselves.

— Dr. Geoffrey Alpert, *Professor*
University of South Carolina

So often after an event someone uses statistics to show what we should have known. We need to understand our history employing basic trend and pattern analysis before critical incidents occur.

— Louis Dekmar, *Chief of Police*
City of LaGrange

We have a good understanding of larger departments but not the conditions and situations that impact smaller and medium agencies.

— Dr. Geoffrey Alpert, *Professor*
University of South Carolina

In response to the current use of statistics to inform public discussion on force trends, some participants were suspect of the “facts” that were purported. Participants speculated that a reliance on year to year comparisons is a function of reporting now common place in departments employing COMPSTAT. As such, data can be heavily influenced by periodic spikes not uncommon when measuring occurrences within small data sets such as officers feloniously killed in the line of duty. Some identified a void of more traditional multi-year historical statistical examinations readily available to inform leadership

and members of the public regarding recent trends. These same participants expressed concern that the void has been filled by various experts and policy advocates expressing their point of view, rather than sharing facts, regarding current highly publicized and emotionally charged events.

The perception is that chiefs know about use of force in their departments, but the reality is they often do not. When we come in afterward to ask for data to explain to a jury, it is almost impossible to obtain.

— Steven Ijames, *Major (Ret.)*
Springfield Police Department

It was suggested that much work should be done within the behavioral science communities to explore how police respond to deadly encounters. The belief was expressed that the police profession and the public at large do not fully understand myriad of factors that contribute to a typical use of force incident. It was posited that we often do not fully appreciate the complexities involved when an officer makes a decision to use force in relation to a critical incident.

RECOMMENDATIONS:

- ▶ **PROPOSE** National Use of Force reporting standards.
- ▶ **COLLECT** data and conduct annual National Use of Force analysis.
- ▶ **CONDUCT** evaluation of use of force issues for the mid-size and small police agency.
- ▶ **CHARGE** a single government sponsored entity with responsibility for collection, analysis, and dissemination of real-time data describing violence directed at police.

IV. Managing Use of Force: A Chief's Duty

Symposium participants were clearly cognizant of the varied responsibilities charged to leaders within police organizations. Specifically, during a downturn economy, fiscal emergencies and retention of the personnel required to meet mission goals were recognized as challenging tasks for any focused public safety official. Despite this environment, management of a police department's application of force in furtherance of its operations was understood to be every chief's fundamental responsibility.

Participants suggested that the gold standard of use of force management is a leader who possesses complete awareness of the use of force culture within his or her department and knowledge of the attitudes held by all officers to include those assigned to patrol, those charged with training, as well as those functioning within specialty assignments. Participants representing city management acknowledged that the vast majority of public officials have no law enforcement experience. As a result, an able use-of-force-focused police leader in service of the mayor or city manager would proactively establish a risk-based dialogue with city executives so that critical information regarding the potential implications of use of force incidents would be understood. Police leaders should in fact seek up-front support for investments in police training and equipment in lieu of post incident funding to offset legal judgments or settlements at a later date. A progressive city should view a highly resourced and trained police force as the appropriate cost of doing business rather than using public funds to establish an annual line item for legal settlements.

I think what we are talking about is an affirmative obligation for police to manage use of force, not just to explain a particular incident to the public.

— Merrick Bobb, *Director*
Police Assessment Resource Center

Members of the symposium were clear that chiefs need to ensure that the level of competency and knowledge surrounding the appropriate use of force has been received and retained by officers. Leaders should set a high bar for professionalism and expect that use of force decisions would mature through experience and not degrade as the length of time from police academy graduation increases. Chiefs should be intimately aware of the culture surrounding in-service training within their departments to ensure that the highest level training is being offered.

Chiefs not only have to ensure that use of force data is being collected by their department but that it is collected in a format that it is useful for supervisors to drive decision making. Intelligence-led and evidence-based policing models not only drive better police work and targeting of crime problems, but also are approaches that improve decision making. Properly managed data can be the backbone of an early warning system that identifies at risk officers, dangerous activities, and policy gaps that require immediate mitigation.

City managers tend to know little about law enforcement. In an analysis of 9,000 members, only a handful had prior law enforcement experience.

— Leonard Matarese, *Director*
International City/County Management
Association

Leaders also warned that the level of inexperience in dealing with critical use of force incidents should not be underestimated. Statistics suggest that use of force by police is infrequent and the inappropriate use of force or negative force related outcomes are a relatively rare event. However, each year a number of chiefs will have to respond to critical incidents when their officers have been killed, a suspect has been killed, or incidents occur that call into question the professionalism of certain officers. A chief must be prepared for this possibility and possess the confidence to take swift and decisive action. A chief's standing in the eyes of the public can be impacted by a single response to a critical incident.

For chiefs who are committed to preparing for a critical incident involving use of force issues, highly specialized training is essential. For example, table top exercises in partnership with other key players such as the city manager, command staff, public information officers, Department of Justice officials, and trusted partners within the media, police union, and public interests groups can be useful. Such exercises can simulate the type of pressures generated during a real crisis. Crafting a post-incident protocol in partnership with this group that fits the norms of unique communities and departmental policies and procedures would be invaluable as a guide during a real incident. Communication strategies that inform the public while maintaining the confidence of front line officers who require the chief's support require planning in advance, and should not be addressed for the first time during an emotionally charged event.

RECOMMENDATIONS:

- ▶ **DEVELOP** Use of Force Management Institute for Police Leaders.
- ▶ **DEVELOP** Use of Force Management publication for City Officials.

V. Officer Training: After the Academy

As recognized by symposium participants, there is much about the use of force topic that we do not understand, but much that we suspect. What we do know for certain is that leaders have a professional obligation to train law enforcement to the fullest degree in order to ensure officer safety as well as public safety. Symposium participants also clearly believed that police professionals were falling short in their duty to train officers. Fourteen of 33 attendees believed that use of force training “insufficiently” prepared police, while only a single attendee believed that officers were “very well” prepared.

Many symposium participants shared a concern that in-service trainings have not been validated in the same rigorous fashion as academy training, and that the level of accountability is far different for officers when approaching in-service training—as they do not fear failure or loss of job based on poor performance during these exercises. Performance related action against employees as a result of non-compliance with in-service training guidelines is much more complex than similar issues encountered during academy training. Employees at the academy stage have yet to be certified or have only been hired conditionally and are within a probationary period where corrective action can be taken aggressively.

Symposium participants shared many concerns regarding the training environment. Their primary concerns centered on fears that a downturn economy would impact the ability to train. Simultaneously, they felt there has never been a more important time to be properly trained. Some chiefs felt that due to public perception and fear of lawsuits, some officers were inadvertently being trained to return fire only when fired upon rather than using that force reasonably necessary to prevent injury or death.

I've supported in-service training across the country and while it is a critical training delivery opportunity, officers are often distracted or disinterested. This problem is confirmed as I read depositions for officers being sued. There is no evidence they learned anything except how to shoot. If we want consistency we need to know they know what they are being trained on and validate that training.

— Steven Ijames, *Major (Ret.)*,
Springfield Police Department

Some leaders suggested that insurance companies may be appropriate funding sources, or at a minimum advocates, to influence the city officials who make tough financial decisions for their communities.

A number of participants built upon the themes surrounding the chief's duty to manage use of force within the department. Participants suggested that video and audio recordings should be used more routinely as tools to manage and train officers. Use of audio/video will allow first-line supervisors to critique use of tactics or communication meant to manage conflict. Other participants were concerned that too much technology and too many choices in weapons systems degraded an officer's operational awareness and slowed reaction times. Some participants were concerned that more training needed to be focused on communication and command presence. Concern was shared that, later in their careers, officers often did not look prepared, while younger officers relied too much on physicality as opposed to using verbal tactics to deescalate and mitigate confrontational situations.

Participants questioned if training had become ineffective because it was based on what an officer could not do rather than a positive format focused on what an officer could do or in fact must do with respect to the use of force. In considering further changes to the framework by which training has been conducted, participants suggested that survivors should be interviewed more comprehensively, and training needed to be focused on situations based in reality as opposed to training that simply provided certification. There was consensus that firearm and/or force training needed to transition from the standard qualification of using age old static point and shoot courses. For training to be relevant, it was deemed essential to transition to tactical courses that replicate real encounters, requiring a choice between a variety of use of force options during stressful simulations as well as closely supervised tactical training environments.

Participants were briefed on the National Center for the Prevention of Violence Against the Police (NCPVAP), a collaborative effort between the International Association of Chiefs of Police and the Bureau of Justice Assistance. The mission of the National Center is to explore data currently collected detailing felonious assaults against police and to share findings with law enforcement in order to reduce officer deaths and injuries. Recently, the National Center revealed details regarding an examination of 10 years of Law Enforcement Officers Killed and Assaulted (LEOKA) data published by the FBI in an effort to examine use of force in response to deadly encounters. Researchers suspected that there would be value in examining responses to incidents through the lens of the years of service of the officer.

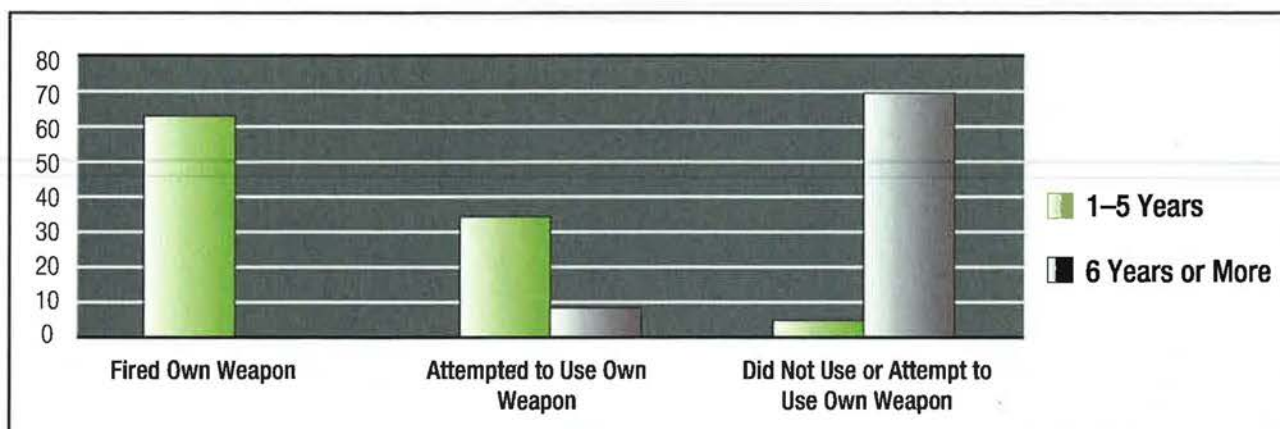


Figure 2. Weapon Use by Years of Service, 2000–2009

Source: IACP's National Center for the Prevention of Violence Against the Police. Author: Stephen Fender, IACP Project Coordinator

The FBI reports there were 187 officers with 5 years of service or less and 339 officers with 6 years of service or more that were killed in the line of duty during the past 10 years. When examining the group of less experienced officers (with 5 years or fewer on the job) the NCPVAP found that during the incident 63.1 percent fired their weapon, 33.2 percent attempted to fire their weapon, and 3.7 percent did not make an attempt. Of those more experienced officers (with 6 years or service or more) not a single one of 339 officers fired their weapon while only 8.6 percent were documented to have even made an attempt (see Figure 2). The National Center will continue to conduct in-depth examinations of these kinds of data to determine their value to police policy and training.

RECOMMENDATIONS:

- ▶ **SURVEY** to determine nationally the current spectrum of Use of Force Training
- ▶ **DEVELOP** model In-Service Use of Force Training
- ▶ **VALIDATE** Use of Force In-Service Training in Pilot Departments

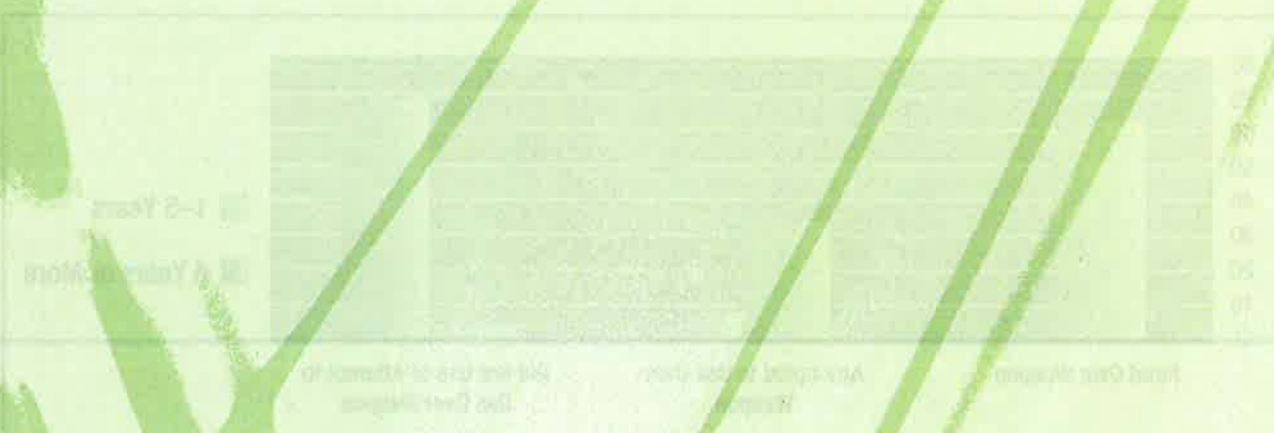


Figure 2. Respondents by years of experience, 2004-2005

The 1- to 2-year group was the largest with a representation of just over 10% of the sample. When examining the years of last completed college, nearly 3 years or less was the top response at 25.7%. Regarding the number of years of teaching experience, 35 percent reported 6 to 10 years of experience, and 20 percent reported 11 to 20 years. Of those who reported 6 years or more of teaching experience, 60 percent reported 11 to 20 years of experience. The only 5 percent who reported 21 or more years of experience were in the 11 to 20 years of teaching experience group. The National Center will continue to collect a variety of data to determine their value in teacher policy and training.

Table 2 presents the results of the survey questions related to the teacher's role in the classroom. The majority of respondents (80%) reported that they were responsible for the majority of the classroom management. The majority of respondents (75%) reported that they were responsible for the majority of the instruction. The majority of respondents (70%) reported that they were responsible for the majority of the assessment. The majority of respondents (65%) reported that they were responsible for the majority of the communication. The majority of respondents (60%) reported that they were responsible for the majority of the collaboration. The majority of respondents (55%) reported that they were responsible for the majority of the leadership. The majority of respondents (50%) reported that they were responsible for the majority of the innovation. The majority of respondents (45%) reported that they were responsible for the majority of the research. The majority of respondents (40%) reported that they were responsible for the majority of the service. The majority of respondents (35%) reported that they were responsible for the majority of the advocacy. The majority of respondents (30%) reported that they were responsible for the majority of the community. The majority of respondents (25%) reported that they were responsible for the majority of the global. The majority of respondents (20%) reported that they were responsible for the majority of the future. The majority of respondents (15%) reported that they were responsible for the majority of the world. The majority of respondents (10%) reported that they were responsible for the majority of the universe. The majority of respondents (5%) reported that they were responsible for the majority of the everything.

VI. Officer Mindset

The IACP and COPS Office Use of Force Symposium created a safe environment for participants to have candid conversations, share concerns, and seek affirmations for personal observations. Symposium demographics were heavily weighted toward tenured experts in leadership positions, talking about use of force from a leadership perspective. Given that the vast majority of uses of force are employed by front line officers, symposium participants were reflecting on secondary observations concerning the actions of others or recalling their own experiences.

What officers think about the use of force and the factors that influence this decision are complex and unique to every officer. Understanding these dynamics is essential before attempts are made to manage, train, or otherwise influence an officer's use of force. Further research that supports a more comprehensive understanding of the officer's mindset is essential before moving forward.

During the symposium discussion on officer mindset, concerns were voiced on a number of subjects that have enormous ramifications to the use of force conversation. The first centered on law enforcement's perception concerning the level of violence directed against them as police. The spike in police fatalities that had occurred earlier in 2011 was noted. Many assumed that policing had never been more dangerous and appropriate action needed to be taken to defend police against an increased risk of injury and death. Others offered a different perspective, raising concerns about an alarmist response that could result in the over-reaction of police and a retreat from community oriented policing.

Participants voiced concerns that officers were often in a state of paralysis when it came to the use of force because of the unintended consequences of department use of force reporting requirements, outside review boards, internal affairs actions, liability concerns, and the ramification of criticism from outside constituencies.

I think the response that I'm not going to do my job because someone will object is despicable. Part of being a police professional is using appropriate force and learning to deal with criticism.

— Merrick Bobb, *Director*
Police Assessment Resource Center

We need to focus on the balance of officer and public safety—and to ensure that balance. When any citizen is injured or killed, and improper force is suspected, it must be fully investigated.

— Al Pearsall, *Special Assistant to the Principal Deputy Director*
Office of Community Oriented Policing Services

The recent police deaths are tragic but the most violent year for police occurred in 1971. We need to take this data and examine it historically rather than take it raw and think we are under siege. Without proper analysis there is fear that is unwarranted.

— Louis Dekmar, *Chief of Police*
City of LaGrange

From this discussion it appears critical that a variety of questions should be asked of front line officers. This inquiry could include questions regarding officer's fears or apprehension to use force, their sense of the relative dangerousness of their jobs, the perception of members of the community and how they are viewed by the community, their beliefs about the supportiveness of police leadership, the consistency of their actual reporting of use of force incidents, the types of use of force reporting and procedures in their department, their views on training at the academy and in-service, as well as their views regarding their role as police in the community they serve.

Participants collectively voiced a desire to have access to the facts concerning the actual violence currently leveled at police. When the environment is perceived as more dangerous, police leaders are likely to support

increasing levels of force to protect officers. Evidence of this trend can already be found in academia and government reports. Eastern Kentucky University criminologist Peter Kraska has published statistics suggesting that SWAT deployments in the United States have increased from 3,000 in 1980 to nearly 45,000 during 2007. In Maryland, where reporting the use of tactical teams is required by law, SWAT teams were used over 1,600 times during a 1-year period ending in June of 2010.¹ It is clear that leaders base force decisions on the prevailing crime and community context within their jurisdiction. Clearly, to maintain the trust with the community, belief about dangerousness must be congruent with the facts based on solid analysis of verifiable data, which in turn should be shared with the public.

Symposium members also struggled to characterize the actual and appropriate mindset of front line officers today. Despite an active conversation regarding the current feelings of front line officers, little consensus could be made. Leaders expressed a strong need for information concerning the actual threat of violence, and the state of mind of their front line officers. They noted that this need was immediate and could not wait for findings from lengthy multi-year research efforts. A sense of urgency was shared concerning the need for accurate data as well as the analysis required to understand these baseline factors before pushing forward in many of the areas addressed during the symposium.

RECOMMENDATIONS:

- ▶ **SURVEY** to evaluate the Use of Force Mindset of Police Officers
- ▶ **SUPPORT** efforts such as LEOKA and the National Center for Prevention of Violence Against the Police to collect, evaluate, and publish in real-time, data that speaks to trends in violence directed against police.

1. Kris Coronado. 2011. "Unnecessary Roughness." *Washingtonian Magazine*. April.

VII. Conclusion

The IACP/COPS Use of Force Symposium helped to identify critical issues and innovative recommendations to address them. Most of the recommendations are focused at the national policy and funding levels. Now that this report is in dissemination, IACP and the COPS Office will begin discussing how to maintain momentum to ensure these recommendations are implemented and, in particular, how to engage a broader spectrum of both public and private law enforcement leaders to support further work in this field.

While these national-level discussions proceed, it is equally urgent that local law enforcement leaders take immediate steps to strengthen their agencies' approach to all aspects of use of force policy. As always, local leaders need not wait for major national-level activities to emerge; rather they can use their authority to address issues—when necessary—with immediacy. Looking at this report's recommendations through the local lens, the following is a set of suggested actions that may be of critical value if addressed:

- **Officer mindset:** Hold regular briefings at both the command and officer level to fully understand how officers think about force issues, including policy adherence, liability, internal force reviews, public perceptions, and suspects' use of force against officers. Their perceptions will have a direct impact on how they use or do not use force.
- **Force policy and training:** Conduct a review of force policies, looking at both state and local policy models, to ensure currency and comprehensiveness. Revise and enhance all policies as needed. Make sure all use of force training is entirely consistent with policy and it both reinforces and further articulates policy intent.
- **Force reporting:** Review current use of force reporting policies in the context of both state and national models, and update or revise those policies as appropriate or needed. Proactively use that data to conduct annual use of force reviews that can influence policy and training enhancement.
- **Communications strategy:** Review local communications strategies to ensure preparedness and transparency in the event of a use of force incident that necessitates public commenting. On a regular basis, seek opportunities to gauge public perception on general use of force issues, absent of any recent incident.
- **Media:** Work with local media to educate them on use of force policy, training, and practices so they view and report on future incidents in an informed, contextual manner. Share that education with governing body leaders so they have the same contextual information as they review use of force incidents.

As symposium participants stated in Chapter IV, “the gold standard of use of force management is a leader who possesses complete awareness of the use of force culture within his or her department and knowledge of the attitudes held by all officers....” Taking action on the above items will enable local law enforcement leaders to gain critical information and perspective on force issues from within their organizations and the communities they serve, thus empowering leaders to ultimately use that information to achieve the gold standard of use of force management.

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January 5, 2010 (Alexandria, VA)

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Use of Force Symposium Meeting Participants

May 4, 2011 (Alexandria, VA)

Geoffrey Alpert

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University of South Carolina

Merrick Bobb

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Philip Broadfoot

Chief of Police

Danville Police Department

Michael Carroll

Chief of Police

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Massachusetts Chiefs of Police
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Justin Cuomo

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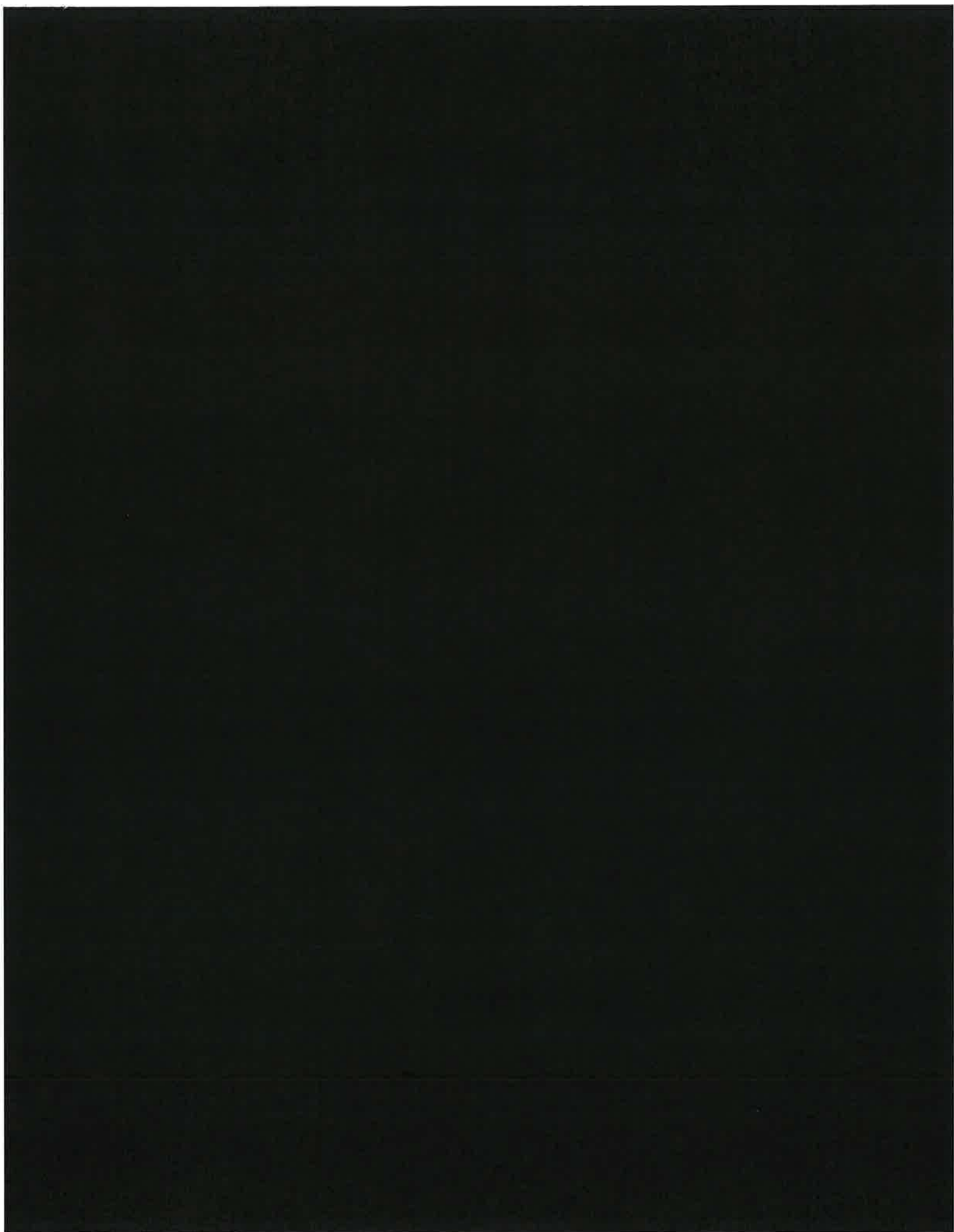
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Rochelle Love
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Public perceptions of the use of force by law enforcement officers can dramatically and negatively affect the way the police and community interact. The International Association of Chiefs of Police (IACP) and the Office of Community Oriented Policing Services (COPS Office) convened a Use of Force Symposium to find ways in which law enforcement can address the perceived excessive use of force by officers. Discussions centered around five major themes, including public perception; getting at the facts; managing use of force; officer training; and officer mindset. ***Emerging Use of Force Issues: Balancing Public and Officer Safety*** summarizes the discussions from the Symposium and provides suggestions and conclusions on what actions can be taken to address these issues.



COPS
COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

U.S. Department of Justice
Office of Community Oriented Policing Services
145 N Street, N.E.
Washington, DC 20530

To obtain details on COPS Office programs,
call the COPS Office Response Center at 800.421.6770

Visit COPS Online at www.cops.usdoj.gov.

SALT LAKE CITY POLICE DEPARTMENT

CHIEF'S ORDER	SUBJECT UPDATES TO POLICY III-310 USE OF FORCE AND III-680 REPORTS		NUMBER 2014-09
	DATE JULY 29, 2014	DISTRIBUTION ALL	PAGES 2
AMENDS III-310 AND III-680	RESCINDS	CANCELLATION DATE	

***INSERT THIS CHIEF'S ORDER in your manuals in the appropriate place.
This page reflects a change of policies. Changes are indicated in italics.***

I. PURPOSE:

This Order announces revisions to policy III-310 Use of Force and III-680 Reports. The revisions made to these two policies change when and how the use of force will be documented.

This order also announces that the Use of Force Details page in the Versadex RMS System will be upgraded to allow for better and easier use of force statistical reporting.

II. DETAILS:

The department has identified multiple problems in statistical reporting of use of force, including multiple entries on the same subject by multiple officers for the same use of force, confusing use of force codes and procedural errors on when use or force is reported.

In an effort to more accurately obtain statistical information and streamline officers' responsibilities, revisions to the Use of Force Details page in the RMS system have been made. Department policies have been more clearly defined as to what defines use of force and when to complete the page. Use of force statistical reporting will now follow the use of force continuum as instructed and practiced by the department.

These changes will also facilitate other agencies using the Versaterm RMS system in both tracking and documentation.

Additional information will follow outlining the differences between the old and new practices in use of force statistical reporting.

III-310 FORCE, USE OF

Use of Restraints or Physical Force

Physical force is defined as the **"amount of effort required by police to compel compliance by an unwilling subject."**

Whenever officers make contact with citizens in the field and determine it necessary to control individuals through the use of mechanical restraints or physical force, the officer must complete a Use of Force Detail(s) report as part of a General Offense report or Supplementary report. One Use

of Force Detail report will be completed for each subject against whom restraint devices or physical force was used. The initial officer has primary responsibility to verify that a Use of Force Detail report is completed by himself/herself or an assisting officer. Multiple officers involved in an incident shall not all complete a Use of Force Detail report thereby creating multiple Use of Force Detail reports for a single subject. The Use of Force Detail report will be completed in full, documenting effects of the force used.

All officers shall document all circumstances surrounding force used against a non-compliant subject in a narrative text.

III-680 REPORTS

Situations Requiring a Report

A report must be made:

- When a crime has been committed.
- When an officer responds to a medical assist or injured person call.
- When further investigation may be necessary.
- When facts of the current incident may be helpful in a future investigation.
- Whenever an officer takes any police action.
- When there is any indication that the facts of the incident may tend to embarrass the Department.
- When there is death or probable death.
- When there is additional or new information to a previous case.
- When there is any question as to whether the incident requires a written report.
- When any person is physically detained with restraint devices or subjected to the use of physical force, as defined in section III-310 Force, Use of, the incident requires a General Offense report and Use of Force Detail field.
- Any time a vehicle is impounded.
- Any time a Crime Lab Technician is called to the scene of an incident.



CHRIS BURBANK
CHIEF OF POLICE

[Back to Staff Report](#)

Fall 2014 Trimester Training

Conducted by the Internal Affairs Unit

- Dangerous Animals
 - Debrief of 2465 South 1500 East
 - "Police and Dog Encounters" – Video Presentation
 - New Policy Language
- Officer's Responsibility to Report Misconduct
- Evidence Handling
- Video Cameras

Agenda



- **14:45 (approx.)** – 3 year old male goes missing from 2511 South Filmore St.
- **15:27** – Parents call dispatch to report the child missing.
- **15:39** – Call dispatched.
- **15:44** – First unit arrives.
- **16:32** – Officer fatally shoots dog at 2465 South 1500 East.
- **16:53** – Child located inside his residence.

Timeline...June 18, 2014

- Police officers were searching the home.
- The Incident Commander had established a command post.
- K9 assistance had been requested.
- Teams of officers were detailed to canvass the surrounding homes, a nearby church, and two area parks (Sugar House and Fairmont).
- A photograph and description was emailed department wide by the subject officer, who had arrived and was assisting at the scene.



**Within approximately 20 minutes
of arrival:**

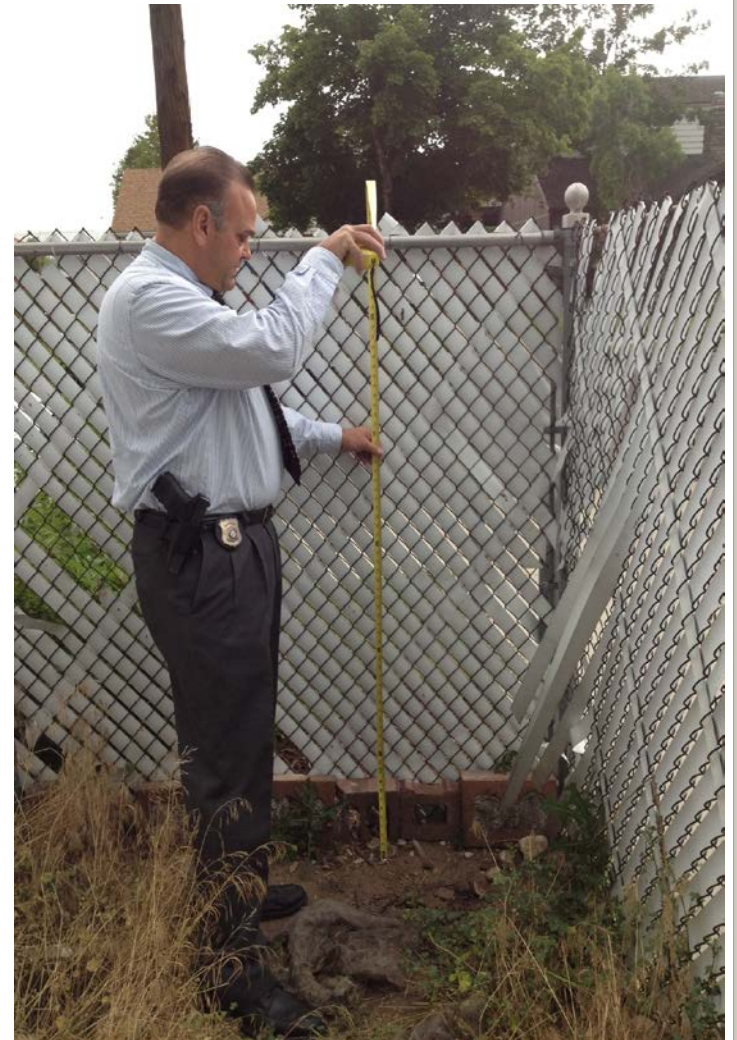
- 29 Officers assisted at the scene over the course of events.
- The distance from the residence of the missing child to that of the shooting is 0.15 miles. Less than ½ block.
- Officers were told by the parents that the child would not respond to his name.
- The child's home was searched 4 times by police personnel.
- Subject officer's reaction time to the barking, then charging animal, was estimated to be 3-5 seconds.

Additional Facts:



2465 South
1500 East

(Vegetation and irregular fence line of backyard)





Shell casings indicating approximate position of the officer.

Position of the animal
after the shooting



Food & Water bowls



LESSON PLAN

2014 Fall Trimester Training

Internal Affairs Update

(4 hours)

Statement of Goal and Objectives:

Sworn officers will be apprised of important issues arising out of recent internal affairs investigations. They will be familiarized with techniques to deal with and defuse encounters with dangerous animals. They will be reminded of their obligation to report misconduct of the part of department employees when they are witnesses to it. They will be instructed on best practices for booking personal belongings into police evidence. Finally, they will be reminded of department policy on the operation of Axon Flex Cameras.

Items and Materials:

- Power Point Presentation
- Lecture
- Relevant Video Clips

Outline:

ENCOUNTERS WITH DANGEROUS ANIMALS

- Debrief of incident at 2465 South 1500 East
- DOJ Video Presentation
 - *“Police and Dog Encounters”*
 - Class Discussion
- New Policy Language

OFFICERS RESPONSIBILITY TO REPORT MISCONDUCT

- The importance of reporting officer misconduct
- Methods for reporting officer misconduct
 - Intervene if possible
 - Ask clarifying questions if possible
 - Reporting within chain of command – in accordance with department policy
 - Internal Affairs Unit
 - Chief Executive – Chief
 - City Officials
 - District Attorney – for criminal matters
 - State Attorney General's Office
 - POST Investigations
 - FBI
- Legal basis for reporting and legal ramifications for not reporting officer misconduct
 - Duty to act
 - Direct or vicarious liability
 - Criminal liability
 - Civil liability

IMPLICATIONS OF NOT REPORTING MISCONDUCT

- Department sanction up to termination
- Decertification
- Criminal sanctions
- Loss of professional reputation
- Negative effects of officer misconduct
 - Public embarrassment
 - Compromise officer safety
 - Compromise police effectiveness

- Factors that inhibit
 - Peer pressure
 - Career limiting reprisals
 - Fear of discipline or prosecution
 - Uncertainty of violation
 - Adversarial relationship between administration and line officers

EVIDENCE HANDLING

- Backpacks and other personal property bookings
 - Protection against claim
 - Protection against injury, illness, contamination
 - Secure property entrusted to the department
 - Discovery of contraband
 - Discovery of the fruits of criminal activity
 - Best Practices

VIDEO CAMERAS

- Policy requires the activation of the Axon Flex camera in specific situations.
- Q & A about “Non-Traditional Media” Training Bulletin

Assessment:

The Training Announcement will make the class mandatory for all sworn personnel and attendance roles will be maintained by the Training Unit.