

# ANSWERING THE CALL

WINTER 2008

A QUARTERLY JOURNAL FOR LAW ENFORCEMENT  
& FIRST RESPONDERS

Presented by The Performance Institute and The Police Policy Studies Council

The RAND Study of  
NYPD Training Practices:

*Featuring*

# A Missed Opportunity?

*Also  
Inside...*

- Some Rights Among the Wrongs
- Sending Out an S.O.S
- The I-Sight, Ear-Mounted LED Light

# LETTER FROM THE EDITOR

*Dear Colleague,*

Over the past few months, the US and global financial crisis has worsened, dramatically affecting many state and local municipalities. In an economic downturn, too often agencies make reactive decisions to satisfy an immediate need or to balance the budget, only to compromise public safety in the long-term. With the large percentage of budget cuts around the country, departments are wondering how they will maintain public safety with less money and are looking for innovative ideas to ride out these economic hardships.

The cuts needed to balance state and local budgets are getting tougher but the San Jose Police Department is doing their best to find innovative ideas to cut costs. They are considering supplementing their crossing guard program with volunteers. The current program costs \$2.1 million and stations 215 part-time guards at elementary and middle schools. Volunteers would help reduce the program's costs and "improve public safety with little or no costs to the city" reported Councilwoman Nancy Pyle.<sup>1</sup>

Another department who is combating these tough times is the Kennesaw Police Department in Georgia. They've focused their cost cutting efforts on fuel consumption reduction by cutting off the engines when on a call or on safety stops. They also replaced patrol cars with foot and bike patrols in parks, subdivisions and apartment complexes.<sup>2</sup> Similarly, the Boulder Police Department saved on fuel costs by adding food and bike patrols, and putting two officers in one patrol car.<sup>3</sup> Both of these departments have maintained quality services while reducing operating costs.

For now, the magic formula between large budget constraints and maintaining safety with quality service has not been perfected. However, departments nationwide are getting smarter, more efficient and starting to find ways to deal with these tough economic times. Eventually, many small steps of improvement will lead departments to large accomplishments.

The Performance Institute and Police Policy Studies Council work with law enforcement agencies from across the country. Almost every agency says that their agency and officers face the issue of prisoner re-entry and recidivism. While we can't provide all the answers for every situation, we understand that implementing change can be difficult and strive to be a forum that offers tips and tactics. We hope these free or inexpensive tips for your agency will help to better manage prisoner reentry. If you would like to speak with an expert on this matter, please contact Stephanie Donaldson at [Donaldson@PerformanceWeb.org](mailto:Donaldson@PerformanceWeb.org) who can assist you in this process.

This Journal does not assume itself to provide all the answers. But Answering the Call is founded upon the basic principle that every additional piece of knowledge and information available to the first responder community will improve their ability to keep America safe and achieve their mission.

Sincerely,



Stephanie Donaldson, VP of Education Services  
LEDC, The Performance Institute



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<sup>2</sup> [www.kennesaw.ga.us/archives/40/June\\_2008\\_Inside\\_Kennesaw.pdf](http://www.kennesaw.ga.us/archives/40/June_2008_Inside_Kennesaw.pdf)

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# ANSWERING THE CALL

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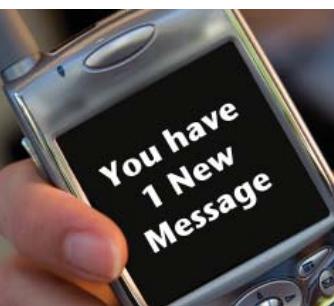
# THE FUZZ BUZZ

## TXT MSGS 4 CRIME STPRS

**P**olice Departments have relied on anonymous crime tips for decades. Starting in the 1970s, anonymous tips via pay phones started after an Albuquerque Detective asked crime scene eyewitnesses to come forward with any

new information over a television broadcast. Shortly after the broadcast, leads came in and one eventually led to the case being solved.<sup>1</sup> Today, police are still requesting tips, just through another mode of communication – text messaging.

The Boston Police



1 [www.crimestoppersnm.org](http://www.crimestoppersnm.org)

Department was the first department to increase their crime solving capabilities by implementing an anonymous text program. The Boston PD Commissioner got the idea after arriving to a crime scene and seeing bystanders texting friends about what they saw. Within 12 months of initiating the BPD's CrimeStoppers Mobile Program, 678 text-tips were received. These text-tips provided leads to police which resulted in drug, gang and violent crime arrests.<sup>2</sup>

In the past year, more and more departments have implemented anonymous online and text messaging tip

2 [www.policeone.com/police/products/official-announcements/1700902/](http://www.policeone.com/police/products/official-announcements/1700902/)  
[www.okccrimetips.com/localnews.aspx](http://www.okccrimetips.com/localnews.aspx)

lines and are seeing results. Since deployment, the Oklahoma City Crime Stoppers program has quadrupled the number of tips received<sup>3</sup> and San Diego County's program has seen a 10-15% increase in tips over the internet. By appealing to the younger generation and technology savvy citizens, online and text message tip lines have opened lines of communication between cell phone users and law enforcement.

Online and text message crime tipping is a convenient way for law enforcement and citizens to communicate. As departments and organizations continue to embrace new technology to make tip reporting anonymous and convenient, crime stopper programs will continue to be successful.

3 [www.okccrimetips.com/localnews.aspx](http://www.okccrimetips.com/localnews.aspx)

## To TASER or Not to TASER... That is the Question

**H**eadlines like “Deputy under fire for TASER,”<sup>1</sup> “Carlisle man sues police over TASER incident,”<sup>2</sup> and “New York police officer commits suicide over TASER incident”<sup>3</sup> are becoming difficult to ignore. They are taking over the covers of hometown newspapers and infiltrating the headlines of nightly newscasts.

With headlines like these, the public at large may view TASER usage as a cruel punishment for minor societal disturbances because they only hear about incidents which result in serious injury or death. However, to law enforcement officials and first responders, TASERs provide safety on the job and can be the solution to a potentially dangerous threat or the difference between life and death.

According to Worcester, MA Captain Paul B. Saucier, “TASER is just another tool in our arsenal and is another

option for officers to use, other than deadly force”<sup>4</sup>. Similarly, in a recent report released by the Royal Canadian Mounted Police (RCMP), the RCMP defended the use of TASER because it found that in one-quarter of reviewed TASER cases from 2002-2005, RCMP officials used TASER when “they reported facing a threat of death or grievous bodily harm.”<sup>5</sup>

On the offensive, advocacy groups like Amnesty International contend that countless deaths are related to TASER shocks by police<sup>4</sup> who have no reason for deploying the weapon. For example, the use of TASER in early fall 2008 brought about the tragic death of Iman Morales and subsequently Lt. Michael Pigott. These jurisdictions are now looking deeper into TASER and taking notes to deciding if TASERs are appropriate for their departments.<sup>3</sup> Since the Morales/Pigott incident, the

NYPD has ordered a mandated TASER “refresher” course for those officers who are authorized to use them.<sup>6</sup> The NYPD is also following up on current guideline structure to ensure a situation like Iman Morales’ never happens again. Elsewhere in New York, Suffolk PD is looking to purchase close to 250 new TASERs but is carefully reviewing its policy and procedure on usage while Nassau PD had decided to stay with their current policies because they only have 12 TASERs in active use.<sup>6</sup>

Across the country, different jurisdictions have different policies regarding TASER training, safety and deployment. But more and more police departments are beginning to feel the public push to unify and tighten TASER regulations. While no one has the answer to the future of TASER usage, police departments need to review cases carefully and consider policy changes to determine what type of usage is appropriate for their jurisdiction.

1 [www.thestate.com/local/story/567645.html](http://www.thestate.com/local/story/567645.html)

2 [www.cumberlink.com/articles/2008/10/20/news/local/doc48faa98e12ba3305584456.txt](http://www.cumberlink.com/articles/2008/10/20/news/local/doc48faa98e12ba3305584456.txt)

3 [www.latimes.com/news/nationworld/nation/la-na-stungun3-2008oct03,0,809645.story?track=rss](http://www.latimes.com/news/nationworld/nation/la-na-stungun3-2008oct03,0,809645.story?track=rss)

4 [www.policeone.com/edp/articles/1744366-Two-Mass-departments-say-less-lethal-options-are-sometimes-the-most-appropriate/](http://www.policeone.com/edp/articles/1744366-Two-Mass-departments-say-less-lethal-options-are-sometimes-the-most-appropriate/)

5 [www.thestar.com/News/Canada/article/525524](http://www.thestar.com/News/Canada/article/525524)

6 <http://www.newsday.com/news/local/crime/ny-licops035867912oct03,0,1164752.story>

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# Some Rights among the Wrongs



There's some good news to report here. A few weeks ago, an armed carjacking of an elderly woman resulted in a vehicle pursuit and capture, with a hail of bullets intervening. (That's good, but not the good news). Also captured, by patrol car video cameras and officer microphone packs, was the entire incident; from initial lights and sirens to the last shot fired. (Getting closer).

By Gary Lippman, Esq.  
General Counsel, Palm Beach County  
PBA

Your author arrived at the scene, swarming with officers and supervisors, including a Major. Upon receipt of an initial account of events while standing nearby the involved vehicles (blue lights still flashing on the patrol cars) I inquired about on-board videos; specifically, if the equipment had been operational, and if the officers and I would be permitted to view the videos before statements were requested. To my surprise, no furrowed brows, no wringing of hands, no telephone calls, no deliberations, no rationalizations, no hesitations in the response: "Sure!" Hard drives immediately were pulled from the two (2) involved patrol cars and slid, like little drawers, into a computer at headquar-

ters for review by the officers and me; and that's the good news.

Why is that remarkable? Because over the last few years a sea change appears to have been occurring, fairly characterized as running the gamut from a reluctance in some parts, to a full-blown refusal in another, to permit officers' review of available videos of their own critical incidents before being questioned about those incidents. To the extent that courts of law permit witnesses (including law enforcement officers!) to refresh their recollections while testifying in judicial proceedings, it just seems logical to provide an officer the opportunity to review the best available evidence of his or her conduct before testifying in investigative proceedings; especially so in "critical incidents," and here's why.

"Critical incidents" are the culmination of officers' split-second decisions. A very recent study by Thomas J. Aveni, of the Police Policy Studies Council, focused on police officers' deadly force decision-making process. "The MMRMA Deadly Force Project: A Critical Analysis of Police Shootings Under Ambiguous Circumstances" (Aveni, February 9, 2008). While the focus of the study was the ultimate decision *to shoot* (the "micro-behavioral

components" of the decision), some of the study's findings are material to our focus, here. First, and foremost, Aveni found that the participants in his study had to decide whether to shoot "within a window in time that generally averaged less than .35 seconds." (It just took you more time to read the short section I quoted than you'll have to make your own life or death decision). The second finding material to our focus here actually was collateral for Aveni. Having structured his project to permit participants' review of their actions in the various scenarios prior to completing a questionnaire/ "Debrief Form" addressing *why* they did whatever they did, Aveni noted: "When participants opted *not* to review a video replay of their performance they typically had difficulty remembering many of the situational and behavioral elements embedded in those scenarios." (Emphasis added).

But it is precisely those "situational and behavioral elements," or "cues" (processed by the brain in less than a second!) that inform the officer's threat analysis and simultaneously animate his or her action (or inaction). And the officer's ability after-the-fact to reiterate comprehensively all those "cues" to which training and experience have at-

tached reflexive responses, will inform the decision as to whether the shooting was justified. The problem is that officers' split-second threat analysis often is the product of what has been referred to as the "threat focus;" the narrowing attention to suspects' hand(s) with "hidden" or "unknown objects" and/or their "furtive movements." This "threat focus," by its very purpose and definition, sorts through, discounts or otherwise excludes extraneous or peripheral elements at the scene in that same split-second.

It stands to reason, therefore, as Aveni suggests, "that what is suppressed or filtered out of the 'input' (perceptual) process will be unavailable (or unreliable) for retrieval at a later time." Stated another way: observations the mind actually processes but discards as less significant/threatening in the heart-pounding micro-second race against sudden death, likely will not *gain* significance, if they are recalled at all, when the officer is asked to recount why he or she fired; albeit, those "elements" were part of "the picture" (i.e., what the officer was seeing) *before* the trigger pull. At the same time, the mind's exposure to traumatic events itself causes perceptual distortions and on occasion what psychologists call "associations" (i.e., the connecting or correlation of facts/events that may be coincident, but are *not* related at all), among other phenomena.

Ironically, two (2) of the best examples of the foregoing things come from fairly recent experiences at the very Agency which had denied officers an opportunity to review videos before receipt of their accounts. One involved an officer directed to generate a report with regard to an incident in a holding area under surveillance. There, an unhandcuffed arrestee swung at the officer and then wound up on the floor, to be handcuffed again. Directed to write a report without the benefit of the video, the officer's account of the incident included that the arrestee had swung at the officer, whereupon the officer recounted pushing the arrestee to the ground and

applying handcuffs. When the surveillance video was made available during the professional standards investigation, it was clear: the arrestee *did* swing at the officer; and, the arrestee *did* wind up on the floor and was handcuffed there. However, the officer *did not* push her to the floor; the momentum of the arrestee's roundhouse in combination with the inebriation resulted in her falling to the floor, herself. The officer had nothing to do with the arrestee's acquaintance with the linoleum!

So, did the officer file a false report? Did the officer deliberately draft a less "favorable" public record of the conduct?

The second example arose from a critical incident resulting in a justifiable fatal shooting. In that one, a shirtless male swinging a machete and shouting threats was confronted by a couple of officers; one of whom deliberately positioned his vehicle to capture the incident on the dash-cam, in anticipation. Denied the opportunity to review the video before giving a statement, the officer's account included the following: that the suspect stopped momentarily in response to the officers' presence (if not their repeated commands); that the suspect then looked at the officers; that the suspect then raised the machete and walked quickly towards one of the officers; and, that the officer took a couple of steps back and then fired.

When we were able to review the video after the officer's statement, what was revealed was: that the suspect did stop momentarily; that the suspect did look at the officers; that the suspect did raise the machete; but that he charged at the officer (not walked); and, that the officer jumped back completely out of the picture while firing.

So, did the officer give an untruthful statement? Did the officer deliberately give a less "favorable" account of the conduct? (These are not trick questions).

Distilled to its essence, this is all about whether "investigations" are for the purpose of determining what occurred, and *why* the officers responded as they did. If we are in agreement as to

that purpose, it seems to me that purpose is served best by permitting officers to review everything recorded about the incident, so as to reacquaint them with as many of the situational and behavioral realities they observed and processed in the split-second before their reactions.

The argument that by denying officers' review of readily available video/audio records, their accounts will be pristine, more forthright or otherwise free of any appearances of impropriety ("untainted") exalts form over substance and, in my own experience, results in public records of conduct more likely to be incomplete and *inaccurate*. That argument also is at odds with recent research; thanks to Tom Aveni.

As a result of our own situational and behavioral experiences in investigations, this office has forwarded to Tallahassee yet another proposed amendment to §112.532, FS.:

*Whenever photographs, video or audio recordings, global positioning or computer electronic data relating to the investigation exist, have been reviewed by, or reasonably are available for review by, the subject officer's agency, all such matter shall be presented for review by the officer subject of the investigation, along with legal counsel or any other representative of his or her choice prior to the beginning of the investigative interrogation.*

POST SCRIPT: The Agency subject of our "good news" in this installment is the Boynton Beach Police Department. Kudos to Chief Immler, Major Briganti, the Boynton PBA Reps and the men and women responding to the calls; taking care of business the right way.

#### About the Author:

Gary Lippman, Esq. has served as the General Counsel of the Palm Beach County (Florida) PBA with distinction for many years. In that capacity, Gary has represented many officers in times of legal crisis. He can be contacted through his PBA office at;

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The RAND Study of NYPD Training Practices:

# A Missed Opportunity?

*This analysis focuses upon the study commissioned by NYPD from the RAND Corporation. Entitled, "Evaluation of the New York City Police Department Firearm Training and Firearm-Discharge Review Process," the study can be purchased from RAND by visiting their website at [www.rand.org](http://www.rand.org)*

In January 2007, in the aftermath of the NYPD Sean Bell shooting, New York City Police Commissioner, Raymond W. Kelly, elected to take measures to assure that NYPD maintain its reputation as the most restrained U.S. metropolitan police department relevant to the use of deadly force. To that end, Commissioner Kelly asked the RAND Corporation to examine the thoroughness and quality of the NYPD's firearm-

training program. In completing that challenging task, RAND was to highlight potential areas for improvement in the design and delivery of training. RAND was also expected to review the tactics and procedures upon which NYPD firearms training is based, as well as evaluate the agency's firearm-discharge review

*By Thomas J. Aveni, MSFP  
The Police Policy Studies Council*

# FEATURES

## RAND found that generally shooting officers are more proactive officers: They receive more medals, more frequently make arrests, and are more frequently injured in the line of duty.

process. A sum reportedly in the amount of \$500,000 was awarded to RAND to conduct this study.

Who or what is the RAND Corporation? Founded in 1948, RAND describes itself as a, “non-profit institution that helps improve policy and decision-making through research and analysis.” An outgrowth of WWII, with its origins in the Douglas Aircraft Company of Santa Monica, California, RAND morphed into a politically-connected, interdisciplinary “think-tank.” RAND has three principal U.S. locations in Santa Monica, CA; Arlington, VA; and Pittsburgh, PA. The RAND Gulf States Policy Institute has offices in Jackson, Mississippi, and New Orleans, Louisiana. RAND Europe is located in Cambridge, UK and Brussels, Belgium.

The RAND-Qatar Policy

Institute is in Doha, Qatar. Needless to say, RAND has come a long way in its 60 year history.

When RAND released its NYPD study earlier this year, the reaction was swift from many of the usual assortment of left-wing critics. The New York Civil Liberties Union proclaimed, “Rand Report Gloses Over Racial Disparities in NYPD’s Stop-and-Frisk Practices.”<sup>1</sup> The Center for Constitutional Rights proclaimed; “CCR Calls NYPD Rand Report a Distortion of the Facts: NYPD Still Engaging in Racial Profiling.”<sup>2</sup> In effect, the gist of the

RAND study was blind-sided by agenda-driven attacks aimed at distracting attention away from crucial findings. But, this outcry probably should’ve been anticipated.

While the New York Times and other New York newspapers attempted to tie the RAND study to the shooting death of Sean Bell, Commissioner Kelly made a public pronouncement from the outset that the study would focus on issues that generally influence the use of firearms by New York City police – not the Sean Bell shooting specifically.

If RAND was to be reasonably second-guessed from the outset for anything, it might have been for the qualifications of the team it structured for this project. One might argue, as we would, that any research team assessing police training doctrine and methodology in detail should have had staff members with demonstrated expertise in such areas. The RAND team, by all outward indications, lacked some of the requisite skills one might have chosen for this task.

In discussions with NYPD members involved with or informed about the RAND investigation process, it appeared as if a great deal of time was initially expended (by RAND researchers) to acquire a basic understanding of police training in general and NYPD training in particular. By all accounts, RAND researchers received a crash-course pertinent to the substance and methodology of police training. This is understandable, given even a cursory glance of the backgrounds of RAND researchers assigned to this study.

While RAND did assign one PhD with a criminal justice background to this project, they also assigned a PhD in economics, a PhD in psychology, a PhD in social psychology, a psychiatrist, a military affairs expert and a PhD in statistics. Does this mix of researchers appear a bit illogical? A review of RAND’s website displays very little

practical law enforcement expertise, so, perhaps they felt obligated to go with what they had readily available.

To their credit, the RAND team also collected information from a number of other police agencies for comparison purposes. In addition, RAND sponsored a one-day panel discussion of relevant issues which included a number of independent national experts. Though it appears that most of the panel’s experts were academics rather than practitioners, this was a positive step. RAND used the panel discussions as a means of checking their preliminary findings and for identifying other possible areas for further investigation.

RAND has a history steeped in equipment evaluation, albeit primarily military equipment. With the exception of RAND’s preoccupation with TASERs, the equipment focus in this study seemed heavily influenced by anecdotal evidence of effectiveness. For instance, handgun-mounted lasers, and handgun-mounted flashlights have a place in law enforcement, to be sure. However, adoption of such devices requires specialized training and the establishment of policy defining accepted usage parameters. Using a handgun-mounted laser to routinely “intimidate” subjects into compliance may invite unintended consequences. And, pointing handguns at subjects that officers aren’t justified in shooting may be a violation of firearms policy. This concern may also be directed at RAND’s reference to handgun-mounted lighting systems.

*“Several members of RAND’s panel of independent experts who reviewed cases suggested that the outcomes of those cases might have been different if officers had been equipped with flashlights mounted on their weapons, because a gun-mounted flashlight would allow the officer to keep the nongun hand free.”* (pg. 97)

Firearms trainers almost universally train their officers not to use a handgun-mounted flashlight as their primary lighting device. The reason is simple; we don’t want officers casually “searching” in the dark by pointing

1 New York Civil Liberties Union, “Rand Report Gloses Over Racial Disparities in NYPD’s Stop-and-Frisk Practices,” November 20, 2007, <http://www.nyclu.org/node/1507>, 27 October 2008

2 Center for Constitutional Rights, “CCR Calls NYPD Rand Report a Distortion of the Facts: NYPD Still Engaging in Racial Profiling,” November 21, 2007, <http://ccrjustice.org/newsroom/press-releases/ccr-calls-nypd-rand-report-distortion-facts:-nypd-still-engaging-racial-prof>, 27 October 2008

# FEATURES

their handgun-mounted light at everything they might wish to illuminate. This is a critical area in which RAND could've benefitted immensely from the input of seasoned firearms trainers.

Another issue that seems to have captured a great deal of RAND's focus was the correlation between cumulative "CPI" points and police shootings. CPI, or "Central Personnel Index" points, generally reflect upon an officer's history of disciplinary problems. Was this worth considering? Well, yes, but it had to be handled deftly by RAND. And, it generally was. Among their findings (pg. 50);

*"...though the shooter is more likely to be at the rank of police officer and to have greater rates of accumulating CPI points and of arresting armed suspects. While the remaining characteristics are not statistically different between the groups, the general pattern is that shooting officers are more proactive officers: They receive more medals, more frequently make arrests, and are more frequently injured in the line of duty."*

Addressing the sheer volume of recruits that NYPD trains on a yearly basis, RAND offers recommendations aimed at better structuring such an enormous undertaking. RAND suggests that (pg. 17), "...since the NYPD Police Academy trains, on average, approximately 4,000 recruits each year in two classes of about 2,000 recruits each," that recruit classes should be down-sized dramatically and commenced every two weeks. In essence, RAND believes that having new recruit classes every two weeks, throughout fifty training weeks per year, would be a substantial improvement. RAND believes that agency resources might be better utilized this way and that recruits would get more individualized attention through smaller class sizes. My sources inform me that NYPD trains far fewer than 4,000 recruits per year – that the current numbers are perhaps 2,700-3,000 per year. And, recruit

classes are divided up into much more manageable sizes for most training. RAND's recommendation for a format involving twenty-five new recruit classes per year seems predicated on their belief that, for instance, simulators and facilities used for scenario-based training would be better utilized. On the surface, this appears to make sense. However, it might require significantly greater numbers of training staff to employ video-based simulators and simulation-houses on a constant basis, fifty weeks per year.

Interestingly, RAND recommends additional training focus on, "Complex Policing Skills" (pg. 26). This entails greater emphasis upon training that is, "*centered on preparing officers for the contextually rich situations that they face in day-to-day policing.*" This is an excellent recommendation, by anyone's standards, and RAND laments the fact that in many areas in which scenario-based training is utilized for NYPD



# FEATURES

recruits there is often little time allocated for each recruit to do little more than watch others participate in such scenarios. They also find fault with the fact that, "acceptable demonstration (of recruit) performance is not required" in many training scenarios (pg. 31).

RAND's recommendation for the use of "individual simulation workstations" on laptop computers (pg. 32) seems a bit too simplistic but it may offer some limited utility where situational awareness and/or motor skill enhancement isn't at issue. For instance, simulation workstations might be used to inculcate recruits with a greater sense of policy awareness and understanding.

You'll hear the echo of many veteran police firearms trainer's wishes

in the RAND recommendation (pg. 39) that;

*"Given the importance of scenario-based training and the high cost of the instructors and equipment to support it, a full analysis should be undertaken of the costs and benefits of re-sequencing recruit training to provide greater access to it."*

And, the lament of several generations of firearms instructors can be heard when RAND addresses (pg. 39) this observation;

*"We are also aware that there is a substantial body of information to suggest that the current requalification paradigms have not enhanced real-world shooting performance."*

Where RAND ventures into providing specific training recommen-

dations they manage to score some points in some areas while failing to grasp the broad implications of their recommendations in other related areas. For instance;

*"...we recommend that the NYPD modify training to include reflexive-shooting scenarios in which a stimulus, such as the cry, "He's got a gun!" or the sound of guns going off, is included to sensitize officers to cues that may not be reliable and to teach them that such cues may generate unwanted responses. In addition, the NYPD should have officers practice with the correct decision making process to reduce the use of inappropriate decision making shortcuts...."* (pg. 90)

What is the "correct decision-making process," and how would we

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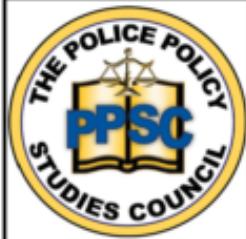


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# When RAND recommended a wider adoption of TASERs, video simulators and laptop computers (for addressing more scenario-based training), it resorted to an emphasis on technology rather than an enhancement of practical understanding regarding whenm where and why NYPD officers employ deadly force.

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When are “decision-making shortcuts” inappropriate? Often, they are only clearly inappropriate with the luxury of hindsight. But, let’s give RAND the benefit of the doubt here. The suggestion that officers be trained to differentiate between reliable and unreliable threat cues is a very good one. This should entail a wide range

teach it? The problem, overlooked entirely by RAND, isn’t as easily remedied as the above recommendation might have one believe. Since the most problematic police shootings involve situational awareness that is substantially diminished by low lighting, officers often employ “decision-making shortcuts” as a matter of survival. Under low light conditions, if an officer trips, falls and “accidentally” discharges his firearm while chasing a dangerous suspect, what might his police partner reasonably perceive? That his partner has just been shot by the suspect? This isn’t a hypothetical problem – it harkens one back to the (1999) NYPD shooting of Amadou Diallo. Yes, poor tactical choices often compress the deadly force decision-making process. If an officer gets “too close” to a threat he may not have perceived, his decision-making window is often a fraction of a second. But, getting “too close” is often dictated by the nature some scenarios, especially under low light conditions, where adequate situational awareness is anomalous.

When are “decision-making shortcuts” inappropriate? Often, they

of situational and (suspect) behavioral cues. However, we have to concede that this recommendation involves a greater deal of training complexity than one might be led to believe from the statement simplicity of the RAND recommendation.

## Summary

Admittedly, this overview of RAND’s analysis is much too brief to address all of the recommendations found within their 142-page report. Consequently, this review of the RAND study has deliberately focused on perceived shortcomings of their research findings. To be sure, many worthwhile findings can be found within the RAND study. Many of their recommendations parallel what many police trainers have been pleading many years for, especially where it pertains to greater emphasis on scenario-based training.

Perhaps the most serious shortcoming of this study is that it wasn’t prepared with the direct involvement of practitioners and that it wasn’t written with practitioners in mind. Certainly, there is a tremendous amount of input from NYPD trainers embedded in this study, otherwise RAND researchers may have been completely clueless regarding what they had been tasked to evaluate. It was, after all, NYPD personnel that provided RAND with an exhaustive orientation into recruit and in-service training practices. However, one could reasonably question whether researchers were then well versed enough (in police training) to draw definitive conclusions about the quality of training.

In the final analysis, research such as this has seldom influenced the day-to-day regimen of policing. There has always been a huge disconnect between the needs of the practitioner (law enforcement officer) and the academic who occasionally delves into law enforcement practices. It has been painful-

ly obvious to many people who straddle both the worlds of the practitioner and the academic that most research money has funded “blue sky research” rather than “applied research.” While this study offers some promise that has been referenced herein, it did virtually nothing to explain why “questionable” police shootings occur, let alone address specific training and occupational practices that tend to influence their prevalence. The fact that low light conditions account for the majority of questionable police shootings got virtually no attention from RAND. The fact that poor lighting conditions are also one of the strongest correlates in controversial “reflexive fire” incidents was also overlooked by RAND. One might submit that given the countless hours they invested in examining even the most mundane and often inconsequential aspects of recruit training, they would’ve also allocated ample time examining when and where problems arise on the street, and then delved into how training might most effectively address those issues.

Suggesting that NYPD embrace a wider street distribution of TASERs (as RAND does) is a positive development. But, it might also suggest that RAND doesn’t fully comprehend the nature of the problems routinely faced by law enforcement officers. TASERs would not have averted the shooting death of Sean Bell, or the shootings deaths of most people killed by NYPD gunfire. However, by recommending a wider adoption of TASERs, video simulators and laptop computers (for addressing more scenario-based training), RAND resorted to something one might have expected RAND to resort to; an emphasis on technology rather than an enhancement of practical understanding regarding when, where and why NYPD officers employ deadly force. So, while some substantive value can certainly be derived from this study, overall it appears to have been a golden opportunity (of money and agency access) that ultimately resulted in under-achievement.

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# SENDING OUT AN

Dr. Jeffery Mitchell presents at The Performance Institute's 2008 Homeland Security Summit



**D**r. Jeffery Mitchell, Clinical Professor, Emergency Health Services at the University of Maryland and President Emeritus of International Critical Incident Stress Foundation delivered an address on handling personnel and stress levels during critical times – “Managing personnel in a crisis situation.” His straight forward talk addressed the nature of stressful situations, signs of trouble, eruption of crisis and sensible staff support.

The following are a few simple tips from Dr. Mitchell’s presentation to keep in mind when managing first responder’s stress before and after a crisis incident.

## 1. NATURE OF STRESS

Stress is a force that produces strain on a physical body and it can come in many forms. For example, many people are unaware that there is “good” stress, known as eustress. Eustress keeps your adrenaline pumping and motivates an individual to complete daily tasks, act competitive in activities, and maintain focus. “Having stress is not bad itself. What is bad is having excessive or prolong stress” states Dr. Mitchell.

## 2. SIGNS OF TROUBLE: KNOW WHEN “GOOD” TURNS TO “BAD”

When a situation becomes difficult and too intense, individuals experience distress or “bad” stress. This often occurs when

the eustress becomes excessive or prolonged. Too often, this type of stress results in poor decision making and lessens productivity – one of the first warning signs of distress (1). Dr. Mitchell states during his presentation that “initially stress reactions are adaptive and helpful. As the stress reactions increase, however, there is a greater chance that they will be maladaptive and disruptive.”

## 3. ERUPTION OF A CRISIS: KNOW THE WARNING SIGNS

Critical incident stress may be triggered by a significant event such as a building fire, a personnel death and in extreme cases, a terrorist attack. These events start individual acute crisis response – an acute emotional reaction to a stimulus or a demand. Warning signs include dramatic changes in performance, negative alterations in physical and mental health, destructive behavior in relationships with family, friends and colleagues and significant negative changes in personality. It is important to know that during and after such significant events, usual coping methods may become obsolete (2).

## 4. SENSIBLE STAFF SUPPORT: HOW TO HELP

There are four key areas to focus support efforts: pre-education,

on-scene support, peer support, and significant other support. Dr. Mitchell reviews that “what works best is a comprehensive, integrated, systematic and multi-component support program.” To minimize the effects of critical incident stress, CIS management needs to begin with pre-education. Educate your workers and provide them with the necessary coping tools and resources. During an event, CIS management needs to be present and monitor front line responders. After the event, peer and significant support groups should meet to stimulate group cohesion, normalize reactions, restore group performance, rebuild relationships and cope with the lasting effects together.

Concluding his presentation, Dr. Mitchell left the audience with a final thought - management has a critical role in support and safety prevention for those dealing with critical incident stress (2). His ideas and thoughts around behavior resonated with the Summit delegates and helped them gain an appreciation for stress after a critical incident.

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### Resources:

1. [www.brocku.ca/healthservices/education/stress/good\\_bad.php](http://www.brocku.ca/healthservices/education/stress/good_bad.php)
2. Office of Dr. Jeffrey Mitchell



# The I-Sight Ear-Mounted LED Light

I've been wearing an interesting little device over my ear while working my 1600-0200 night police shifts. I'm 55 years old and have had trouble with diminishing night vision for at least a decade now.

By Thomas J. Aveni, MSFP  
The Police Policy Studies Council

has been my inability to read driver's license when conducting motor vehicle stops. Even with my reading glasses on (which I loathe wearing on car stops), I've had trouble reading a motorist's DL. Since most are laminated now, you get too much glare from them if trying to read them with your 80+ lumen flashlight. Compounding the issue is that fact that many states now place a hologram beneath the lamination to make counterfeiting of licenses more difficult. The hologram tends to obscure the text on the license to a great-

er degree at night when a flashlight is used to read the license.

I've tried several low-powered LED-type lighting devices, most notably the "Quiqlite," in attempt to overcome such problems at night. However, the Quiqlite and the Pelican "Clip Light" both suffer from their mutual design feature; both clip to your shirt pocket. Though this feature makes them "hands-free," it also means your light focus is limited to whatever your shirt pocket is facing. In effect, you need to bring things toward your shirt pocket-mounted light, or turn your body so that the light faces what you want illuminated. This shortcoming is problematic under many circumstances.

I recently stumbled upon a product that has apparently been on the market for a few years now; the "I-Sight" LED light. Since this product mounts to your ear, it tends to point light wherever your eyes are focused. How important

is that? It seems to be extremely useful.

On late-night car stops, this product was bright enough to facilitate scanning the interior of automobiles as I gazed into them while approaching the front of the stopped vehicle. If dealing with extremely dark tinted auto glass, this light won't have the output to negotiate that challenge. Hopefully, the manufacturer of this product will pump-up light output of this product in future models. When contacted, a company representative couldn't tell me what the light output of this product was. However, I'd guess it to be in the 5 lumen range. That's certainly not too bright, but it has an adequate beam focus that makes the best of what output this product has to offer.

Activation and deactivation of the light is quick and simple. Finding the center of this device when mounted to your ear is somewhat analogous to touching your nose in a Field Sobriety

Test. The activation button sits close to the center of where this device is situated over your ear, allowing an intuitive on/off capability.

The I-Sight also seems to resist moisture, which means it can be used with confidence in the rain. It is advertised as being capable of working "under water." The manufacturer stands by that claim but suggests that you dry the battery compartment out (with a Q-Tip) at the end of your shift so that the contacts don't corrode. I can live with that. I've worn this product on vehicle stops during medium to heavy downpours and it hasn't failed to work for me.

This product is also relatively comfortable to wear. I've forgotten that I was wearing it on more than one occasion. And, it's reversible. You can wear

this product interfering with wear of eye glasses or headsets. I typically wear a Bluetooth headset on my right ear and have altered my I-Sight to wear on my left ear for that reason. The conversion takes about 5 seconds.

The LED on the I-Sight is mounted on a small, flexible "boom." You can adjust the boom in any direction to suit your taste. I've adjusted mine a bit further away from my face to avoid internal glare off of the lens of my reading glasses when they're worn. So, this adaptability is a useful feature.

The I-Sight is currently available in a white light model and a green light model. The green light is promoted as preserving your night vision adaptation. The manufacturer is touting a future model that will afford both green

This product offers runtime in excess of 36 hours on two 3-volt CR2032 batteries, and the LED lamp unit is rated to last for many years.

To be sure, I'm not advocating replacing a conventional flashlight with this product. This is just one more useful tool to consider if you're assigned to work late-night hours.

How much? This product advertises for a retail price of \$12.95 but can be found online for as little as \$9.95. For more information about this product, contact:

RadTech LLC  
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Over the past months, we are proud to say we have worked to upgrade our website and provide easier access to the information you want. We have created an Answering the Call archive featuring issues from the past year and have made subscribing easier than ever. We are also happy to announce that we have added two sections that allow you to suggest topics for conferences and e-learning events as well as suggest yourself or a colleague as a future speaker at law enforcement and first responder events. We encourage you to visit [www.PerformanceWeb.org/Center/LE/](http://www.PerformanceWeb.org/Center/LE/) for additional information

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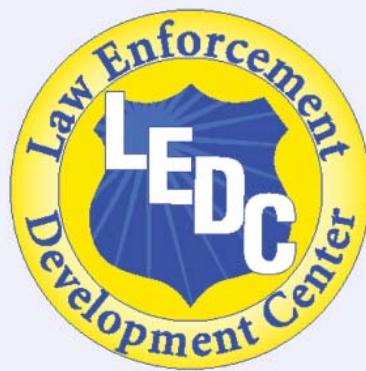
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