


DEFENDING LAW ENFORCEMENT AND RESTORING CRIMINAL JUSTICE

Homeschool Course



Chief Joel F. Shults, Ed.D

The National Police Association's free Law Enforcement education series is designed for home school, classroom, or independent learning. As part of our nonprofit educational mission, it prepares you for careers in public safety. This series is authored by [Chief Joel F. Shults, Ed.D.](#)

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Abolishing Citizen Arrest is Moving in the Wrong Direction

Georgia recently repealed its citizen's arrest statute in response to the death of Ahmaud Arbery in 2020. Arbery was reportedly jogging in his neighborhood when confronted by two armed men who are said to have suspected Arbery had been involved in break-ins in the area. The two men shot Arbery during a confrontation and later claimed that they were using self-defense while making a citizen's arrest. Gregory McMichael and his son Travis are charged with Arbery's murder as well as federal charges. McMichael is a retired police officer.

In the political fallout from the George Floyd death, the Arbery killing was bundled up in the racism debate. Distressed by the Civil War era misuse of citizen's arrest which alleges that Blacks were targeted for harassment and prosecution, Georgia removed the law preserving only the right of self-defense and of merchants to detain suspected shoplifters.

It is ironic that this effort to remove the ability of the citizenry to have a mutual civic-minded sense of responsibility for law and order comes at a time when the formal establishment of local police forces is also being challenged. The irony is that when citizens are told that only official government agents have law and order responsibilities, it increases the separation of the ordinary citizen and its police officers.

A foundational influence on modern American policing is the set of principles articulated by Sir Robert Peel. Peel was Home Secretary and Prime Minister of the United Kingdom in the 1800s. One of his most notable achievements was responding to an increasing crime problem on the streets of London by establishing a uniform police force. The London

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Metropolitan Police, known around the world as “Bobbies” became a model for the fledgling municipal police forces being established in the U.S., especially after the Civil War.

Peel undergirded his police force with a set of ideals known as the Peelian Principles, still taught in virtually every police academy and college criminal justice program. These nine principles listed here are still a vital part of law enforcement philosophy in America today:

To prevent crime and disorder, as an alternative to their repression by military force and severity of legal punishment.

To recognize always that the power of the police to fulfill their functions and duties is dependent on public approval of their existence, actions, and behavior, and on their ability to secure and maintain public respect.

To recognize always that to secure and maintain the respect and approval of the public means also the securing of the willing cooperation of the public in the task of securing observance of laws.

To recognize always that the extent to which the cooperation of the public can be secured diminishes proportionately the necessity of the use of physical force and compulsion for achieving police objectives.

To seek and preserve public favor, not by pandering to public opinion, but by constantly demonstrating absolute impartial service to law, in complete independence of policy, and without regard to the justice or injustice of the substance of individual laws, by ready offering of individual service and friendship to all members of the public without regard to their wealth or social standing, by ready exercise of courtesy and friendly good humor, and by ready offering of individual sacrifice in

protecting and preserving life.

To use physical force only when the exercise of persuasion, advice, and warning is found to be insufficient to obtain public cooperation to an extent necessary to secure observance of law or to restore order, and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.

To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police, the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.

To recognize always the need for strict adherence to police-executive functions, and to refrain from even seeming to usurp the powers of the judiciary of avenging individuals or the State, and of authoritatively judging guilt and punishing the guilty.

To recognize always that the test of police efficiency is the absence of crime and disorder and not the visible evidence of police action in dealing with them.

Most relevant to this discussion is the statement within principle #7: "The police are the public and that the public are the police, the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence." When society abandons its responsibility to be an integral preserver of peace and order, then government bears the responsibility alone. When this vital mutual interest yields to only

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professional government agents, something very vital is lost to the culture and the ideals of freedom and civic duty.

It is right to fear vigilantism that can lead to injustice, but it is dangerous to tell our neighbors they have no rights and responsibilities for our mutual safety.

Civil Responsibilities and Civic Duties

There is so much talk about law enforcement that the average citizen may think all justice must flow first through the badge. The police establishment has long been the gateway for a myriad of services beyond the mere enforcement of statutes and continues to be the first call of a citizen needing assistance of all kinds. It was not always so, and may need some modern adjustment in thinking.

Historically, Americans did not depend heavily on government services of any kind. The main reason is that many government agencies did not exist or were too remote to access. Or perhaps the main reason was the revolutionary and pioneer spirit we used to celebrate. Communities were built around people, not programs, and what structures there were in place were often from the commerce and industry that gave life to a region.

Omnipresent policing was not a part of everyday life until the turn of the century after the Civil War. Before that, and harkening back to our English roots, social control was exercised through personal interactions, private policing like Pinkerton and Wells Fargo agents, or the Sheriff and his posse of citizens. The idea of law enforcement officers wearing uniforms other than a badge became acceptable after the familiarity of blue and gray uniforms worn by so many men during the war.

Modern policing, exemplified in East Coast cities, was modeled after the London Metropolitan Police famously organized and instituted by Sir Robert Peel. His principles of policing still stand today as the ethical framework of the profession. The “Bobbies” — presumably called by their

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founder's name — and also called coppers because of their copper buttons adorning the uniform — were formed as a response to other government reforms of the day in the United Kingdom, and to respond more efficiently to crime and disorder than the decentralized local constables.

One of the Peelian Principles states "To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police, the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence."

It was perhaps the cyclical surges of crime and increased urbanization of the U.S. that led to an increase in police presence. Many efforts have been made to return police officers to their communities in more personal and visible ways, ostensibly to return to the cop on the beat, chatting with passersby and twirling their nightstick as they saunter along, grabbing the occasional apple from the fruit stand. Technology did not allow foot patrol to last forever. Patrol vehicles and radios made response to calls substantially quicker. The advent of telephones in most homes as well as television portrayals of law enforcement, made acceptability and accessibility of the police just a phone call away.

Post WW2 urban sprawl created the patrol patterns that kept officers insulated behind the wheel of their patrol cars zooming from call to call, with an alleged loss of personal, non-confrontational interaction between the public and the police. The Peelian idea that the public and the police both are responsible for peace in their communities slipped away, and tensions of that separation have reverberated in civil disturbances and

antagonism toward police.

During the last few decades, citizens have pulled away from taking individual responsibility for law and order. Fear of vigilantism, fear of being sued, employer requirements to give in to criminals, and misguided advice from many police leaders to do nothing but call 911, have convinced citizens that they are powerless.

While caution is certainly urged, citizens should know their rights in their state. May they carry a concealed weapon? Is a citizen's arrest legal in their state and under what circumstances? Can a citizen file a complaint directly with the prosecutor without the police as an intermediary? Are they immune from lawsuits if they assist a police officer in making an arrest? Does the law require helping a police officer asking for assistance? May a citizen use deadly force to protect their home or other property?

Some citizens are adept and knowing and claiming their civil rights. We should have the same passion for civil responsibilities.

Deep Thinking: The Moral Origin of Police Power

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed” — do these words from the Declaration of Independence haunt us when we are tackling a suspect? Perhaps they should.

Police power in the United States is derived, designed, and purposed differently from most other countries. We cannot imagine the absence of some mechanism in place to enforce protections for life, liberty, property, and the pursuit of happiness envisioned by the Founders, but they could not have foreseen our powerful ubiquitous modern police departments. There are a variety of internal and external controls on human behaviors that worked with some success prior to the arrival of today’s organized police. Our 21st century culture suffers the weakening of some of those controls such as religion, extended family, and strong long- lasting local community ties. The sheer volume of human interaction, cultural influences, and unprecedented anonymity add to criminal opportunity against which our police forces are now embattled.

We must be honest in recognizing that police power is the power of force and coercion. A glance at your equipment belt will verify this fact. A societal value associated with the capacity to force compliance is that this power must be held in reserve and used only in the most extreme circumstances. Understand that our practical application of this philosophy is not so clear and certain, but the general public views force in this way

and it is good that it is so viewed, lest the baser nature of those holding that power perpetrate the diabolical abuses seen today in the streets of China, Iran, and Korea.

A sad and common mistake in interpreting the Constitution is that this grand document gives us rights. It does not. It recognizes rights that naturally exist – “God given” as our deist forefather Jefferson recognized them – and that the only thing government can do is to repress those rights or protect them. Therefore, our power is derived from the people and granted to us for the purpose of ensuring the rights of all. That power is to be exercised only in the interests of a greater peace and equality. Every citizen has the power and responsibility to intervene and be a peacekeeper, but we often stand in their stead to protect the weak and unawares. Our power is the equalizer against the opposing forces of disorder. It is this rationale that provides the only moral basis for use of force in gaining compliance with the law.

Power exercised in violation of our national design necessarily diminishes the goals of freedom, peace, and equality. When a police officer uses his or her power to exact vengeance or when a politician uses police power to create favor of one over another, then our treasured values are betrayed.

Don't Burn Down the House

In struggling to find a template for understanding police reform movements, a recent renovation project reminded me of the complexity of a home. The strength of a house is based on the soil on which the foundation is laid, the integrity of the foundation itself, then every component that follows. Over time a house must be regularly inspected, maintained, and improved. The same is true for American policing.

External storms can damage the house. Age can cause plumbing to fail, and increased demand can cause the lights to dim and flicker. Heavy use can stress floors and wear out carpets. The décor begins to look shabby and outdated. We may be inspired to renovate, and we may find it necessary to repair. But no one burns the house down.

If, in our little parable here, American policing is the house, let's talk about our renovation project. Its foundation is built on the soil of freedom and natural rights. The Constitution is the firm earth of the building, fertilized by patriot blood. Our Founders struggled with the ideal of the Minute Man citizen soldier over against a permanent, professional army. They desired that men would take arms for a season in defense of their own property and freedom, exercise their duties for a season, then return to their home and family. Although reality required a sustained military force in order to win the War of Independence, the ethos of citizens' responsibility for the safety of their community was in the soil.

Community-minded guardianship is part of our English heritage. Villages grouped into ten families called a tithing. Ten tithings were a reeve. An official of the King was in charge of peace (and tax collecting). He was a

shire of the reeve, from which we get the term Sheriff. The real peacekeepers were citizens who took turns standing watch by day and by night. And, just in our days of the wild west, a posse would be recruited for added manpower. If an intruder or troublemaker came into the village, the watchman would put up a hue and cry at which all able-bodied men were to rise up and help the watchman apprehend the violator. The laws of arrest and use of force arose from these situations where citizens put their safety at risk to make an apprehension.

Besides the little history lesson, the point is that as we grew as a nation, our roots were in the expectation of public service for all able-bodied citizens. Some citizens decided to do their part by hiring another to take their place on the watch. Eventually, some citizens decided to devote themselves to taking that those payments from several community members to make being a watchman their full-time jobs. This evolved into tax funded watchmen and, eventually, police agencies.

Early American law enforcement gave little thought to uniforms, still bitter about the Redcoats boldly tramping around their cities. After the Civil War, when uniforms became ubiquitous and meaningful, police officers began wearing uniforms in cities where formal police departments were being established. Modern transportation and communication moved those officers from foot patrol to vehicles, patrolling and moving from call to call with little time for the conversation and interactions of former times. Recovering those relationships is the essence of Community Policing we hear about.

The merit of locally controlled police agencies, rather than a national police force or policing as a branch of the military is embedded in our history. Citizens who engage in actions that maintain safety in their communities and partner with law enforcement are the most powerful

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influence in maintaining the strength, integrity, and accountability necessary to quality policing.

As with any house, to return to our parable, a burst pipe or leaky roof can create a lot of damage that needs to be repaired. Some recent high profile events have done a lot of damage to law enforcement. If there was shoddy construction along the way or some weak elements that need to be replaced, that is for a wise steward of the house to manage and correct. American law enforcement, imperfect as it is and sometimes built with tainted material, is fundamentally sound. Its foundation is firm. We all need to work to keep it in good condition.

Federalization of Local Law Enforcement Takes a Well Deserved Blow

In one of the many ill-conceived knee jerk proposals that arose out of the death of George Floyd, the shouts of “somebody should do something!” immediately attracted the attention of Congress.

Legislation introduced by Karen Bass, whose achievements include calling for a mental health evaluation of Donald Trump during his Presidency, would have ended qualified immunity, imposed national standards, and banned “choke holds.” Bass has since declared that she will not seek re-election in order that she may run for Mayor of Los Angeles.

After the failure to obtain bipartisan support for the George Floyd Justice in Policing Act (GFJPA), which received no Republican votes in the House of Representatives, Bass called on President Biden and his administration to “use the full extent of their constitutionally mandated power to bring about meaningful police reform.”

Senator Cory Booker, unsuccessful Democratic Presidential hopeful in 2020, was negotiating hard for the bill. Booker may not be the best person to advocate for Republican partnerships with a record of nearly 100% voting for Biden initiatives and along Democratic party lines. To be sure, Republicans have pledged police reform as well but with fewer restrictions than the GFJPA and, interestingly known only as the Justice Act.

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Qualified immunity is often described by opponents as shielding police officers from accountability. Perhaps the word “immunity” is what confuses and incites people. There is no law or principle that says law enforcement officers don’t have to answer for unlawful behavior. The concept of qualified immunity originated from the ancient legal principles that have always understood that guarantees against reckless lawsuits are essential to maintaining government. There are many other governmental immunities and limits on lawsuits that protect the integrity and function of governments. Legislators have it. Prosecutors have it. Judges have it. Some essential businesses have limited protection as well.

Qualified immunity simply recognizes that many situations faced by police officers is so unique that established rules and laws are not clear, leaving police officers to make split second decisions that no one has prescribed responses for. In order to allow officers to make those decisions unencumbered by the ever-present cloud of litigation that can ruin their career and finances, qualified immunity may apply. And it may not. Immunity must be determined by the court as a defense to a lawsuit which means that there is judicial oversight on the issue and it is not always afforded to officers.

The so-called choke holds that have been the subject of legislation in many states are sometimes not distinguished from other neck restraints which intentionally protect an arrestee from having their breathing restricted and are aimed and restricting blood flow temporarily to render a violently resisting person temporarily unable to continue resisting. The latter technique has survived some legislation, and most laws retain these options when deadly force is justified.

Professional standards are appropriate in any career field, but those are generally imposed by professional organizations and state licensing or certification. Law enforcement policy and procedure is already standardized by guidance from insurers and cases that have already been decided in civil court, as well as by statute. There is no compelling reason for federal government involvement. Tying federal funds to adherence to a set of national standards is no less than bribery. Withholding funds from agencies in furtherance of federal interests is a back door way of defunding police already under local control.

Voters have ultimate control over their local police agencies by electing Sheriffs, Marshals, and city and county officials who fund and appoint law enforcement leaders. This is the greatest accountability rather than ceding control to federal watchdogs. Law enforcement leaders will not oppose common sense and research based reform but must resist power grabs that take away local control.

Guardian v. Warrior

In May of 2015, one of the most anti-law and order Presidents in the history of the United States lifted his scepter and redubbed police officers as guardians. Obama's imagery of police officers being soldiers in a war against its own citizens preceded a spike in gun purchases and violent crime as the immediate aftermath of his attempt to castrate American law enforcement.

The debate about what a guardian is ends up being pretty meaningless. It was clearly a word that was designed, not to usher in a more effective policing style for the sake of public safety, but to rid the profession of the "W" word: warrior. No doubt it was the subject of many hours of high-level meetings with spin doctors thumbing through a thesaurus rejecting "doorman", "safety patrol", "officer friendlies" and other marshmallow monikers.

President Obama made this pronouncement during his prohibition on providing surplus "military-grade" assets to local law enforcement. He left the public with the implication that cops were getting tanks and machine guns and other weapons of destruction. The scary pictures that the lapdog media were showing made this look true. About the same time, I announced a challenge for anyone who could provide me evidence that a machine gun was mounted on an armored vehicle by civilian police anywhere in the USA to be awarded \$100 out of my own pocket. No one could.

Surplus armored vehicles from the military are used as rescue vehicles by civilian police. There are a variety of such vehicles from both US and

foreign sources. The most commonly known is the Mine-Resistant Ambush Protected vehicle (MRAP). This vehicle was developed to thwart the lethal weapon of roadside bombs used in Middle East conflicts. Their belly's V shape dispersed an explosive force more effectively than its flat-bottomed predecessors. I have written many times in many places that no police agency really wants an MRAP. What they want is an American-made armored vehicle designed for civilian rescue. But those carry a six-figure price tag compared to the relatively small cost of getting the MRAP.

The MRAP discussion is relevant to the guardian v. warrior debate because it is an example of propaganda aimed at painting the police as war-like creatures that need to be tamed. I must say congratulations to those whose purpose was to have the police become distrusted agents of harm to the public because in many arenas this perverted and undeserved view has emerged strong enough to affect budgets and policy in many agencies across the nation, ultimately costing lost lives and property as crime rises.

The warrior mindset became a part of police training during an officer survival movement that began in earnest in the early 90s. Every police academy and field training officer would train their police to be able to survive a street fight or gunfight, but the science of human performance began to catch up with the myths and assumptions about physical confrontations.

Training companies saw a need that agency training was not meeting and officers responded by the thousands.

One of the elements of officer survival is the development of a winning mind. This is a predisposition, developed by training, toward a focused attitude of survival that will enhance the odds of living through an attack.

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Essential to this mindset, also known as a survival or warrior mindset, is the anticipation of an attack. Not only should an officer not be so surprised by an act of resistance or other aggression and therefore be too stunned to respond, but an officer should have an action plan in mind to confront the criminal assault. This is the warrior ethos of a police officer – to survive to serve.

There is not one thing wrong with a warrior mindset. It does not negate compassion, patience, tolerance, or diplomacy. It doesn't create us versus them attitude aimed at the general public. It simply means that one is ready to respond to the highest threat. To erase the thought that an attack might occur anytime would place an officer at a disadvantage that could be lethal to them or the public they serve. Every police officer that I know has encountered violence on "routine" calls. The warrior mindset teaches us that there is no such thing as a routine call. Officers have been attacked and killed investigating animal complaints, stopping to assist a stranded motorist, walking into a convenience store for a mid-shift snack, and delivering court orders. Surviving means that officers are able to continue to protect the public.

I don't know what a guardian is in the mind of those who think police officers should be unarmed public relations machines, but if I call 911, I want a warrior at my door.

If Men Were Angels, No Police Would Be Necessary, But Police Are Necessary

Those who espouse leftist ideals tend to believe there is some utopian balance that is possible in which a benevolent government provides everyone's needs resulting in a peaceful coexistence. No need for police in that world. In contrast, in the words of Alexander Hamilton (or maybe James Madison) in Federalist Paper # 51, "If men were angels, no government would be necessary". The Founder's construction of government, derived from the Judeo-Christian world view (and experience with actual humans), assumes that there are a lot of people who are up to no good.

Until that perfect day, one might wonder what an ideal police agency would be like from the perspective of a police officer. Imagine!

Personality and Policy Leadership

We all like the idea of a great Chief. That brave soul with internal fortitude, charisma, loyalty to the officers, fair but firm, tried and tested on the mean streets, and a diplomat who charms the public and elected officials.

The policies and procedures are developed from reliable data and best practices. They are free from political pressure, applied uniformly regardless of fear or favor, and they are clear and well understood throughout the organization.

That great Chief is also someone we would see working a shift every so often.

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Supportive Funding

Agencies whose funding bodies recognize the cost efficiencies of supplying adequate and redundant equipment and technology gain more than just those assets. Retention rates will be higher, injury claims will be lower, citizens will be safer, and crime will be reduced. Far sighted planning and communication result in informed law makers. Informed law makers create budgets that are mission oriented and save costs and lives in the long run.

The ideal funding does not rely so heavily on grants that major one-time purchases are not sustainable. Things wear out, need upgrading, need integration with existing or future equipment, and eventual replacement. The ability of planners to keep hardware and technology current relies on a foundation of reliable funding rather than frequent begging.

Mission Clarity

Not everything is a police problem. Armed government agents with specialized training and specialized equipment are not the necessary response for every call for service. In an effort to be all things to all people, fueled by misguided perceptions of community policing and law enforcement's ubiquitous 24 hour availability, law enforcement has created an expectation that they will solve every problem imaginable.

Cops want to help. They want to have opportunity for positive contacts. They like solving problems. And we all recognized that the simplest call can turn bizarrely deadly. Barking dogs can mean burglars, a lost child can mean murder, a stalled motorist can be a fleeing felon. Most police

experts are quite nervous about sending social workers as first responders and unarmed civilians making traffic stops. But the idea of stepping back and asking what the unique role of our police officers is has merit.

If a city wants to make it illegal to sell untaxed cigarettes, then gets outraged when that law is enforced, then either the law itself must change or the manner of upholding that law must change. If a state wants mandatory seat belt wearing, they must ask whether it wants its armed agents to be seizing motorists to see that they are safely buckled up. As Hamilton (or Madison) says “you must first enable the government to control the governed; and in the next place oblige it to control itself.” The liberty interests of the public, the safety of enforcement agents, and the trust in governance are factors that are too often ignored in assigning tasks to the police.

Officers First

I have often stated that a police leader’s first customer is not the citizen, but the officer. It is the leadership who teach the line officers how to treat their citizen customer. That is accomplished by example. How that looks in our ideal police agency is fair and impartial treatment, appreciation of effort, opportunity to solve problems creatively, relevant training, and holistic attention to the physical, mental, financial, and social health of every team member.

Not a Dream

The most fascinating part of imagining our ideal police world is that maybe it is possible to achieve. Without the vision, the reality we hope for will never come.

Law Enforcement on the Fulcrum of Freedom

In public debate, whether in social media posts, legacy media, or legislative bodies, lines get artificially drawn to conveniently avoid the necessary intelligence of ambiguity. In the aftermath of Ferguson, Portland, Minneapolis, Washington, DC, Kenosha, and recently our neighbors to the north the lines divide protestors v. police. We all know that it is not that simple.

At the crux of these issues are the Constitutional guarantees of the citizen's "right of the people peaceably to assemble" etched in the First Amendment, and the Fourth Amendment right "to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." These fundamental understandings of the federal government's role in maintaining a free and orderly society were not initially applied to the states through the U.S. Constitution but were not foreign to the states' governmental structure. The Fourteenth Amendment did press those principles and the entirety of the U.S. Constitution to apply to the states.

Because of the oppression felt by the Colonists that led to the Revolutionary war, the documents of government recognized the general police power of legitimate government but were cautious about establishing formal police agencies. The evolution of federal and local law enforcement began with the U.S. Marshals, local sheriffs and eventually city police, and lastly state law enforcement agencies. When it came to quelling civil disturbances, the only force large enough to respond to a large number of disgruntled citizens was the military.

In 1878, after years of seeing uniforms everywhere, the federal Posse

Comitatus act limited enforcement of domestic laws by the military. The term refers to any gathering of citizens by authorities when a force of persons is needed as in the old western movies to capture a band of stagecoach raiders, known by the shortened term posse. Prior to the federal act, there were a series of nearly 100 riots listed in American history. When the National Guard is called out, they are typically restricted to assisting local law enforcement with limited duties or assigned to non-arrest assignments such as traffic direction and medical support.

We recount this history to say that the primary responsibility during civil disturbances rests on the shoulders of the same cops that take your burglary report and stop drunk drivers. This sets up the emotional conflict between local protestors and local law enforcement. It is the classic and perpetual balance between free speech for all and freedom from injury, damage, and fear for all.

When does the peaceable assembly protected under the Constitution (remember that rights are not given by the Constitution, but are God-given rights that pre-existed the Bill of Rights) become an act or event that no longer merits that protection? The best definition of liberty is that the freedom to swing my fist stops at my neighbor's nose. Whatever actions cease to be peaceable cease to be Constitutionally protected. Of course, our courts are given the burden of defining that. Is honking in the parking lot of Planned Parenthood peaceable? Is blocking commerce on the highway peaceable? Setting fire to a building? Throwing feces at police? Using lasers to blind opponents?

When an assembly leaves the bounds of peace, the government's police power can act to end the unlawful assembly using methods that are consistent with the reasonableness of potential arrests which are seizures under the Fourth Amendment.

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What most citizens and media do not know when they see armed government agents in a phalanx and clad in protective clothing (i.e. riot gear), is that law enforcement is on the razor's edge. They are accused of provoking violence by using the tools of their trade, but they will be criticized mercilessly if violence breaks out and they lack the tools to effectively bring a peaceful resolution. The uninformed also do not realize that in a great number of cases there are professional or trained volunteers whose purpose is to cause disruption and incite violence. They have their own intelligence-gathering strategies, including knowing where the police are, what their capabilities are, and what kind of support those officers will get from their agency and political leadership.

It is clear that riots change society. They work if they are allowed to work. Burning buildings ignite more than material. Photos and videos out of context with a propagandized narrative incite emotions of good citizens against the police. The most recent hundreds of destructive civil disturbances where property and lives were damaged and put at risk were effective in creating fear among politicians who enacted destructive, reactionary laws crippling law enforcement.

The real conflict is not what police officers have to decide to do when the grumbling and simmering are at an ignition point from protest to riot, but what the weak-willed political leaders do that enable such destruction.

What Can We Agree On?

Twelve score and four years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.

Our Founders did not achieve perfection of the ideals to which they affixed their signatures and “mutually pledge to each other our lives, our fortunes and our sacred honor”, but they did set in motion a people whose convictions would bring a citizenry closer and closer to liberty and justice for all.

As we face the culmination of what many are calling one of the most contentious and divisive times in American history, some are braced for another civil war. Are we that divided? We don't have to be if we ponder what we can agree on.

The Constitution is still relevant

The U.S. is the longest surviving government founded on a constitution. This brilliant document, as interpreted by the courts and amended from time to time, remains a worthy cornerstone for our government processes. If knowledge of our founding documents can be restored, our basic agreements about human rights and freedom will be highlighted. Many Americans still believe that the Constitution gives us our freedoms. This is a fundamental misunderstanding of the Constitution's role in articulating rights that are “endowed by our Creator”. One doesn't have to subscribe to a particular religion to understand the concept of Natural Law. Certain rights and responsibilities exist simply because we have them. They are

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not given by the Constitution but protected by the Constitution from government suppression.

America has survived division before and can endure

Governments and dynasties eventually collapse after the zenith of their influence. The United States survived dissension in its earliest days and through this very hour. We have a history peppered with political intrigue, duels, verbal and physical assaults in Congress, a secession of a third of our states at the dawn of the Civil War, centuries of struggle for basic citizenship rights for women and people of color, and a variety of foreign entanglements and wars.

We have made progress that should be celebrated

It has become trendy in some circles of influence to downplay the tremendous progress made in America. The existence of vestiges of inequality is not evidence of a completely corrupt system or culture. If we fail to recognize the achievements of the past and dwell only on perceived failures we end up with the kinds of frustration that have rocked our country in recent weeks with acts of destruction and violence rather than activism that results in reasonable solutions.

Personal relationships are most important

Although even friends and family can have serious disagreements about subjects of great importance to them, I hope we have learned the limitations of social media. Even in this strange era of social distancing and face coverings, conversations in person remain essential to maintain

our humanity. Facebook and Twitter ranting, even disregarding their manipulation, fuel anger and not conversation.

The role of the police

By now the reader is probably wondering when I'm going to get around to talking about law enforcement in this article. American law enforcement, along with other essential government functions, has evolved as needs and expectations have risen. Under the limits of the Constitution, policing in America has grown from the first federal law enforcement agency, the U.S. Marshal's service, and elected sheriffs to nearly a million police officers of every stripe and shape. We can agree that the Constitution is still our greatest guarantee that law enforcement is exercised with attention to ensuring the rights of those accused of breaking the law while protecting the innocent. We may not agree on how well that is done, but the foundation of police power and legitimacy is a starting point in discussing any change and further progress that may be needed.

In terms of the past, we recognized that law enforcement has often been at the center of controversy but these divisions must no longer bind us to fear and distrust.

Celebrating the accountability that exists for police conduct is important. There has never been a more educated, qualified, diverse policing than today. Let's agree that we've come a long way. Let's celebrate our progress and build on it.

Finally, we must not abandon the need for personal relationships. As police agencies continue their efforts in community policing, more voices are being heard. The best chance of achieving whatever reforms may be

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needed lies in people coming together. That may be coffee with a cop, engaging in training opportunities alongside officers, or doing a ride-along. Bridging gaps between those who serve and those who are served requires open minds and positive personal contacts.

President Lincoln spoke wisely in the middle of the most severe national testing in our history. His words should be ours today: "With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace."

What Happened to Society's Obligation to its Police Agencies?

The past year has seen major efforts to tear up the agreements that make for an orderly society. The idea of a social contract arose during the Enlightenment and had influence on the founding principles of the United States. The social contract is defined as an implicit agreement among the members of a society to cooperate for social benefits, for example by sacrificing some individual freedom for state protection. The essential civics lesson about our nation's founding is that government arises from the consent of the governed. People decide collectively what is in the best interests of the majority to accomplish together what would not be possible individually. In return, the people agree to abide by those laws. In return for compliance, the government established by the people create systems that guarantee individual rights and processes to honor and enforce them against government overreach.

Another important aspect of consenting to be governed is that individuals agree to give up resolving most serious disputes on their own and let a system of courts accomplish justice. This necessarily means giving the government the right to exercise force in accomplishing that. Thus, we give rise to enforcers of the law. Armed agents of the government, operating with the authorization to use reasonable force, expect that citizens will submit to that authorized force as part of their social contract with their fellow citizens.

The American spirit of individualism and rebellion was not lost at the last battle of the American Revolution in 1781. As the number of law enforcement agencies grew, so too did the laws that regulated them.

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Many states recognized a right of citizens to resist unlawful arrests. With the advance of multiple civil remedies and greater training of police, most laws allowing resistance to arrest were removed in favor of other remedies. Every state requires compliance with lawful orders, and every governmental body is subject to the vote of the people. If laws and lawmakers are inadequate, there are means of circumventing the legislature through petition.

Not accepted as a natural right was violence against private property, violent resistance to government actors, and attacks on the systems in place to govern. Implicit in the early writings of the American Revolution era is the expectation that if the government fails in providing essential services and protecting individual liberties, then the government may be reconstituted. Within the bounds of philosophy are those extremists who believe we have reached that point and deserve another revolution, and those who believe in either anarchy or extreme government control.

With tyranny fresh on the minds of the founders, the right of citizens to possess firearms was ensured among other rights, including the right against torture as expressed in the right to remain silent, and the right to reasonableness when subject to search and seizure. As any student of history knows, these rights in the U.S. Constitution as amended with the Bill of Rights, were rights that existed by nature and were not derived from laws passed by men. The documents simply articulate those rights as those which were not to be infringed by the government, including state and local entities.

Witnessing the violence and destruction of this year's riots must call us to remember the good work of the founders, and those who have worked selflessly to keep our republic functioning. Despite the critics, our nation has made important strides toward increasing access to success and

removing impediments to the quest for fair treatment for all. Ignoring that progress, as faulty or slow it may be, has resulted in the chaos we see daily. Especially in regions where the law has been disregarded, where criminals are encouraged, where the legitimacy of governance has been eroded by its own weakness, the deconstruction of our republic is being approved by political leaders too afraid to believe in their own system.

By attacking the criminal justice system, because it is the most visible of all government functions, the real objective is to attack our Constitutional government, taking a shortcut from due process and civil discourse as agents of change.

Piece by piece, legislators are caving to the demands of deconstructionists to dismantle the effectiveness of enforcing the law. Police officers are banned from enforcing some existing laws, prosecutors are declining to hold violent offenders accountable, and lawmakers are removing necessary tactical and legal protections from law enforcement officers. The lawbreakers among us have taken this as license to disregard police authority which has resulted in almost all of the dramatic uses of force to take custody of violent offenders. Offenders are not blamed for fighting and fleeing from officers, and officers are blamed for doing what they must do. The only hope for restoring the protection of the citizenry within the framework of justice is to allow our existing resources to work, return to educating the public about the philosophy and structure of our democracy, and restraining ill-advised and radical decisions by removing foolish leaders from office.

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Police are Hurting. We Need to Learn How Many

In my recent interview with Lt. Col. Dave Grossman, he pointed out the inflationary effect that obscures our national statistics on homicide. Current FBI statistic on homicide indicate a general downward trend. Does this mean there is less violent crime? According to Grossman “We have ‘inflation adjusted dollars’ and we need ‘medically adjusted murders’”. Interesting analysis.

With the advance of medical care, particularly emergency and trauma care, more people survive what would have been deadly encounters in violent attacks than ever before. An argument to that theory is that a look at aggravated assault would be a better measure of violence. The weakness of that argument is that assaults are less reliably reported, and the incentive to downgrade to a lesser assault is strong on the law enforcement agencies who decipher the data that generates those statistics.

In the same way, the line of duty deaths that are reported face the same distortions. “Technology, tactics, training, body armor, equipment and (most importantly) medical technology, are doing a better and better job of saving police lives”, says Grossman. When it comes to officer injuries there are no reliable numbers.

The number 50,000 is often cited as the number of officers injured yearly according to FBI statistics. With the number of police officers in the U.S. stands somewhere between 750,00 and one million, that 50,000 number would represent an injury rate of between 5% and 7%. The result is the claim that law enforcement really isn't that dangerous.

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In my survey of nearly 200 police officers representing various ranks, agency types, and assignments officers were asked if they had to “seek medical care resulting from an assault or resistance from a suspect within the previous year”. Over 20% said yes. Another 63% reported they had been “physically assaulted in a way that caused physical discomfort or pain” but they did not seek medical attention. Whether this is a reflection of the minor nature of the injuries or, more likely, the old high school football coach’s command to “walk it off”, is hard to say.

Another interesting facet of the job is the unreported success rates in deadly force confrontations. My survey, along with other published research, indicates that 70- 80% of officers are faced with the decision whether to lawfully use lethal force on average at least once every two years but are able to make a non-lethal resolution. Another 24% reported being threatened with a deadly weapon. If this poll is correct, we have a tremendous deficit of information on the real risks that police officers face daily.

The perception of death, rather than injury, as the primary risk in the law enforcement culture may also factor into the prevailing lack of care for disabled officers, including the pernicious and invisible brain injury of PTSD.

Recognizing the risks to our officers to keep them safe, healthy, and productive requires good data in addition to enlightened leadership and public support.

Many Ways to Die

It may sound like a James Bond movie title, but it is a reality faced by every police officer in America. With 360 law enforcement deaths as of this writing in 2021, by year's end, we will have seen a particularly deadly year for our officers.

The average citizen, watcher of TV and movies, may assume that most deaths are from bullets flying in dramatic gunfights. Few of the officers were engaged in protracted gun battles, but the deaths recorded by the Officer Down Memorial Page (ODMP.org), 49 were from gunfire, ranking as the most common type of duty- related death other than COVID-19.

Alarmingly, ambush murders have been on a steady increase. Of the 49 gunfire deaths, at least ten could be considered ambush murders. According to a fact sheet developed by the International Association of Chiefs of Police (IACP), there are two types of ambush attacks. One is the entrapment ambush that is premeditated and officers are lured into a location to execute an attack. These kinds of killers may also stalk officers to find them at predictable locations such as their homes or police station.

An example is this month's murder of Officer Dylan Harrison of the Alamo, Georgia police department. Although a four-year veteran as a police officer, Harrison was working his first shift at the Alamo Police Department. At 1:00 in the morning, he was outside the police station when attacked and shot to death. His killer fled and was apprehended the next day.

The second type of ambush described in the IACP document is the spontaneous type. This is an unprovoked attack without any long-term

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planning. As a crime of opportunity, the offender makes the decision at the approach of the officer, murdering in a surprise and unprovoked attack.

An example is Harris County Deputy Constable Kareem Atkins of Houston. Atkins responded with other officers to a report of a robbery in the parking lot of a business he was watching. As the officers were taking the robbery suspect into custody, another man opened fire from behind them with a rifle. The two other officers with Atkins were also wounded as Atkins was fatally wounded with a bullet to the head.

With a nod to those demanding diversity in law enforcement, the honor roll of the dead includes men and women, officers of all races, and represent a variety of agencies from federal, state, local, and specialty agencies like conservation police.

Four officers were shot and killed while responding to check on persons in well-being checks and suicidal subjects. Nine officers died when shot while performing traffic stops. Three were killed by gunfire on domestic violence calls. Four were murdered during barricaded suspect events. Six were murdered by gunmen while serving arrest or search warrants. Four others were shot to death during the investigation of disturbance or suspicious person calls.

All of these firearms deaths were during what every officer would call a routine matter. Even service calls, in addition to calls to check on a person's well-being, can be deadly. Two officers were shot dead handling a dog call, one while assisting a motorist, and one while investigating a traffic crash.

Bullets are not the only life-ending means for our officers. There was one stabbing death. Five officers were beaten to death during assaults. Three drowned. Two died during training accidents. Vehicles were the mechanism of death for a dozen officers killed by drivers, an additional 16 died when the killer used a vehicle as a weapon, and 21 died during a pursuit or other vehicle crash. In addition to the 231 officers who succumbed to COVID from duty-related exposure, 17 died from duty-related medical emergencies of which 15 were heart attacks.

The ticking time bomb of duty-related injuries led to the delayed deaths of 3 officers whose line of duty sacrifice began years ago and who finally succumbed in 2021.

There is a historical myth about a man named Damocles who desired to be a king. When his wish was granted, he discovered that the throne was beneath a sword that hung above his head by a single thread. His time of privilege and service thus existed beneath the potential imminence of death. So live our police officers, always in the shadow of their final shift.

Attacks on Law Enforcement Continue

Anti-police fervor continues to show up in attacks on police officers. The strident voices of anti-police activists whose false narratives and accusations perpetuated in the media cannot escape blame for literally fanning the flames of hostility.

In Greensboro, North Carolina, a man entered the property just outside of the police headquarters building, set a marked police car on fire, and attacked a police officer. The assailant, identified as 41-year-old Christopher Moore, struck the officer multiple times, put his arms around the officer's neck, and attempted to take the officer's firearm. Nearby officers were able to intervene and shot Moore who died at the scene.

In Plano Texas, Imran Rasheed attacked the police station after killing a Lyft driver, Isabella Lewis, in Garland, Texas, stole Lewis' car and drove it to Plano. Rasheed entered the police department firing shots at two civilians before being felled by 2 officers inside the station who ran into the room after hearing shots. A note in the stolen car Rasheed had driven claimed inspiration from terrorist groups.

In July a Louisville, Colorado police vehicle was set on fire. The loss of the \$70,000.00 vehicle was the result of a targeted attack. The case is still under investigation with two arrests made in the case.

Seattle Police were stunned (but probably not surprised) when a police car was set on fire while two SPD officers were still inside the vehicle. A San Francisco patrol car was in flames in August in the famed Tenderloin District of the city, leading to the evacuation of nearby buildings. A Broward County Sheriff's cruiser was set on fire by a woman while a

deputy was in the vehicle stopped at a traffic light.

Aside from the obvious tragedy of the attempted murders of the officers who are victims of these vicious attacks is the sad reality that the necessary protections of officers and police stations will further distance the thin blue line from its citizens.

The word “ambush” comes from the musket era when an unexpected volley of gunfire came from hidden places like a stand of trees. The attack was called an “ambuscade” from the archaic German word for forest. Ambush attacks have been a leading mode of the murder of police officers over the past several years.

Strategies to offset the dangers from ambush and unexpected, unprovoked attacks are often at odds with staying in positive contact with the citizenry. Places where police officers take breaks, for example, are often informal opportunities for citizens to interact with police officers. But being predictable and informal provides planning opportunities for attackers, such as the 2009 slaughter of four Lakewood, Washington officers at a coffee shop by a man previously granted early release in Arkansas from multiple felony convictions nine years earlier.

The collegial opportunities for officers and citizens have become stifled as officers exercise more caution and less exposure to these kinds of attacks. Another recommendation from officer safety experts is to keep patrol car windows rolled all the way up to keep incendiary devices from being tossed into the car. This is at odds with most officers’ preference to keep the windows down in order to better listen for sounds of trouble and pleas for help as they patrol.

Citizens have complained when they find that an officer had his sidearm

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unholstered and held as their patrol car was approached by a citizen wanting to talk with them while parked. Officers don't have time to wait for a surprise attack to draw their weapon from an awkward seated position, especially while still wearing their seat belt. Officers may order a citizen approaching their patrol car to stop or step back for their safety, creating resentment by an honest citizen just wanting to ask a question, but the risk of ambush makes the officer's demand reasonable even though likely perceived by the citizen as rude or unnecessary.

When it comes to police station security the public, once again, suffers because of the barriers that police leaders may decide to install. Some stations are very customer- friendly as a citizen has immediate contact with a police officer or representative of the department, like to old- style desk at a New York City police precinct building. Other police facilities require remote access even to get in to talk with someone behind bulletproof glass through a speaker system. The former is best for community relations, the latter a necessary precaution to avoid attacks on police personnel and potential breaching of the facility.

Hopefully, the public understands the need for this distancing and are still able to have fruitful conversations in parking lots, restaurants, and police station lobbies while understanding the obstacles to those simple and meaningful conversations.

Alarming Midyear Officer Fatality Report

The National Law Enforcement Memorial Fund has issued its midyear officer fatality report. "As of June 30, 2021, 155 federal, state, tribal and local law enforcement officers died in the line-of-duty. This is an increase of approximately 10% from the 141 officers killed during the same period last year. The 155 line of- duty deaths are on a pace to exceed the 295 law enforcement fatalities recorded in 2020, which was the second highest total on record. At this rate, officer line- of-duty deaths could near the 1930 toll of 312 fatalities, which is the most ever recorded by the National Law Enforcement Officers Memorial Fund in a single year."

One of the reasons for the high rate of duty-related deaths is COVID-19, the killer of 71 officers so far this year, a slight decrease from last year's numbers but still poised to be a major killer of officers with little choice but to do a job that exposes them.

When the public thinks of line of duty deaths, they typically envision death by gunfire. Despite panic in some circles about restricting "assault rifles", the types of weapons in the officer gunfire deaths in the first six months of 2021 were unknown in 11 cases, a handgun in 9 cases, a shotgun in 2 cases, and a rifle in a half dozen cases. So far this year, deaths by firearms have exceeded last year's numbers. Murder of police officers is accomplished in many ways besides guns. They are beaten to death (remember that when critics cry that a suspect was "unarmed"), stabbed, and assaulted with motor vehicles. Bullets caused 28 death, beatings 3 deaths, and 2 officers were stabbed to death, 3 drowned during rescue attempts.

Traffic related deaths are always a significant percentage of police

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fatalities. This includes crashes as well as being struck accidentally or intentionally while on the roadside. This kind of death showed an alarming 138% increase over this time last year. Nineteen of the officers, of the 38 traffic related deaths, were killed by being struck while out of their vehicle. Every state has enacted some type of "move over" law requiring motorists to change lanes or slow their speeds for emergency and service vehicles on the edge of a roadway. Studies indicate that fewer than third of drivers are aware of the law.

Officers under stressful conditions can succumb to unexpected health emergencies. Eighteen officers died between January 1 and June 30th from sudden illness including heart attack and stroke.

Although time and date information is not predictive, this year's shortest month had the most officer deaths with 6 in February. The greatest number of officers who died in the line of duty were employed by either city police agencies or county sheriff's departments, both with 47 deaths each. University police, federal agents, tribal police, and conservation police are included in the diversity of assignments, defeating the common thought that only big city police face real danger. The length of their service ranges from 2 months to 44 years and ages span from 24 years old to 71. While most officers were male, there were 13 female law officers who gave their all this year.

Completing an arrest remains the most dangerous police activity, regardless of the seriousness of the actual crime. Five of the officers shot and killed were in the process of taking someone into custody, seven if attempts to serve felony warrants is included in that count. The other activities include investigating suspicious circumstances, responding to disturbance calls including family violence, doing traffic enforcement,

engaging in a SWAT type call, and responding to a robbery or burglary call. Finally, an officer can die just by being an officer since 15% of firearms related murders are by ambush.

Many will note that there have been 10 K9 deaths this year, half of whom were killed by gunfire or other assault.

These numbers are just the shadow of the risks of serving in law enforcement. Fourteen officers died last year of illness related to the 9/11 World Trade Center attacks. Thousands every year have life changing injuries that result in chronic pain, multiple medical procedures, traumatic brain injury, PTSD, and career loss.

Laws Protecting Police Should Equal Laws Protecting Judges and Prosecutors

A recent, encouraging piece of legislation out of Minnesota has increased penalties for assaults on police officers. Included in the law are corrections officers (an often overlooked group), judges, and prosecutors. The bill, named after injured officer Arik Matson, amended state law to make penalties harsher for offenses of assault on the named government officials. While we celebrate this effort in a state where law enforcement is especially embattled, one must wonder if only police officers had been the subject of this legislation whether it would have seen the light of day.

In Colorado, for example, judges and prosecutors are protected against retaliation and threats which makes such acts a felony. The sweeping law also includes a member of the judge's family, a person in close relationship to the judge, and a person residing in the same household with the judge. Colorado peace officers are offered enhanced penalties for assaults against them, and the threat of a felony charge for attempting to influence a public servant, and a misdemeanor charge for interfering with a police operation. The interfering statute covers k-9s as well as police officers but does not cover friends, family, or live-in lovers that judges and prosecutors enjoy. At least police officers get the same consideration as service animals, if not judges and prosecutors.

As an ironic note to Colorado's recent legislative agenda that judges and prosecutors retain their immunities, while police officers in Colorado have lost qualified immunity, must pay out of their own pockets for judgments against them, can lose their certification based on complaints, and are assumed guilty of misconduct if their body camera didn't get turned on

while they are getting shot at.

In the wake of the January 6th assault on the Capitol, federal courts have asked Congress for funds to prevent angry mobs from overrunning courthouses, as well as counter threats to judges and courthouses related to criminal cases from the Jan. 6 insurrection. These requests are not new, and no one claims that prosecutors and judges are in no danger.

In July of 2020, Federal Judge Esther Salas was talking with her 20-year-old son, Daniel in the basement of their home when the doorbell rang and he rushed upstairs to answer. Salas heard what sounded like an explosion and soon found her husband bleeding from three gunshots and her son dead from the attack. New Jersey quickly passed a law prohibiting the revealing of personal information about state judges online or elsewhere. Although Salas was not covered by the state legislation because she is a federal judge, her family tragedy was the inspiration for the law.

Some states provide statutory privacy protections for law enforcement officers, but police reform efforts often erode those protections in the name of transparency and accountability. The practice of “doxing” – dropping documents available either from public records or from persons hacking into private sources, remains a threat to police officers. In 2015, two Los Angeles police officers who had been involved in a controversial shooting found their names, home addresses, and the location of their children’s schools posted on the Internet. St. Louis County Police Chief Jon Belmar was similarly doxxed with the purpose of coercing him to disclose the location of Officer Darren Wilson after the Michael Brown shooting. In 2019, hackers obtained information on thousands of officers who had attended the FBI’s National Academy program. As assassination attempts continue to increase, the issue of off-duty privacy and the safety

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of law enforcement families is of critical importance. Critics of law enforcement deny the impact of anti-police rhetoric on attacks on police officers, but common sense exposes a clear correlation. It is clear that judges and prosecutors fear attacks from criminals and deserve laws that protect them. There should be equity between the protections afforded these lawyers and the police who face these criminal forces in the rawest forms.

Officer Survival: Selfish or Noble?

The survival mantra in police training is spoken in several clichés: Your main goal is to go home alive after the shift. You want to take off your own shoes at the end of the day. Be polite to everyone you meet but have a plan to kill them. Better judged by twelve than carried by six.

For critics of police “warrior” training, this kind of indoctrination is said to produce paranoid and unnecessarily aggressive police officers. Trainers simply know that police officers will inevitably face potentially deadly threats and must face the reality that their survival from day to day is not guaranteed.

“On October 26, 2013, Officer Anna Carrizales approached a suspicious vehicle occupied by three males that was stopped at a green light in a moving lane of traffic in Stafford, Texas. As she approached the vehicle and began speaking to the driver, the male in the front passenger seat pulled out a gun and shot her twice—once in the face and once in the chest. The gunshot to her face ricochet off her cheek bone, exited her cheek, and almost severed her ear lobe. The gunshot to her chest was stopped by her bulletproof vest but was fired at such a close range that it punctured a hole in her left breast. The suspects then fled in the vehicle.

Despite the horrific assault and serious wounds, Officer Carrizales had the presence of mind to fire four shots at the fleeing suspects. She then returned to her patrol car and pursued the suspects, all the while giving clear information to the dispatcher about her condition, the suspect’s direction of travel, and situational awareness for responding officers. The pursuit ended at an apartment complex in Houston, where the three suspects abandoned their vehicle. Officer Carrizales was right behind

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them.

Officer Carrizales' incredible bravery and concern for her community drove her to lead fellow officers to the suspects. She assisted in the arrest of one of the suspects—the shooter—in the apartment complex that morning. The remaining two were arrested within 48 hours." So reads the 2013 citation for the Congressional Badge of Bravery.

Officer Carrizales' desire to stay alive would have been best served by returning to the relative safety of her patrol car and waiting for assisting officers and paramedics. Common sense and self-preservation says that would have been the natural and logical thing to do. But self-preservation is not what officer survival is all about. Carrizales continues to work as a police officer and trainer, sharing her story to encourage others.

In a chilling dash cam video never released to the public, first responders from Jacksonville, Arkansas on the scene of a crash were intentionally mowed down by Bryce Allen, who is now serving a 70-year prison sentence for the death of a firefighter and the critical injury to Officer Daniel DiMatteo in 2012. Audio from the video recorded the cry of pain as DiMatteo was struck to the pavement by Allen's speeding vehicle. As the officer lay in the roadway with severe injuries, he continued to command the scene radioing instructions for additional responders to secure the roadway and prevent additional injuries. DiMatteo not only survived but stayed in the fray and continued to serve. Although medically retired as a result of the assault he continues to serve by working with injured officers and veterans in service projects and disaster response.

The illustrations of officer survival are endless. When watching news coverage of disasters, there is always the compelling image of people fleeing while police officers head toward the trouble.

That survival mindset is altruistic rather than self-serving. Staying in the fight, and continuing to serve is the central issue. The badge represents all citizens. The weapons and body of the law enforcement officer are in their service. For an officer to allow harm to themselves is to allow harm to their citizens. To do them the most honor and highest service the officer must survive to continue the work. When the police officer defends themselves they defend thousands.

Injuries Reported as Non-Life Threatening can be Life Altering

I'm always skeptical of the description of a law enforcement officer's injury in a duty-related incident as "non-life threatening". In addition to the lingering physical and mental injuries that may result, these injuries are often life-shortening.

There are also those injuries that are reported immediately after a crash, shooting, or assault where the officer remains in serious condition. Sadly, these officers are often forgotten as the news cycle refreshes to the latest headlines.

The most startling roster of delayed mortality is the list of 426 police officers who have died after the 2001 World Trade Center attacks who were not among the 72 officers killed in the immediate aftermath of the 9/11 terrorist event. Even in 2023, the toll continues with the passing of Lieutenant Robert Daniel Rice of the New York City Police Department who was among the many involved in the toxic environment surrounding the rescue and recovery process after the attacks.

NYPD officers and Port Authority police were assisted by many other agencies during the rescue efforts as many volunteered for the assignment. Officers who were eventually felled by disease and illness from the effort include a District Attorney Investigator, a campus police officer from New Jersey, Nassau County officers, New York State Police Troopers, FBI agents, ICE enforcement officers, a Peekskill, NY detective, Suffolk County, NY officers, New York State conservation officers, U.S. Marshals, ATF agents, a Newton, Connecticut officer, an Arlington County Police Department, VA officer, an investigator for the American Society for

the Prevention of Cruelty to Animals Humane Law Enforcement of New York, a Deputy Chief from City University of New York Department of Public Safety, NY, officers from the New Jersey State Police, a Harrison Police Department, NY officer, Connecticut State Police officers, A New Rochelle, NY officer, a Harrison Police Department, NY officer, a Harrison Police Department, NY officer, a Harrison Police Department, NY officer, and an officer from Yonkers Police Department, NY.

Some officers succumb to the effects of their injuries years and even decades after their fatal encounters. Deputy Dale Wyman of Tennessee died in October of 2021 from a 2012 crash while responding to a vehicle accident call. Oregon State Trooper Sgt. John Burrright died 20 years after being struck by a vehicle while assisting a motorist. Two other officers died at that scene. Det. Stephen Arnold of Jefferson Parish, Louisiana was shot in 2016 while attempting to serve an arrest warrant. He died as a result of that attack in May of 2021. Deputy Stanley Burdick of Douglas County, Oregon was shot in 1980 and one bullet grazed his spine. His family said he suffered extreme pain for much of his life, never fully recovered from the incident, and died prematurely in 2021.

Los Angeles County Deputy Steven Belanger died in 2018 from injuries he suffered when he was shot in the head during a traffic stop in December of 1994. The bullet was lodged in his brain and could not be removed, causing ongoing medical issues. Bernard Domagala, a former Chicago police officer who was left with brain damage after he was shot in the line of duty 29 years ago, died in 2017 as a result of his injuries. An autopsy showed Domagala died of complications from a bullet wound to his head, and his death was ruled a homicide.

These are just a sampling of deaths from chronic damage that can last for months or years. On reflection, most officers will concede that they know

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that death is a possibility in their duties. Harder to contemplate is the reality that they may live, but with life-long pain or disability and premature mortality. We must never forget the sacrifice of those who have faded from the headlines.

When Police Are Crime Victims

Every state has guidelines or statutory requirements for the treatment of crime victims. Whether the responsibility of implementing these laws is that of police officers, prosecutors, or designated victim advocates the rights of victims typically include notification of dispositions on the case, information on restitution, and the opportunity to make a statement about the case during proceedings.

But what if that victim happens to be a police officer? My research shows that half of the cases involving assaults on officers are dropped or pled away with no notification of the victim officer. In only 25% of cases were officers given the opportunity to comment on sentencing or disposition of the case. In another twist, one out of four officers who are victims of assault or resisting arrest was subsequently investigated as suspects in the case themselves — no surprise to those of us who have to lay hands on resistive subjects who readily claim excessive force. Complicating the officer- as-victim scenario is that in 75% of cases, officers complete the entire investigation of their own victimization in assaults and resisting cases with no other investigating officers involved.

Police officers are not exempted from laws designed to support and serve crime victims. The unique crimes against police officers that arise during the course of their duties should be uniquely handled by the justice system, but to the contrary, they are frequently disregarded.

Officers who have been assaulted, regardless of the severity of the resistance or assault, should be able to feel confident that prosecutors, judges, juries, and their own departments will be supportive of criminal prosecution of offenders. Attention to these cases is tragically insufficient nationwide. Only 7% of officers surveyed had received any victim services, 15% of officers wanted to speak out but feared peer pressure to “suck it up”, and 13% of officers state they rarely ask for assault or resisting charges because of weak prosecution, and a stunning 83% reported being injured and not reporting it or seeking treatment for pain.

Officers are not nameless, faceless victims. Officers are fellow citizens to be served and, importantly for society, each of us represents the collective will of law-abiding persons and an assault on the badge is an affront to every good citizen. It is of great importance that police officers assert their rights as citizens in the prosecution of cases in which they have been assaulted or resisted.

One of the opportunities that should be provided in most jurisdictions is the victim impact statement. Here are some things you might want to say:

Assaults on officers must be considered not only for the single incident but in the context of cumulative effect. Police officers suffer higher premature mortality rates, can develop PTSD-related symptoms from repeated assaults over a career, and must necessarily develop increased anxiety, suspicion, and caution in every future contact with the public as a result of each assault or resisting.

Mention any loss of time from work, including sick days; be honest about sleep loss, non-visible injuries (83% of officers suffer injuries for which

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they seek no treatment), and any costs associated with the event such as a torn uniform, broken watch, dented glasses, etc.

Relate how the event affected your family – were your partner or children frightened, has their behavior changed, or has anxiety increased?

Wax philosophical. Comment on the greater issues of law and order, respect for authority, and examples set for the community and other offenders. These are huge issues that need to be pondered by prosecutors and judges. You may be willing to forgive the defendant or write off the experience, but what does that do for our profession and our community if the courts grant undue leniency?

As a profession, law enforcement needs to recognize that the warrior mindset, willingness to sacrifice and daily life of courage need not keep them from demanding civil treatment and justice from the same system we diligently serve. In the end, it is our obligation to demand the best for our finest.

No Gun Doesn't Equal No Threat

With our gunfight-soaked entertainment media and scary assault rifle propaganda, the average citizen thinks “weapon” equals “firearm”. And among many misinformed critics even when a police officer is confronted with a firearm the officer is expected to “de-escalate”. There are some facts relevant to that perception that officers know about the potential lethality of things other than guns.

First, let's review the lethality of firearms in the de-escalation discussion. There usually just isn't time. The brain chemistry that is washing over an agitated person, even one who otherwise has no diagnosable mental illness, takes time on the clock to return the brain to a normal state. Research shows that even an unskilled person can draw a firearm from a concealed position and pull the trigger multiple times before an officer can even unholster their duty weapon. No time for conversation.

Murder by gunfire is the main culprit in violent officer deaths. Reflecting national murder victimization, most of those deaths are by handguns. Research shows that in killings of unarmed suspects by police, the context of the encounter shows that the officer was “facing an imminent threat of death or serious bodily injury to themselves or a third person in nearly 90% of the situations” according to a study published on the Force Science Institute website. “Unarmed subjects shot by intent included those who were attempting to disarm an officer...drown an officer...throw an officer from a bridge or rooftop...strangle an officer...gesturing as if armed with a real weapon...keeping hands concealed despite commands...and charging toward an officer with apparent intent to assault” according to the research findings.

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In the ten-year research period from 2010 to 2019, FBI statistics show that of officers who were injured by either guns or knives, 75% were from firearms. Only 44% of those injuries occurred in incidents where officers had knowledge before arriving on the scene that there was a weapon involved. As every officer is reminded in training, every call is a “person with a gun” call because the officer brings all of their weapons systems with them on their equipment belt. If a suspect gets control of the officer or any item they are carrying, the suspect may end up with a gun, a knife, a chemical spray, an impact weapon, or handcuffs which were used in a number of the assaults documented in the FBI report.

Guns and knives are not the only fatal threats facing officers. Deputy Sheriff John Durm of Marion County Sheriff’s Office, Indiana was murdered in July of this year when an inmate used his handcuffs to strangle the veteran officer to attempt an escape. Corporal Bryant Searcy of the Wayne County Sheriff’s Office, Michigan also suffered death at the hands of an unarmed inmate in 2020, as did Lieutenant Jon David “JD” Anderson of the Spokane, Washington Police Department, and Officer Gene Wade Lee of the Maricopa County, Arizona Sheriff’s Office, and Correctional Officer Pedro Joel Rodríguez-Mateo Puerto Rico Department of Corrections and Rehabilitation, Puerto Rico who was disarmed of his baton and murdered with it by an inmate. All of those attacks were in 2019, but many more such fatal assaults are noted on the Officer Down Memorial Page website from past years.

Assaults on officers are very poorly reported nationwide for a variety of reasons. In a 2014 survey, 83% of officers reported that in their career they have been hurt in an assault but they did not seek medical care, over 52% have been to the hospital for injuries from an assault. Nearly 10% had been injured by a deadly weapon and over 20% lost time from work due to an assault-related injury. When asked about the previous year, 63%

had been hurt without medical attention, and 21% had gotten medical attention.

Police work is dangerous. Injured officers often do not get the care that they need, or the justice they deserve. When they do have to defend themselves or others using some level of force, the narrative in most media stories does not reflect the fullness of facts and context even though research shows that most witnesses agree with the officers' actions even when confronting an "unarmed" adversary.

Government Officials Assassinated, but They Were Only Police Officers

Ask a citizen which country lost 7 government officials to assassination in the last year. They might be surprised to hear that it is us. The United States of America. Shocking? Newsworthy? Alarming? Not when the dead are police officers.

These officers were not arresting anyone. They were doing the most ordinary things. Florida Trooper Joseph bullock was assisting a motorist. While doing some paperwork and waiting for a tow truck an hour had passed when the driver walked up and killed him. Nevada Trooper Ben Jenkins also stopped to help a stranded motorist. The motorist shot and killed him. McAllen, Texas officers Edelmiro Garza and Ismael Chavez were lured to a call and shot on arrival. Sgt. Ricardo Perez-Ortiz was surrounded and murdered by a gang on his way to work in Puerto Rico. St. Louis Metropolitan Police Officer Tamarris Bohannon was attempting to locate a victim on a call when shot and killed. Fayetteville, Arkansas Officer Stephen Carr was waiting for a fellow officer in the police parking lot when approached and shot dead.

By definition, assassination is the killing of an important person for political purposes. The symbolism of a police officer makes them a target of politically motivated extreme action. Other attacks that appear motivated by nothing other than a person's status as a police officer include the recent shooting into the home of two police officers in New Jersey, and the shooting of two California deputies in Los Angeles sitting in their patrol car.

Political extremists are fueled not only by internal beliefs but a sense of

permission from identifying with a group. When extremists sense validation for their attacks they can act from a sense of collective consent to justify their acts of violence. In the current season of hostility toward the institution of policing, the symbolic presence of law enforcement reflects in the mind of the extremist the rhetoric heard daily on the news and social media.

Blaming the heated language of the anti-police movement may well be criticized as failing to hold the killer accountable for their own decision, or attempting to shame those exercising their 1st amendment rights. The distinction between rioters and protestors is important, but a third category of inciters needs to be added to reflect the nature of recent protests. Hearing shouts of “kill the police”, “f*ck the police”, and other exclamations is far different from hearing “no justice, no peace” or “stop police brutality”. The messages are distinctly different. The message heard by those who choose to attack and kill someone in uniform are distinctly different.

The count of police officers killed by ambush does not include the many other assaults and murder attempts on police officers. Although these may not be covered by most media, there will undoubtedly be new incidents of unprovoked attacks on police officer between the time of this writing and its publication.

Inflammatory and dangerous rhetoric doesn't come from only the brick throwing rioters. The tacit permission to harm police officers to further the cause of police reform, defunding, or abolition comes from people in power. Proposals from elected officials to disband the police – preposterous on its face – work towards making police officers non-persons, non-essential, and self-perpetuating racists. Non-

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personhood is an essential element of prejudice and violence committed on groups from indigenous Americans, to African-Americans, to Jews in this country and, of course, during the Nazi era of Germany. Academics and some political leaders have endorsed looting as a symbolic and justifiable act of justice. Sweeping generalizations by cultural icons like LeBron James and Trevor Noah speaking of police as universally racist and brutal inflame those who are ready to believe every officer is a threat to freedom and their killings are morally justified. Lawlessness is lauded and law enforcement is branded as hate.

During the height of activism against the war in Vietnam, returning soldiers were reviled, spat upon, and ostracized. This disdain for servicemen lasted for many decades. It manifested itself not only in airports where soldiers were called baby killers, but was reflected in poor veteran services and factored into veteran's PTSD of the era. The national conscience eventually turned to revering our military veterans. Yellow ribbons blossomed for returning troops from more recent military battles, the problems of homeless veterans has garnered attention, and mental health services and suicide prevention are of higher quality and availability.

If police officers can stay alive and in service to their communities, they may see a day of national repentance when their sacrificial service is once again appreciated. The boisterous minority will be a small voice as the majority of Americans will become bold about their support of quality law enforcement. That day must come sooner rather than later or the assassination of our public servants will continue.

3. DEALING WITH THE MENTALLY ILL

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Will the Mental Health System Overtake the Criminal Justice System?

We can celebrate the fact that over the past decade or so a new awareness of mental health has developed, along with greater acceptance of treatment and care. For law enforcement and other first responders, this awareness has opened doors for treatment with less stigma, although there is plenty of work to be done.

As with most trends, scientific, social, or political, the pendulum is still swinging. The history of treating emotional and physical causes of dysfunction is not a pretty one. The mentally ill were once considered demon-possessed or cursed. Treatments might include confinement in deplorable conditions, radical surgery like a lobotomy, or abandonment to the wilds. Depression and suicidal thoughts were considered sinful and cured by pulling oneself up and getting over it. Medications that developed were often over-prescribed and poorly monitored.

Today there is more attention, staffing, medication, and compassion than ever before for those dealing with challenges to mental health. Our understanding of how the brain works, though still mysterious, has advanced rapidly. Psychological terms are now part of the vernacular. And that is part of the dark side of the pendulum swing.

Psychology, with all of its merit, has become something of a religion in American culture as traditional spiritual practices subside. For the vast majority of humans, there is a need to believe in something to explain what we cannot control or understand. In years past when a disaster struck, reporters would call upon priests, preachers, and rabbis to hear comforting words and an assurance that there was hope even in the heart

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of tragedy. Now the interviews are with psychologists and counselors.

With the proliferation of mental health information, there has been, perhaps, a bit of loss of the acceptance of difficulties in life. Relationships are not allowed to simply “be”, but are examined through the lens of analysis. Conversations between friends when troubles come can be marred by the compulsion to solve the problem, to label it, to write off adversaries with a diagnosis. Even worse, there is an increasing tendency to diagnose ourselves and our loved ones with popular brands like narcissism, autism, obsessive-compulsive disorder, anxiety, depression, borderline personality, schizophrenia, PTSD, or bipolar disorder.

That can be a problem for a few reasons. One is that these conditions have specific diagnostic criteria and require a professional to assess. Another is that it can lead to improper treatment. Third is that it can relieve a person of dealing with an issue, because the condition is wrongly blamed for behavior, assuming it is out of a person’s control. Another reason is that transient problems that are common to the human animal are different than chronic conditions that present life-long challenges to living a normal life.

Perhaps the most dangerous result of arm-chair diagnosis is that the person so labeled might feel trapped in that condition and live up or down to expectations. It may be rather like someone with a cough who looks up their symptoms online and comes to believe the worst possible diagnosis, becoming sick with worry and self-medicating.

This labeling is a concern in the proliferation of social-emotional learning (SEL) that is widespread in public schools. The concern is that, as students are taught helpful skills in dealing with themselves and others, the

message that emotions and feelings are the primary guide in life and must be fed may lead to a lack of empathy for others and a lack of resilience against unhelpful impulses. Labeling theory has long been accepted in criminology. A lot of juveniles shoplift, but the few that are caught are now thieves and lawbreakers and may get their course set within that expectation.

Besides displacing spirituality (there is plenty of room for both, don't misunderstand), mental health considerations are displacing some traditional criminal justice arenas. It must be noted that criminal defendants have a well-established set of boundaries embodied in the Constitution. A person who is labeled by society's institutions of health or justice certainly has some civil liberty protections, but the specter of re-education camps and thought crimes should not be disregarded. Should a teenager sentenced to alcohol awareness for a minor in possession of alcohol charge have to participate in meditative gong exercises?

The call for harsh criminal penalties for hate crimes borders on prosecution for thought crimes. As implausible as it may sound, listen to the conversations around politics and race and you'll hear opinions expressed that are immediately labeled as a hate crime deemed synonymous with hate speech and often defined merely by one's disagreement with another. If being "triggerred" or offended becomes criminal, those in power will define those in disagreement as a threat to public safety.

Legal insanity and diminished capacity defenses are not the same as a diagnosable mental illness or passing mental breakdown. If a person is attacking someone with a knife, it matters not to the victim whether the knife-wielder is evil, having a bad day, is in a psychotic breakdown, or

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was angry over missing out on the last piece of birthday cake. It doesn't matter to a responding social worker or police officer, either. Yet when the scene is reported by the media, any force used against the assailant will be decried as cruel treatment of the mentally ill.

To be clear, the advances in recognizing and treating mental illness are something to be grateful for. More services for those suffering is a great thing. Let us be vigilant lest we become a society of citizens trading roles from victim to diagnostician, and the weaponizing of mental illness against political enemies.

The Medical Justice System?

Does free will exist? The question of free will is essential to the criminal justice system, without which no one could be held accountable for their behavior. Legal defenses that involve mental capacity address the accused's ability to form intent, to understand the nature of their actions, and their ability to understand the charges and assist in their own defense. Insanity as commonly understood in conversation is defined very differently in the field of justice than in the field of medicine. A true understanding of organic brain injury and diagnosable mental failure can impact the judicial proceedings, but emotional responses must not.

Perhaps the greater influence of consideration of a defendant's state of mind is in the sentencing process where counseling or restorative justice programs are an alternative to fines and jail time. If the courts and law enforcement must answer the ultimate question of what was in the mind of an offender, the criminal justice system as we know it could collapse. Judges and police officers are required to be disinterested and dispassionate. That doesn't mean they have no feelings, but it does mean that facts and evidence determine outcomes.

For those who watch television shows featuring true crime and trials, commentators are often heard remarking on the facial expression and body language of defendants. Victims and jurors comment on a defendant's remorse or lack thereof. Feelings cannot be removed from the human elements of the justice

system, but empathy from a defendant or sympathy for one is not a legal factor in the rendering of a guilty verdict.

One of the ways that feelings have crept into the criminal justice system is

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in Restorative Justice (RJ) Programs. RJ is a victim-centered philosophy that seeks to humanize criminal activity by bringing offenders into accountability by facing their victims and acting positively to repair the damage they have done. Imagine parenting a child who rambunctiously breaks an heirloom and comes to tears of repentance only after understanding the importance of the item and the hurt feelings caused by the loss. If an understanding of consequences, reinforced by having to repair or forfeit allowance money for restitution, leads to an improvement in the child's behavior then the tactic worked. If, on the other hand, the child learns that acting sorry will avoid harsher punishment, then the child has learned a lesson in the art of manipulation.

While victims deserve a voice in their cases, the rights of which are protected by law in most states, having a significant impact on the disposition of an offender necessarily creates other inequities in the system. What if assault victim A wants nothing to do with the process, while assault victim B wants to go face to face with a repentant offender? Assuming the criminal act was essentially the same under the law, should a "sorry" offender get less of the statutorily allowed sentence than the offender who has no chance to interact with the victim, or whose victim is unusually vindictive or perhaps racist if the offense is interracial?

Another mitigation of sentencing is participation in counseling. Counseling methodologies differ and may not be well supervised by the courts. Many programs are delivered by contract that can cost a defendant money that does not go toward the courts. These courses are not culturally value-free. A mother who consented to have her underage son attend a course in lieu of a conviction on record after being cited for underage alcohol possession discovered that the course involved explicitly Buddhist teaching which contradicted her family's belief. A

woman in New York attended a racial sensitivity training to avoid a sentence for an incident that was deemed racist by the prosecutor. While many applaud the application of hate crime legislation, the notion that one's ideology, rather than behavior, can be penalized, is a slippery slope that can lead to "treatments" that give rise to the specter of re-education camps. If the criminal justice system shifts from controlling behavior to controlling thought, we have embarked on a path toward a frightening era.

Make no mistake, providing mental health services can prevent crime and prevent recidivism. Victims should not be relegated to mere bystanders. But treatments and programs must be based on research and must not replace accountability for the choices we make under the laws of the land.

Who are Social Workers Going to Call?

One voice that has not been loud amid the clamor to replace police response with social worker response is that of social workers. The National Association of Social Workers (NASW) has taken an official position on ending excessive force by police. In a [press release](#) the NASW referred to the shootings of two men armed with knives saying “The tragic outcomes of both most recent police encounter incidents could have been avoided by using arrest diversion, de-escalation tactic, and alternative responder strategies” before the facts have been analyzed.

Law enforcement agencies have experimented, with varying results, with diverting calls to non-law enforcement (NLE) professionals or teaming police with mental health workers or social workers. It is a practice that deserves attention and research. The proposals and existing programs must answer some basic questions:

Training

The glib statement that police “aren’t trained for this” or that the only tool we have is force is simply untrue. It is true that police officers have little mandated training in screening and intake at offices and facilities dedicated to mental health, or how to conduct substance abuse recovery programming. Conversely, how much training in dealing with extremely agitated, armed, psychotic persons in a decidedly non-clinical setting do NLE workers have? Those who believe that de-escalation is the magic word for those charging or fleeing with weapons toward other vulnerable citizens are not dealing with the reality that police officers and experienced NLE field workers know. A [study](#) from George Washington University relates the various levels, practice, and education of those

under the broad label of “social worker”.

Making the Scene Safe

NASW [recommendations](#) for worker safety include a panic button to summon police, and mobile GPS and recorders, along with “ The appropriate support may include being accompanied by a colleague or supervisor, being accompanied by law enforcement, changing the day or time of the visit, changing the site of the visit to a safer venue, or postponing the visit” – some things responding police simply can’t do to avoid danger. No one is pretending that that there are many calls that can be handled by non-law enforcement, but the calls that start with a criminal complaint or presence of a weapon will still require an armed officer.

Reporting of Crime

The confidentiality requirements and protections of mental health and social workers may preclude them from reporting other criminal activity they might encounter. Mandatory reporting of child abuse, and in some states domestic abuse, is clear enough. But the idea that the clientele is either/or is false. Criminal activity is an equal opportunity enterprise. Stolen property, evidence of violent crime, and other serious criminal activity may be lost to the detriment of overall public safety.

Collecting data

In those cases where both police and NLE responders are on a scene that has a peaceful resolution, will the police ever get the credit? Do we have an accurate data set on the success of calls that can be “cherry picked” by the NLE personnel? If police are taken out of the response to

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non-violent calls, the percentage of use of force per contact will go up and provide a skewed indicator of the success of a program. As with any social research, there will be both bias and unmeasurable variables that produce the outcomes used to seek more funding, perhaps out of the budgets allocated to law enforcement.

Responder injury and assault

According to NASW “In 2018, the Bureau of Labor Statistics found that health and social service workers were nearly five times as likely to suffer a serious workplace violence injury than workers in other sectors.” In their own [safety report](#) “Are you faced with personal safety issues in your primary employment practice? a surprising 44 percent of the respondents answered affirmatively. Thirty percent of these social workers did not think that their employers adequately addressed the safety issues.”

Screening and selecting calls

Certainly dispatchers will need to gather more and perhaps different information for the decision to transfer a call away from a police response. Response time will necessarily be different for the non-law enforcement responders, which is an advantage that allows most situations to calm or resolve prior to their arrival. If police end up being needed at a scene, their response time will be added to the NLE call out and response time. Will frequent callers decide that a police response will address their inconvenience more quickly than the NLE that responded last time? Citizens have learned that claiming “shots fired” will get police to the annoying loud party next door, so it is a question worth answering.

Antogonism

The relationship between law enforcement and NLE is affected by the pre-training attitudes and post-training culture and experience. Although both professions are occupied by persons who genuinely want to help people, the aggregate political leanings and world views are likely very different. In the field, most of these practitioners in both professions work well together, but tensions exist and will have to be resolved in alternative response programs.

Police will remain

To the idealists who believe and promote the abolition of law enforcement, an increase in the use of NLE will result in greater appreciation of law enforcement's role in responding to dangers unknown and in protecting our NLE colleagues.

Suicide by Cop

Suicide by cop (SBC), also known as a victim precipitated homicide, is an officer's nightmare. Despite public perception, the overwhelming majority of mental health calls, including suicidal persons, are handled by police officers without a major incident. An event in which a caller actually wants the police to kill them is hard to imagine, but about 100 persons per year are killed by police officers after the officers were faced with little choice.

A ten year study of the Los Angeles County Sheriff's Department (LASD) found that 13% of all fatal officer- involved shootings were classified by SBC.

Some agencies have begun to refuse to respond to calls of suicidal persons who are not immediately risking the lives of other innocent persons. Gone are the days of police officers surrounding a house where an individual is threatening to kill themselves, then making a forced entry to rescue a person from themselves. Absent a court order, these rescue efforts can result in injuries to the suicidal person or the officers which can result in lawsuits against the police agency.

SBCs are like other suicides in that they can be spontaneous and impulsive, they can be well planned and very intentional, while many suicidal persons are ambivalent, as if to allow fate to decide. Some of these events may not be classified as suicides due to the complications of an event and a lack of clear intent by the person killed by police.

Officers may not know that they are engaging with a mentally unstable or suicidal person. The caller may just report that a person is acting erratically, has a weapon displayed, or was just involved in a domestic

dispute. The suicidal person may be making the call themselves in order to ambush responding officers and force a deadly confrontation.

Guidelines for officers include the first consideration to be officer safety. Giving explicit direction to officers to avoid death and injury from a suicidal subject is not merely self-preservation. A disabled officer means that more weapons could become available to the person, the officer's rescue will remove not only themselves as an asset but take additional resources and attention away from the suicidal party, and if a suicidal person injures an officer, they may become aware of some unintended consequences of their behavior and become more highly agitated. The loss of an officer can result in more threats to the general public if the suicidal person cannot be isolated.

When a police officer realizes that this is an SBC attempt, they may be tempted to turn away from self-preservation and shift into counselor mode. This can result in them letting their guard down and approaching the person from an unsafe position in order to establish trust and rapport. Trust and rapport are important, but one cannot assume that a suicidal person will act rationally even after a personal connection is made. The person may have disordered thinking due to brain illness, or, since the majority of suicides are by people under the influence of alcohol or other drugs, their state of mind can shift quickly.

Large police agencies will have resources that simply aren't available to smaller departments. The public expects the availability of less than lethal tools, crisis intervention teams, and lots of back up officers. These may not be available or, if so, not immediately. Having back up officers is no guarantee that the chance of a violent encounter is less. Civilian crisis intervention teams may have to be kept at a distance if a firearm is involved.

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About half of SBCs present a firearm to engage officers. Nearly one in five weapons displayed in these situations in the LASD study were replica weapons, along with some others that were unloaded or nonfunctional. The psychological toll on an officer who is forced to shoot a person who turns out to have had a non-functioning weapon is immense. The public relations impact is worsened by critics who will scoff at the fact that the SBC “didn’t even have a real gun”.

Edged weapons and blunt objects are also used to provoke officers to use deadly force in an SBC. While officers may be able to get closer to a person who does not appear to have a firearm, these weapons can be deadly, and there is no guarantee that there isn’t a firearm present also. The distance between the officer and the SBC can be traversed very quickly and attacking or fleeing persons with mental illness into a populated area beyond the secure perimeter presents a complicated decision for officers. An SBC can be precipitated by the subject threatening an innocent bystander or family member.

SBCs present one of the most challenging calls an officer can handle. The chance to save a life is high, but the chance that others’ lives are at risk is very real. Most situations are resolved without deadly force. That decision is ultimately up to the person who wants to die.

Praise and Caution for Social Worker Response Plans

According to a Washington Post database, police officers have fatally shot nearly 1400 people with mental illness since 2015. The interpretation of that data by critics has yielded the presumption that the police faced with those encounters are not competent to deal with the mentally ill. Police leaders have long recognized that many of the calls that come to the police do not require the services of an armed government agent, but that the 24/7 availability, fast response time, and easy 911 call have evolved police to be the community catch-all for any complaint or problem.

Somewhere in between the accusation that police officers are ill-equipped to deal with the mentally ill and the reality that many calls could safely be diverted from a police response, many agencies are experimenting with alternate responses using mental health workers. These experiments are a good way to determine whether the public is safer when police stay away, but studies of the programs may be missing important information.

Social research is very different from “hard science” research such as chemistry. The scientific method begins with a hypothesis that is very narrow in scope. That hypothesis is then tested by conducting an experiment that is designed to look at identifiable outcomes. For example, if a researcher believes that a new drug’s effectiveness is affected by temperature, the drug can be tested at various temperatures to measure what, if any, differences exist when that influence changes. If the outcome of the experiment remains consistent when the experiment is duplicated, researchers can make a definitive statement that pill X works equally well whether stored in the refrigerator or on the shelf. Many of the elements of such an experiment will be based on known characteristics in science based on unchanging laws of physics.

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In social research individual characteristics are very difficult to isolate. Philosophically, it has been said that no one steps into the same river twice, since the constant flow creates a new set of conditions every moment. Similarly, it is said that when we examine an apple by cutting into it, we fundamentally change the apple. So when social worker response is declared a success, what research justifies that claim?

A recent press release on the Denver Support Team Assistance Response (STAR) program reported that their pilot study showed the team responding to 748 calls with no arrests and no police presence. This proclamation of success, while encouraging, must be tempered by a close examination of the cost and benefits of the program. In some jurisdictions, police budgets are being reduced in order to transfer funds to a non-police response. A shifting of funds belies claims that removing some calls for police services will “free up” officers to handle serious criminal calls. If police staffing is reduced in order to fund social worker response, this advantage falls away. The STAR program gets referrals from the law enforcement dispatch center where communication personnel screen incoming requests. During the six-month pilot period, there were 95,000 emergency calls of which 2,500 met the STAR criteria even though the supplemental service team responded to fewer than a third of those.

From these initial numbers, the heralded STAR team responded to less than 1% of total calls, and assuming eventual capacity to respond to all calls fitting their criteria, would be responding to 3% of calls.

Another question is whether the program evaluators are assuming that there would not have been an equally peaceful resolution of the calls had uniformed officers responded. Despite claims to the contrary, police

officers are very capable of calmly dealing with persons in a variety of crises. The STAR program states that no arrests were made on the calls they handled. Of course, no one on the STAR team could make an arrest anyway, and that doesn't mean that an arrest would have been appropriate in some of their responses. If likely crimes are observed by non-law enforcement responders, do these offenses simply go unaddressed? If, in order to maintain the trust of the civilian responders they must ignore criminal activity, what is the ultimate cost of non-enforcement? For better or worse, the criminal justice system has been a major portal to mental health services. Judges often order evaluations or treatment, which will not happen if the justice system is not involved. That may be a good thing or not, but it is something that those evaluating the program should measure.

Observers must consider the favorable conditions under which a program such as STAR operates. The Denver model is currently only available from 10 a.m. to 6 p.m. on weekdays. Working day shift, as every cop knows, is different than nights and weekends. If the program's availability is expanded, the time of day of incidents must be measured. Another factor is that STAR team members have no legal obligation to remain at a dangerous scene and, in fact, are not summoned to known dangerous scenes. This makes the success numbers a lot easier to accumulate than the police officers who have to go to any call, any time, regardless of the risk. STAR type programs are not likely to save lives, because the calls are not determined to be high-risk calls where weapons, assaults, and serious property damage has occurred.

Keeping officers doing what they are legally bound to do and are best trained and equipped to do is a great objective. We just need to be sure we don't diminish their capacity to take the hard calls.

Canceling Protect and Serve

Discussions about the roles of policing that might be shifted to non-law enforcement are very important. A recent survey of officers and civilians showed that the majority of police officers and civilians have confidence in law enforcement responding to mental health crisis calls. While there is also significant support for additional mental health support services and training, the role of police as caretakers of the community has a long history in practice and in case laws.

The concept of community caretaking has been taking a beating in recent months, including a U.S. Supreme Court decision *Caniglia v. Strom*. Officers had responded to the home of a man who was apparently suicidal at the request of his wife whom he had asked to shoot him after laying a handgun on the table between them. The wife left the home to stay elsewhere and asked the police to check on her husband after being unable to contact him.

When officers arrived, they arranged for medical transport for the man, whom they found sitting on the porch of his residence. After he was taken for evaluation, the officers became concerned about the firearm still in the home and entered to retrieve it for safekeeping, specifically against the wishes of the man before he was transported for evaluation of his suicidality. The Supreme Court sided with the man, who had sued the officer for violating his 4th Amendment right to be free from unreasonable searches and seizures.

Attorneys for the officers argued that a previous case in which a firearm was removed from an unattended vehicle for safekeeping was determined to be a lawful exercise of the community caretaking function of law

enforcement officers. In that case, the gun recovered in order to keep it from falling into unknown hands, was subsequently determined to be evidence in a murder case. The Court said that a home had more Constitutional protection than a vehicle and rejected the community caretaking argument for the seizure of the suicidal man's gun inside his home.

While it would be foolish to argue against a 9-0 decision, and it would be unwise to open the community caretaking argument to abuse by government agents, the case has already been seized upon as an erosion of law enforcement's ability to do anything other than purely criminal investigation and response. In an opinion article by Cornell law professor Sherry F. Colb titled "Supreme Court Takes a Step toward Defunding Police", it is clear that anti-police advocates are already claiming this case supports moving funding from policing to mental health.

Despite claims that police should become hands-off on calls that may involve mental health issues, the demand for police assistance will never go away. Even in this case, had a social worker been asked to handle the call that involved a weapon, any sensible protocol would have prohibited a non-law enforcement (NLE) response. Secondly, since the initial report from the wife here reported an argument involving a firearm, there may have been a domestic violence criminal charge to investigate. NLE personnel would have no authority (or training) to investigate criminal activity or seize any weapons. Thirdly, while a mental health referral and subsequent recommendations might occur, had an arrest been appropriate (which wasn't apparent in this case, but no one will know until they get to the scene), the arrestee might be required as part of a criminal process to get an evaluation or complete treatment under court order rather than being able to merely walk away from an NLE responder.

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The notion that if we send NLEs rather than police officers to certain calls that money for the NLEs can be taken from police budgets erroneously assumes that law enforcement won't need the money but NLE staffing will. Demand for police response will remain high, requiring staffing and equipment that should not be diverted. If the argument for NLE response is that police shouldn't be doing these services in the first place, then budgeting for mental health services shouldn't be connected to policing at all, including being the source of revenue for NLE response.

If the community caretaking function is severely eroded, does that mean that no highway patrol officer should stop to assist a motorist for fear that they might discover criminal activity? Should a police officer on patrol drive past a woman distraught and crying on the sidewalk for fear that it would lead to an abuser's arrest? The public has, does, and will expect police officers to attend to people in need. We continue to expect our police officers to care for their communities in many ways that their gun and badge do not necessarily represent. God forbid the day when we must erase "To Serve and To Protect" from our police mission.

Policing: Still the Gateway to Social Services

Some positive conversations about non-law enforcement (NLE) response are ongoing in the aftermath of cries for police reform. The mythology that often underpins these conversations is that police have no skills or training to deal with persons in a mental health crisis and are prone to using deadly force unnecessarily.

Some of these NLE reforms have included adding social workers as car partners to respond to calls likely to involve a mental health crisis, or sending another professional without any law enforcement response. Unless something bad happens of course.

Some programs pre-existed the no-cops wanted movement, notably Eugene, Oregon's social worker response alternative that has been working for over three decades. Even this program, at least as of last year when this author visited on site, is not available every day at all hours. A recent boast from Denver, Colorado's NLE reported that they have resolved many cases, saving police the trouble. While this is laudable, the calculus of the expense of the program compared to just having cops handle things as always wasn't clear. The Denver program also operates on limited hours and, as all NLE response programs, would not deal with known violent situations, reducing the number of situations that these programs would handle.

NLE response programs may very well have their place. The celebratory articles, however, should be considered in context and with supporting, valid data, that shows their effectiveness in contrast to law enforcement response. Certainly, at least one advantage is that taking some of the burden of these calls away from the police could potentially provide relief

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for understaffed agencies suffering backlogs of 911 calls.

The worst of these NLE programs are funded by transferring chunks of police budgets. Reducing funding for law enforcement not only creates a negative value for the alleged cost and time savings from relieving police from mental health response, but it also creates additional risks for NLE who find out they need a police presence on some of their calls.

Many agencies have long had specially trained police officers on so-called Crisis Intervention Teams (CIT). These are lauded by some and criticized by others. Some CIT outcomes have resulted in death or injury to disturbed persons and, therefore, the cops are to blame according to critics. Never mind that many are medical emergencies requiring custody for treatment, many involved drug use that creates hallucinations, violence, and unresponsiveness to verbal commands and pain compliance, and many have involved weapons. Again, these are calls that would never be handled by NLE units alone. They would never be dispatched to them or they would, wisely, retreat and call for law enforcement.

Estimates on the percentage of police calls for service are a result of mental health crises vary, but the American Psychological Association cites the rate at 20 percent. What percentage of those calls could be handled by NLEs is speculative, as many would involve violent behavior or access to weapons which would rule out NLE response. Talking calmly, being empathetic, and making eye contact is not hypnotism and won't de-escalate someone out of touch with reality or unable to process the need for rational behavior.

Another concern is that criminal behavior and mental illness are not always separate from each other. Drug dealing, theft, sexual assault, and domestic violence can co-occur with those in a mental health crisis (a term

with ambiguous meaning). If a crime is discovered by NLE teams would it be recognized or reported? Domestic violence, according to a U.S. Department of Justice report, can constitute between 15% and 50% of calls to police, with up to 35% of those involving a chargeable offense. Can NLE response draw the line?

Most social workers eventually come to understand the police role and respect the officers they end up working with. There exists, however, some palpable distaste among some idealists whose opposition to the very existence of police (because they believe police are a root cause of problems) can create a chasm between social services and law enforcement access to criminal investigations. As an example of this hostility, this writer spoke to a national convention of victim advocates on the topic of police officers who are victims of crime. During the question-and-answer period, one social worker declared that she would never help a police officer who was a crime victim.

Ultimately most NLE personnel lack the authority to immediately compel persons to get treatment and care. Relying on voluntary entry into programs to help has obvious failure rates. When law enforcement brings cases to court, access to treatment can be compelled by a judge with enforceable consequences. Before the development of social welfare networks, the primary access to help was through the compulsion of the courts. Police leaders are happy to hand off responsibility to those who are better equipped, whether that be helping a stranded traveler or homeless person, arranging care for an abandoned child, or counseling a suicidal person. But acting as a social worker will always be in the police officer's job description under "other duties as assigned", and they do a good job at it.

The Naked Truth About the Unclothed

Ever since Adam and Eve looked down and realized they were naked and that was somehow not quite right, most of humanity has insisted on covering up. When law enforcement officers encounter a nude individual, the presumption is that there is something very wrong.

How much clothing is the subject of cultural debate, but pure nakedness is generally universally deemed a legitimate taboo. Americans criticize the cultures requiring the covering of the body and the face, such as the Islamic burqa, but in the history of Jewish, Christian, and Hindu, head coverings from hats to hijabs have been symbols of modesty.

Anyone who perused National Geographic magazines in 7th grade knows that covering the genitals is typical but covering the female breast is optional in a lot of places. (I read the NG for the articles, just FYI). Europe's nude beaches and bare breasts and buttocks on the telly are often tittered about by travelers from North America. Tourists are either embarrassed or join in with the natives, in either case often becoming red in the cheeks.

A federal judge in Colorado ruled in a 2017 case that police could no longer enforce ordinances that banned the baring of breasts. The case came from the city of Ft. Collins which defended their ordinance but lost in what became known as the "free the nipple" case, despite concerns about the possibility of exposure to children, at places of worship, and in businesses.

When it comes to American law enforcement, police are often called to reports of indecent exposure. These may be as innocent as a person

relieving themselves somewhere before their bowel or bladder erupts in an emergency. One prosecutor in a college town stopped prosecuting students for urinating in the alley in a section of downtown with many bars because he did not want an indecent exposure charge on their criminal record. Police started citing the offenders for littering instead.

But other cases of indecent exposure, for the male population at least, are indicators of illegal sexual behavior that can become dangerous. Sex offenders are predatory. Their behavior typically increases in frequency and severity as they learn what boundaries they can push. If they can leave their zipper down while walking around a store and, if caught, just act embarrassed and apologize, they have learned something about what they can get away with. Campus police are alert for “stack peepers” who stalk targets in college libraries, peeking through bookshelves to take photographs or masturbate.

While not all minor sex offenses lead to sexual assault, most rapists started with these “testing the waters” behaviors, learning how to disguise their behavior, justify it, or get away with it.

A major concern with those who disrobe in public in erratic ways is their mental status. Especially in younger persons, removing clothing may indicate a developmental delay or regressive behavior inconsistent with their chronological age such as autism where the awareness of the social taboo of nudism is not present.

Elderly persons with Alzheimer’s may disrobe because they are uncomfortable and can’t communicate that to caregivers, due to hallucinations that it’s time for bed or that bugs are on them, or to fondle themselves while unaware of their surroundings. Disrobing or sexually acting out in public can also be a manifestation of schizophrenia seen in a

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small minority of those diagnosed. Drug use, often accompanied by mental illness in addition to substance abuse disorder, can result in hallucinations and erratic public behavior.

While most disrobing due to mental illness is not committed by dangerously violent persons, their state of mind may make it impossible for them to recognize and comply with law enforcement officers. If such a person needs to be redirected or taken into protective custody, they may fight out of confusion or panic, creating a real challenge for officers to get them to help without getting themselves or the citizen hurt. In Chicago, a police officer is now recovering from being run over by a woman laying naked in the street whom the officer had stopped to check on. The woman stole the officer's patrol car and struck the officer while fleeing.

The most dangerous naked person that attracts the attention of law enforcement is the person in a condition of Excited Delirium. Although some researchers deny that such a thing exists, police officers, ambulance personnel, and hospital emergency departments will certainly attest to its reality. The condition, usually associated with illegal substances but may be a metabolic disorder. It manifests with erratic behavior, high body temperature (thus the disrobing), and loss of pain response. The superhuman capacity to resist police and emergency medical workers who must restrain the patient in order to get immediate medical help to avoid a fatal result comes from a sense of panic.

Officers often have to get multiple helpers to restrain the person for emergency medical treatment and are thus accused of excessive force by bystanders ignorant of the fact that the patient's life is at stake without advanced medical treatment. What may cause the average citizen a chuckle when seeing a naked man directing traffic on the roadway could present a life-threatening situation to the naked person and their rescuers.

The Challenge of Diagnosing Mental Health Issues

Police agencies have been criticized for their handling of calls regarding people with mental illness. The major problem is not the ignorance of police officers in dealing with the mentally ill. The challenge is knowing if someone has a mental illness at the time of the police contact.

If we broadly define mental health as the ability to maintain emotional and behavioral stability in a way that does not interfere with one's health, finances, relationships, and daily activity that would include almost every person on a 911 response. Even normally emotionally healthy persons have transient periods of high anxiety, depression, substance abuse, and other markers of poor mental health. Even a person in extreme crisis who is acting very calmly and rationally may be in a state of mental dysfunction.

For specific, medical diagnoses of mental illness, even the professionals can struggle. The book that is used to describe, define, and label mental issues is the Diagnostic and Statistical Manual, now in its 5th edition. The DSM5 uses clusters of symptoms and behaviors to guide licensed practitioners to a diagnosis. Even so, it is not as easy as checking boxes.

A diagnosis of Post Traumatic Stress Disorder (PTSD), for example, involves at least eight different categories with a total of 27 possible criteria of which at least eight of which must be present. That doesn't count the footnotes and exceptions. As helpful as these criteria are, the matrix and mathematics of it is complex. That's just for one diagnosis. There are over 900 pages to the DSM.

Many who claim to have PTSD do not meet the DSM criteria. The same is true with many mental disorders that friends, relatives, and 911 callers may

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claim that the disruptive person has. If a caller says that a person has PTSD and is experiencing violent flashbacks, the officers can't make the assumption that this really reflects what is going on. With psychological jargon in the public arena, persons are often labeled narcissistic, bi-polar, or schizophrenic with no full understanding of that means. This poses danger to the responding officer and the subject.

A study published by the National Institute of Health recently revealed that medical doctors have a low rate of accuracy when diagnosing mental health issues. Based on comparing the initial physician diagnosis with a subsequent psychiatric diagnosis. Depression was misdiagnosed about half of the time, cognitive disorders were accurate only 60% of the time and substance abuse about a third of the time. Psychosis was almost never accurately diagnosed by doctors. A final diagnosis by a psychiatrist would be agreed upon by others.

There are two additional things that responding police officers probably won't know. One is what's known as co-morbidity, the existence of multiple disorders at one time. A person may be operating under more than one illness keeping them from thinking and behaving rationally.

Compound this problem with the fact that many mental illnesses are mimicked by the influence of narcotics and other substances. There are so many variables that even a clinical diagnosis may have little relevance to a real-world event on any given day.

Social and cultural changes can result in new eras of diagnosis. For example, homosexuality was officially a mental illness in the 1970s. Gender dysphoria is a diagnosable disorder, or we can just accept an 11 yr old's declaration that they are different than their birth sex. Pedophilia is becoming more acceptable, with some clinicians preferring that they be

called “minor- attracted persons”. If the DSM changes and mental health professionals have variations in their diagnoses, what chance does a police officer have to know what’s going through anybody’s mind?

Finally, an officer can only base their assessment of the situation on the behavior they observe. If a person is about to strike someone with a knife, their mental state is irrelevant. If they have a gun and are a threat to others, that behavior must be addressed immediately without the benefit of a diagnosis. These immediately dangerous behaviors will not (or should not) be the ones answered by co-responders or social workers. These life and death decisions will be made by law enforcement responding to an urgent call of a potentially violent situation.

Specialized Public Safety Units Protect Citizens, Assure Nature's Bounty

A few years ago, I wrote an article titled "All Kinds of Police." The piece explored the wide array of law enforcement agencies spanning our nation, from [railroad police](#) to [postal service cops](#) to [law enforcement officials securing our U.S. Mint](#) and national assets.

Among the specialties in law enforcement are environmental and agricultural niches.

These "specialized" cops apply, go through processing like every other aspiring law enforcement officer, and endure either a federal or state-certifying police training academy to garner the requisite skills and know-how to be among professional public safety entities employing and deploying guardians of the Constitution and the land upon which we co-exist.

Largely exclusively, these uniquely oriented police officials concentrate on preserving lands and all life upon it, both human and animal, often joining the police profession as a naturalist with an extraordinary passion for environmental sustainment and ecosystem integrity.

Rather obscure (which is why NPA is emphasizing these uniquely-qualified police heroes for your knowledge base) when compared to metropolis municipal law enforcement activities often boldly out in the open, environmental-based cops often work in mostly desolate terrain, in areas largely uninhabited by humans and abundantly populated by all sorts of wildlife and intriguing creatures.

The paucity of physical presence by humans logically attracts criminals undesirous of an witnesses.

The jurisdictional scope of enviro cops is vast, meaning they may not necessarily have back-up nearby when the dung hits the fan and the element mentioned above goes bonkers out of sheer desperation when confronted.

“Protected lands” is the typical beat of these police officers and requires a rugged rig to traverse accordingly.

Having explained the general composition of an environmental police officer and his/her pursuits, here is a real-time example announced today.

The Hillsborough County Sheriff’s Office has among its almost 4000-sworn contingent both an Agricultural Crimes Unit (ACU) and an Environmental Enforcement Unit (EEU) consisting of deputies possessing honed skills in criminal investigation of agricultural complaints to include livestock theft and [illegal dumping](#).

To effectively navigate the lands upon which they patrol and investigate matters, each ACU and EEU deputy is assigned [fully-marked and outfitted pickup trucks](#), representing the county-level with regard to enforcing public safety features.

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(Photo courtesy of the Hillsborough County Sheriff's Office.)

Although larger law enforcement agencies are adequately equipped with the training and tools necessary to combat certain unique crimes occurring out in the sticks, they often partner with environmental cops and civilian scientists working for the state.

In the following case, the [Florida Department of Environmental Protection's](#) law enforcement division cops (FDEP Police pictured in our feature photo) worked in tandem with county deputies to assist in the processing, investigation, identification, and apprehension of a suspect who dumped volumes of oil into otherwise pristine waters sustaining foliage, flora and fauna.

An HCSO press release explained the chronology pertaining to how the environmental crime was committed, how it was investigated, the subsequent arrest of a felonious suspect, and what mitigations were employed to help reinvigate the

tainted land:

The sheriff's office "arrested [Omar Hernandez](#), 33, after he illegally dumped oil which caused thousands of dollars in damages to wetlands in Plant City." That means tax dollars to maintain it, and additional tax expenditures to clean it all up.

Fundamental evidence photographed on scene is called a "dip test" whereby environmental protection police personnel dip a piece of light-colored board into suspected contaminated waters:

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(Photo courtesy of the Hillsborough County Sheriff's Office.)

“If it looks like a duck and quacks like a duck” methods apply. Eureka, it's oil...in a bad way!

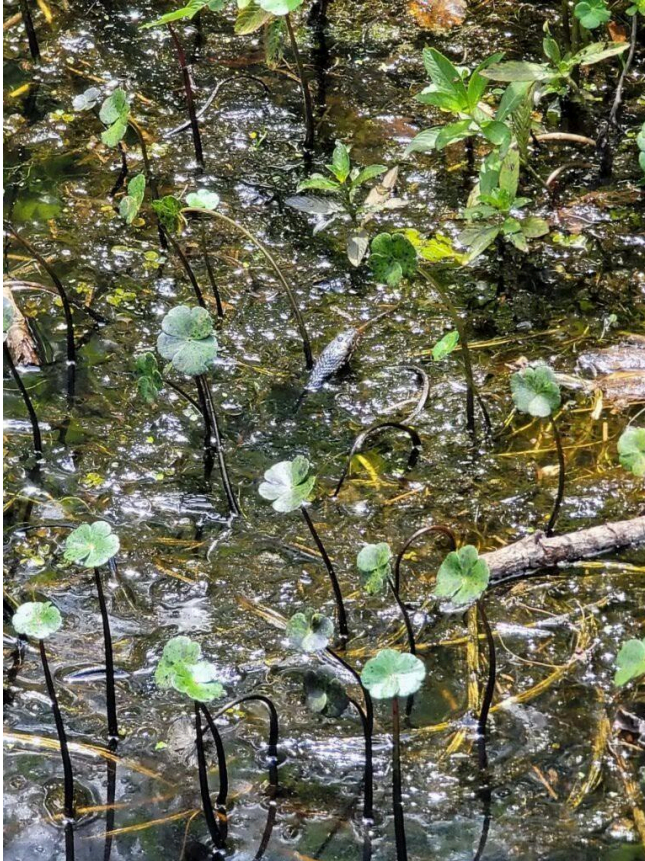
The odor and color of crude oil are rather distinct, and the dip-test technique is a “field test” modality and preliminary piece in the overall collection of evidence in the investigation and toward eventual arrest of suspect(s).

Although I am no chemist, from what I understand via an online commenter, there is a “DNA marker to track oil” elements, potentially aiding the case against the arrested polluter. That’s where forensic scientists come in handy, ala “Forensic Files” sleuthing.

Another citizen’s suggestion was for the county deputies and state environmental cops to bring in federal agents from the U.S. Environmental Protection Agency whose [criminal enforcement division](#) cops can charge Hernandez under the [Federal Water Pollution Control Act](#) or any of its [water integrity legislative acts](#).

Speaking of water integrity, environmental crime police and scientists on scene were able to photograph a lone snake sluggishly slithering through the now-sludgy ecosystem, compliments of a lazy, malicious illegal dumper:

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(Photo courtesy of the Hillsborough County Sheriff's Office.)

The sheriff's office press release continued: "HCSO, in cooperation with the Florida Department of Environmental Protection (DEP), investigated the incident, which occurred over a period of time in April 2021 [...] DEP units tested the substance and verified it to be oil. The large dumping measured approximately 80 feet long and 12 feet wide. Due to the spill, fish, vegetation, and wildlife had all been affected in the immediate area.

"Following a thorough investigation, deputies within HCSO's

Environmental Enforcement Unit (EEU) identified and arrested Hernandez. It is estimated that the dumping caused more than \$10,000 in damages. Based on the size of the dumping, the DEP requested an emergency clean-up and contracted an outside company which specializes in mitigating environmental messes.

For his reckless behavior and ill-concern for environmental sanctity, Hernandez was booked into county jail and faces a felony charge of Causing Pollution That Harms Or Injures Human Health Or Welfare.

That's just one caper having to do with cops overseeing the environmental landscape and the ecosystems sustained. In a population explosion in an area like mine, illegal dumping cases have burgeoned, keeping law enforcement extremely busy with an ever-increasing caseload. See something, say something always applies.

It's not always about agricultural crime, though. Sometimes it consists of civil matters, like taking a bull by the hor— (ahem), getting it safely back to the owner's ranch after a corral breach and errant stroll.



(Photo courtesy of the HCSO Agricultural Crimes Unit aka Reunification Unit.)

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A similar niche police unit entails sworn state cops responsible for agricultural commerce which, besides excess tonnage of livestock and wholesale plants and produce being transported to retail markets, sometimes nabs drug-running operations craftily concealing narcotics amid Granny Smith apples or crates of juicy citrus or whatever.

Pretty much every state has its own component of a commercial enforcement unit comprising road patrol cops charged with commercial transportation laws. These police units also work major cases of large-scale drug interdiction stemming from an unsecured load or some other traffic law violation leading to a roadside stop and drug-trafficking busts.

In Florida, there is a Department of Agriculture and Consumer Services (DACS) [law enforcement division](#) whereby instead of cops patrolling the interstates and thruways looking for truckers' transportation violations (typically done by the Florida Highway Patrol's Office of [Commercial Vehicle Enforcement troopers](#)), these agri- cops staff the numerous weigh stations/interdiction sites at state line borders and have the [truckers funneled into procession for inspections](#) and tonnage assessments.



Florida's Office of Agricultural Law Enforcement (OALE) "investigates crimes involving agriculture and those occurring on property owned or operated by FDACS" while also "participating in all seven regional Domestic Security Task Forces statewide." This agriculture police force also "partners with federal, state, and local law enforcement agencies" and helps "coordinate the [Domestic Marijuana Eradication Task Force](#)."

Incidentally, post-9/11 era sinister actors upped the ante on bomb-making materials being transported via trucks, so these agricultural cops have that challenge (Domestic Security Task Force mentioned in their mission statement).

And, yes, these agri-cops employ hyper-sniffing police canines, especially given the volume of commercial trucks passing through their screening stations on a 24/7/365 basis with the overall potential to smuggle contraband of all sorts.

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(Photo courtesy of the Florida Department of Agriculture and Consumer Services law enforcement division.)

I'm sure cartels detest these specialized cops snooping through otherwise organic products in efforts to unearth their synthetic poisons destined for street markets throughout the states.

As you can see, there are niche services provided by law enforcement entities across America, with specialized cops overseeing ecosystems, safeguarding conduits, protecting citizens, ensuring organic nature is not bastardized, and arresting bad actors who traipse upon God's good earth with ugly, slick intentions.

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Law Enforcement in Rough Waters

While there are police units specifically assigned to water safety, every officer is a general-purpose emergency responder and may find themselves saving lives at risk from drowning.

A special force of Metropolitan Las Vegas police rescue officers deployed to save a couple being washed away in flood waters while trapped in their van. Their police helicopter took off to search for the couple in distress. Located at about 3 a.m. the van's occupants were plucked from the vehicle by an officer hoisted from the hovering Airbus H135 which was navigating wind, rain, and utility lines. The older couple had pulled to the side of the road earlier to rest and were overcome by unexpected flooding due to heavy rainfall. Metro search and rescue engages in over 100 rescues every year.

Swift water from torrential rains in California surprised a woman and her two children on September 12th when a flash flood turned their street into a raging river. San Bernadino Police officers were responding to an unrelated call when they arrived to find the family in distress and waded into the torrent to pull everyone to safety. "Our officers do not encounter swift-water floods often, however it doesn't stop them from jumping into action and saving lives," San Bernardino's Police Chief Darren Goodman wrote on Twitter.

A July 30 Twitter announcement from the Apache Junction Police stated "On July 28, 2022, the Apache Junction Police Department responded to 24 different calls for service related to flooding." A woman stuck in her car in flood waters was rescued by an APJPD officer with the assistance of others at the scene. The woman's dog that had been in the vehicle could

not be located.

A similar scene occurred in Alabama during heavy June rains that flooded streets and stranded motorists. Gasden, AL police officer Braxton Keener responded to a distress call from trapped motorists and assisted them to safety.

In June a Walla Walla, Washington police officer was able to lasso a cat from a fast-moving flooded waterway, saving it from the species' noted disdain for immersion. In July the Kentucky State Police in coordination with the Kentucky Division of Wildlife performed a dozen searches and three rescues during flooding near the city of Jackson. St. Louis County police had to break a car window to reach a man trapped in flooding in the city of St. Charles in a July 26th rescue.

In August, a man was rescued when he suffered a medical emergency while driving and sped into a New York pond, sinking in 15 feet of water. New York State Police, Trooper Rush came on the scene and literally dove into action to pull the man to safety.

Unusual monsoon-type rains have inundated urban areas and rural waterways with unexpected flooding. Those areas where canals and lakes are part of the first responder landscape find water rescues part of their routine. Other areas, like many of those noted here, are likely to find uniformed police officers the first on the scene. While officers are trained in basic water rescue implements are sometimes hastily obtained from whatever might be available. Spare tires as flotation devices, tow ropes and straps for reaching victims, and batons for forcing open windows replace the tools available for a full-time water rescue unit.

Getting into the water is especially hazardous for officers who are already

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carrying over 30 pounds of gear. Boots are not ideal for swimming and ballistics vests are not flotation devices. Whether to take time setting aside a few thousand dollars of taxpayer-funded equipment attached to their duty uniform that might be ruined by filthy floodwaters or stolen by opportunistic bystanders is a snap decision to be made. Unless the rescue is in a pristine mountain stream, rescuers may also face dangerous floating debris, frightened animals both aquatic and normally land-based, and chemical and biological hazards unleashed from their usual places.

Whether it's performing CPR on a child submerged in a swimming pool, balancing on a slippery shore to toss a line, or diving to a sinking vehicle, police officers find a way to rescue when duty calls.

Those Dam Cops

No doubt the Hoover Dam Police are tired of the old joke of the headline, but they exist and represent a critical function of law enforcement. Recent attacks on major power grids have resurrected concerns about protecting critical infrastructure that the 9/11 World Trade Center attacks highlighted over twenty years ago. Specialty police like the Hoover Dam cops and those protecting nuclear facilities are not available for the vast majority of properties at risk of attack.

On Christmas day, 2022, two men attacked four electrical substations in Washington State. As a result over 15,000 were without power and an estimated \$3 million in damage was caused. Although the motive, according to one suspect, was to knock out alarm systems so that a business could be burglarized the specter of terrorism remains.

Other attacks include shootings at two electric substations in North Carolina in early December of last year and damage to two other substations in South Carolina. In addition to the Washington attacks, Oregon was also hit with attacks on power stations in October and November.

With more than 55,000 power substations across the nation, the relatively small number of firearms attacks on them may seem minor, but the sudden spate of damage to them is cause for concern. Without arrests, law enforcement has yet to determine if the incidents are connected to a terrorist motive, but experts are on heightened alert.

Having worked at one time for an agency located along the Mississippi river at the time of the World Trade Center attacks, the focus on terrorism

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added new concerns for patrol. The Mississippi is peppered with a system of locks and dams that assist in flood control vital for commercial river traffic essential for shipping agricultural and other products. Bridges along the way connect major east/west highway routes, not to mention the riverside industries sustained by America's waterways.

Other potential targets for economic chaos that would bring an evil grin to terrorists include petroleum refineries, railroads, and pipelines. In 1982 over 250 refineries were operating in the U.S. Now there are about 130. Despite the move toward non-fossil fuels, the petroleum industry is vital to innumerable products used in our daily lives. A coordinated attack – whether by traditional means or cyber crime – risks crippling our national security. The expense and regulatory burden of building a new refinery mean that lost facilities are not likely to be replaced.

Local law enforcement is the key to protecting all these assets. The diminution of law enforcement strength not only affects the response to traditional crimes but weakens our national security in a very real way. Gathering collective intelligence to establish patterns is a challenge without a centralized database for reporting attacks on infrastructure.

In addition to targets that can cause widespread outages and expensive repairs, damage from irresponsible vandals using such facilities as random target practice is a concern that may not be reported as potential intentional acts designed to disrupt power sources. Like stop signs and street lights, publicly exposed utilities are tempting to that select brand of idiots driving around with rifles and shotguns itching to destroy something.

Vandalism or terroristic attacks are not the only reason for criminals to

damage facilities. When scrap metal values are high the amount of copper in electrical equipment is a profitable harvest for thieves.

The U.S. Department of Homeland Security has issued a terrorism advisory bulletin which was distributed just before the attacks in the Carolinas. The threat, according to the briefing, comes from both potentially organized criminal cells and disgruntled “lone wolf” actors who may have a variety of grievances and motivations. Internet chatter indicates that there is recruitment for others to join the mayhem.

An expert in infrastructure security within Homeland Security's Cybersecurity and Infrastructure Security Agency says it is known by intelligence agencies that bad actors are pre-positioning assets to conduct attacks when it might be useful to them in matters of geopolitical maneuvering. Russia's use of attacks on Ukrainian infrastructure is an example and deserves a study of their methods and targets.

Threats of cyber attacks loom as well, but the physical security of the fragile web of power sources, bridges, roads, and dams around the country rests largely on the diligence of local law enforcement to discover, prevent, and prosecute offenders. Citizens don't often think of local law enforcement as essential to national security, but the officer on patrol is a critical element in keeping us all safe from disaster.

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Policing in the Wild

One interesting law enforcement specialty is wildlife enforcement. These officers are a mix of police officer, biologist, search and rescue specialist, public education officer, and organized crime fighter. Game wardens, park rangers, conservation agents or whatever title they use have responsibilities to human, animal, plant, and geological resource protection. They are found on state and local lands, bodies of water, and even city parks.

On the federal level, there are several layers of outdoors law enforcement. The U.S Fish and Wildlife Service is an agency of the Cabinet Office of the Interior with primary responsibility over federal wetlands and wildlife refuge areas. The National Park Service maintains its own force of law enforcement rangers and investigators to deal with criminal activity and public safety in our national parks.

Not all federally owned or managed lands are national parks or wildlife sanctuaries. The Bureau of Land Management deals with federal properties, many of which have mining, forestry, oil production, or other resource extraction operations. The bureau has its own law enforcement team, as does the U.S. Forest Service. The U.S. Park Police are most visible in Washington D.C. but are also deployed in other federal park lands. Even the National Oceanic and Atmospheric Administration Office has a law enforcement division.

Each state employs wildlife enforcement officers and park rangers with various responsibilities. In high tourist traffic areas, the traffic and crime issues are similar to any population. In addition, there are issues of preservation of historic artifacts and structures that are subject to

vandalism and theft. Fugitives finding refuge in isolated areas is not uncommon and pose a special threat to these officers that often work alone and in remote areas.

Search and rescue operations are a natural part of these outdoors officers. Adventure seekers, both proficient and foolish, can find themselves in unexpected danger. Those who are lost and injured often naively expect a quick helicopter rescue, but the complexity of extrication from the wilderness requires a trained team with much technical knowledge.

Maintaining a balance of the ecosystem of both public and private lands is often accomplished by licensing and regulation. Enforcing these in the field requires diplomacy and sometimes stealth. Officers sometimes work undercover, sometimes under leaves and brush! The one thing every officer in the fields and mountainsides knows is that nearly everyone they contact is armed with deadly weapons.

In addition to the danger involved in working alone in remote areas, these officers face serious criminals. Certain animal products are very valuable in international trade and poachers accept the risks of encountering law enforcement agents. These parts hunters harvest the organ or body part that they can sell and leave the wasted carcass of the animal to rot.

Investigative efforts include special forensic examinations and dangerous undercover work. Hunting tour guides are carefully licensed so that natural resources remain in balance. Those operating outside the law often will use illegal tactics to ensure that their clients get a trophy animal.

Organized criminal elements use our national lands as rent-free property

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for growing or making illicit drugs. Even in states, like Colorado, where marijuana can be grown, sold, and used legally, offenders often associated with international criminal enterprises, cultivate marijuana in remote areas of public lands. Not only are these products unregulated and untaxed, they are grown with no regard to the environment. In fact, many prosecutions for marijuana related offenses on federal land are charges related to environmental crimes, rather than for the illegal drug. Drought conditions and water rights are ignored as are the dangers of chemicals used to cultivate and process the crop. Mobile meth labs also leave their indelible mark on pristine lands. Even officers doing biology studies like bird counts and fire danger surveys must be aware of the possibility of coming across a criminal enterprise guarded by booby traps or armed guards.

These officers must be adept at all kinds of rescues. This requires hours of training in rope techniques, emergency medicine, and navigation. In addition to a typical four-wheel drive SUV loaded with equipment, the ability to work around or in helicopters and fixed-wing aircraft is required. Outdoor officers may pilot a drone, operate an ATV, navigate with watercraft, all while being prepared to hike miles on foot in hostile terrain.

For most officers who choose to work in conservation law enforcement, the job is their dream career. While their more urban counterparts may make light of their job as "tree cops" or "possum cops", these officers garner great respect for their many skills to respond to the demands of working in the wild.

The Alphabet Soup

When in Washington D.C. or watching newsworthy events on television, it may be hard to keep up with what agency is attending to what event. The plain-clothes and secret agents with law enforcement tasks can't always be spotted with the ubiquitous earphones and wrist microphones, but they are there!

In addition to Washington, D.C. Metropolitan Police with an authorized strength of over 3,400 (although dealing with many resignations and retirements creating a staff shortage) and the transit police of nearly 500, nearly every branch and unit of the federal government has its own police including the Supreme Court with its own uniformed police force. Even the Smithsonian Institute has an armed security force with special police powers.

Patrolling other areas of federal property and national monuments is the U.S. Park Police under the jurisdiction of the National Park Service within the Department of the Interior. Across the country park rangers, investigators, and even SWAT teams operate to protect persons on public lands. The U.S. Park Police number over 600 members and was instituted by President George Washington.

The U.S. Secret Service, most visibly by its uniformed division, keeps an eye on the White House and with human and technological resources protecting the perimeter and grounds. While famous for dignitary protection, the Secret Service was originally part of the Treasury Department and still retains its primary mission of protecting the integrity of our currency from counterfeiting and fraud. It is now under the umbrella of the Department of Homeland Security.

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HSI, or Homeland Security Investigations, is a new major player in federal law enforcement. With broad mandates and resources, HSI targets a number of national security threats and criminal activity. The CIA, FBI (which also has a uniformed division), DEA, ICE, DIA, and others we probably aren't supposed to know about, engage in covert activity in a city crawling with potential for espionage.

The Pentagon has the Pentagon Force Protection Agency with the Pentagon Police being the uniformed officers seen around the institution, with about 500 officers. Of course, the military law enforcement agencies have a presence as well. The military has Army and Marine military police as well as their criminal investigators (CID), Air Force Security Forces and Office of Special Investigations (OSI), and NCIS, the Navy's investigative arm of television fiction fame. The Department of Defense Police are found on military installations as civilian counterparts to their military law enforcement.

Federal facilities are patrolled by the Federal Protective Service, another uniformed division of Homeland Security. Buildings that house federal agencies rely on the FPS. The Veterans Affairs Police are seen at VA facilities. The U.S. Marshals remain responsible for court security and, more famously, for pursuing fugitives from justice.

One example of the pooling of resources is dignity protection. When high-profile officials travel, we expect that the Secret Service is staffing the VIP protection detail. During the presidential election months when candidates meet the threshold to be given federal law enforcement protection, agents from other departments are recruited. The plainclothes agent milling around in the crowd or wearing the dark suit and sunglasses

might be from the Capitol Police, U.S. Marshal's Service, or any of the other alphabet agencies.

Coordination among dozens of agencies during events that create the need for a massive law enforcement response is a challenge. When hundreds of thousands of marchers, millions of visitors, and occasional outbreaks or threats of violence, no single agency can bear the burden of maintaining law and order. On rare occasions, National Guard or federal troops may be authorized. Routine use of the military to engage in civilian law enforcement is prohibited by law. The United States has a unique separation from civilian and military law enforcement, an important aspect of freedom from federal oppression embedded in the Constitution and the Posse Comitatus Act of 1878.

Police Pilots Face Dangers

Two officers have died this year as of this writing during police helicopter operations. There were six in 2022 and one in 2020. Sixteen police officers have been killed in aircraft in the line of duty over the past decade. Although the number of officers who died in this manner is small compared to the 1,756 who fell during the decade, the tragedies are significant. Since aircraft are staffed by co-pilots and observers, crashes often kill and injure more than one person at a time. Injured persons and civilians killed aboard the crashes are not counted in the official toll.

Air operations, whether by helicopter or fixed-wing craft, are a vital asset to law enforcement for criminal interdiction and emergency rescue. The first police aviation unit is attributed to New York City with fixed-wing aircraft just after WW1, as the value of aircraft had been proven and a cadre of pilots had been trained.

As helicopter technology also improved during the war times of the 1940s and 1950s, rotor wing craft became the preferred police air unit with its flexibility. Fixed-wing units are still widely used for a variety of tasks with their ability to cover more square miles at higher altitudes.

The stories of officer sacrifice reflect the airborne operations of law enforcement. In March of this year Sgt. David Poirrier and Cpl. Scotty Canezaro of the Baton Rouge, LA Police Department were assisting with a vehicle pursuit when the aircraft behaved erratically, ending up inverted and crashed leaving the two experienced pilots dead.

In August of last year Sgt. Harold Russell of the Tennessee Highway Patrol and Detective Matthew Blansett of the Marion County, TN Sheriff's

Department were airborne to surveil an illegal marijuana grow. They were diverted while in the air to assist with a missing persons search when they struck a powerline and crashed.

Also last year, three Bernalillo County, NM officers were returning to a staging area to pick up fire crew members while assisting with a wildfire. Undersheriff Lawrence Koren, Lt, Fred Beers, and Deputy Michael Levison along with the County's Fire Rescue Specialist Matthew King were killed instantly when the craft suddenly went down.

In an unusual third helicopter fatality of 2022, Huntington Beach, CA Police Officer Nicholas Vella, and another officer were responding to assist with a fight call when the pilot slowed and hovered in order to photograph the scene. The aircraft began to veer and the pilot fought to control the craft and get over the ocean to avoid crashing in a populated area. He survived with injuries but rescuers could not save Vella.

A Houston Police helicopter was requested to help search for two bodies reportedly sighted floating in the Greens Bayou area of Houston. Tactical Flight Officer Jason Knox, 35, died from his injuries. The pilot, Senior Officer Chase Cormier, 35 survived with critical injuries when the aircraft crashed into part of an apartment complex. No one on the ground was injured.

During civil disturbances in Charlottesville, VA Lieutenant Pilot Jay Cullen and Trooper Pilot Berke Bates of the Virginia State Police were monitoring the unrest in advance of a VIP visit to the area. The pilot lost control of the craft which plunged into a stand of trees and became engulfed in flames, killing both occupants.

In 2016 Deputy Sheriff Scott Ballantyne of the Tulare County Sheriff's

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Office, California and Mr. James Chavez, a civilian pilot were assisting in the search for a fleeing suspect in a firearms-related case. After the suspect was arrested, Chavez began to return to base but suddenly lost altitude and crashed into a hillside.

Alaska State Trooper Tage Toll was serving as a spotter during a search and rescue mission near Talkeetna, Alaska in the agency's rescue helicopter. The mission had successfully located a missing snow machine operator and had taken the subject aboard the aircraft. Likely a result of rapid loss of visual references due to weather changes, the craft crashed near Larson Lake in the Talkeetna area, Trooper Toll, civilian pilot Mel Nading, and the snowmachiner 56-year-old Carl Ober were all killed in the crash.

Aircraft, and helicopters, in particular, are expensive to obtain, operate, and maintain. Their value in saving lives and saving time and ground resources is only part of the equation. With over 2,000 police helicopters patrolling and responding, public safety demands their continued use and brave crews.

The Cops Everybody Loves

Who is getting expanded emergency medical care benefits, ballistics vests from fund-raising efforts, legislative protection, and love and respect from nearly everyone? No, not the DARE officer, but the furry cops in the K-9 corps.

With 23 K9 line of duty deaths over the last twelve months, 50,000 police dogs are engaged in dangerous and valuable work across the USA. Varying in tasks from apprehension, public relations, sniffing out narcotics, locating dead bodies, looking for bombs, tracking lost children or escaped prisoners, the K9s and their dedicated handlers prove their value daily. At a cost of from \$5,000 to \$20,000 to obtain and train, police agency managers can't assume that they can afford a K9 unit.

Complicating the operation of a K9 unit is the cost of the handler. Because of the unique relationship that is developed in the team, the human asset creates costs as well. Despite common belief, a dog can change handlers, but that transition doesn't always go well, so the retention and care of the K9 team is part of the total investment. With feeding, housing, ongoing training, and veterinarian costs, the availability of the team can be limited. Add that to the handler's days off and the police manager recognizes that the number of hours on patrol or assignment will be reduced by those factors. This can limit the option of having a K9 unit for small agencies.

Another limit on K9 use is that, while many dogs are cross-trained, they do have limitations. An explosives detection dog, for example, must alert calmly with minimum movement, such as sitting, to avoid causing ignition of a suspicious device. This obviously differs from a tracking dog's alert to

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a scent. Because of the legality of marijuana possession in many states, narcotics detection dogs that were trained to include marijuana in their searches, many drug-detecting dogs have been forced into retirement from that duty. Many agencies still retain marijuana sniffing dogs because of the continued illegal smuggling of black-market marijuana.

Tracking dogs and cadaver dogs are asked to cover large areas with their noses near the ground. The physical strain on the dog's olfactory senses, along with the excitement that working dogs generate when on the job, they require limited work periods and appropriate work breaks. An agency will get five to eight years of service from a police dog. Many handlers adopt the retired dogs to their family, but others are rescued.

Handlers must be very well trained in search and seizure law. The general rule is that there is no expectation of privacy of the air around us or our car, but the length of a detention and K9 sniff can be attacked at trial if a stop extends beyond a reasonable time. A K9 team may be too far away in some circumstances. Use of force comes into play as well for those animals used for apprehension work. A bite must be justified like any other use of force. The handler and the department may be held liable for injuries.

A variety of breeds are found in police dogs from the classic German shepherd to the low-slung beagle. While you may find the former patrolling a perimeter at a corrections facility, you'll find the stout beagle sniffing around airports for unlawful imports of fruits, meats, and vegetables that threaten the health of people and crops in the US.

A new use for dogs is as emotional support animals in police stations or during extended emergency duty at command posts. These critters' job is

to be petted and act as a temporary companion to lighten and brighten officers' days.

Finally, in a futuristic twist, robotic dogs are being introduced to law enforcement agencies to engage in search and hostage situations to look, via remote camera, for people and explosives. With the ability to navigate terrain, the robotic Rover can keep humans out of harm's way while transporting messages, video images, or packages. An experiment with "Digidog", a robot K9 tried out by the New York City Police Department, was removed from their inventory after social media backlash. The skeletal dog-like design was deemed "too creepy" for NYPD after social media criticism following a demonstration of the multiple talents of the machine.

Police K9s are revered partners of value across the country, ready to take a bite out of crime.

The FTO and the Future of Policing

America's law enforcement field training officers (FTO) are among the most important components of professionalism in policing. One could reasonably argue that the FTO exceeds the importance of basic academy training. The academy may be the backbone and skeleton of a police career, but those first weeks of supervision under the watchful eye of an FTO are the meat, muscle, and sinew that bring the officer's career to life.

Most states prohibit a person from acting as a police officer without certification or licensing. While this makes sense in a lot of ways, it creates a deficit in academy training because the information presented to trainees is done without real-world context. Learning without meaning attached is less effective than learning with experience and application. For example, the academy will have a class in firearms, a class on car stops, a class on search and seizure law, and a course in de-escalation. Only when the cadet graduates and makes their first vehicle contact do all things need to coalesce into a cohesive set of behaviors and decisions. Until put into use and integrated, the subjects are abstract and theoretical.

This is where the FTO enters in to develop an effective police officer. In days gone by, especially in smaller law enforcement agencies, training consisted of handing the new hire the keys and a map and told to go to work. Formal police academies are a product of the mid-20th century, and police training developed into a three phase process: academy, field training, then independence. This writer's home state of Missouri had no academy requirement at the time of his hire, so there was only field training, then out on solo patrol. An academy was available even though not required and an officer might eventually be sent after several months of service without academy training.

There are two basic FTO training plans. The oldest is called the San Jose model, obviously the namesake of its original department. The other is referred to as PTO (Police Training Officer) or commonly known as the Reno model from that city's role in developing PTO with the U.S. Department of Justice's Office of Community Oriented Policing.

The primary difference between the two are in educational philosophy. The San Jose model is a checklist of skills needed by the trainee to eventually act independently as an educational bridge between the academy and full duty. The trainee is evaluated on the skills over time based on evaluation standards. The Reno model claims to be a better fit for community-oriented policing and for the new generation of police officers whose backgrounds and expectations are less suited to the regimented "right answers" of the San Jose model.

The Reno model is predicated on the trainee becoming a problem solver. In fact, the basis of the model is PBL which is problem based learning. In PBL, rather than merely attaching a policy and procedure to a situation, the officer looks for root causes and integrates their knowledge to develop a deeper solution. Some medical education has moved in this direction. Rather than just studying a list of symptoms and cures, the student is presented with an actual or role-playing patient and tasked with determining a diagnosis and treatment plan. The results for medical students are that they may score lower on standardized tests, but score higher on patient satisfaction and outcomes.

Regardless of the method, the training officer assigned to the police recruit is more than a babysitter or supervisor. An FTO is a mentor for more than just policy and practice, but also conveys the heart and soul of policing. They help the recruit connect the academic material to daily

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practice, guide them in communication with persons under stress, balancing empathy with cautious survival skills. The stories that they tell become very real to the trainee who will soon enough have their own stories that shape their career.

There are many vital components of the law enforcement team from clerks to dispatchers to supervisors to administrators. Tying them all together is the field training officer who will be an unforgettable character to the new police officer for the rest of their career.

Behind the Badge Behind Detention Walls

If someone were to ask for a list of law enforcement agencies and specialties, would Corrections Officer (CO) be included? Some debate whether COs are law enforcement officers (LEOs) or not. On the side of the LEO argument, the CO responds to disturbances and criminal activity, uses their presence to deter disorder, investigates offenses, and has the authority to take physical control of persons. Opposing that position is the argument that the CO does not serve the public at large, is usually not carrying a firearm, and has limited power outside of the correctional facility.

Some states give peace officer status to COs, at least in certain situations such as when escorting or transporting a prisoner outside of the facility. A complicating factor in the definition is the various level of corrections personnel. Local and county jails may be staffed by deputies with peace officer duties. The most important difference between jails and prisons is that jails also house persons not yet convicted of their alleged crimes.

Although there are some very large county detention facilities, such as Los Angeles County's with about 15,000 incarcerated persons, the largest inmate population tends to be in state prisons. Counting federal facilities, city and county jails, state prisons, juvenile facilities, civil commitment and psychiatric confinement facilities, immigration detention facilities, military prisons, Indian country jails, and privately contracted prisons, there are nearly 2 million persons held in secure facilities in the U.S.

Constitutional protections of due process, freedom from cruelty, and even unreasonable searches are all part of the complex legal framework that COs must navigate. A prison, and even smaller facilities, are self-

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contained communities. People need to eat, get medical care, practice their religion, get exercise, bathe, and engage in daily activities in a secure environment. Even the most mundane activity of the residents and workers in confinement facilities is subject to security procedures and precautions.

Something often heard of convicted persons being sent to prisons is “at least they can’t hurt anyone anymore”. That’s true unless you count COs. The corrections profession suffers one of the highest injury rates in the workforce. Assaults on COs are an ever-present hazard of the job. In addition to violent assaults from unarmed inmates, the creativity of prisoners in making and obtaining weapons makes cutting and stabbing injuries and fatalities a constant threat.

Many correctional facilities have a museum or at least a display that includes examples of prison-made weapons. Industrial activities that provide inmates with the coveted opportunity to work include food service, metal fabrication, and woodworking. Many prisons make products for the state or for sale to support the facility or inmate activities. This introduces tools and materials into the prison that must be carefully inventoried. Even with security procedures, objects that can be made into edged weapons end up in the hands of inmates.

German inmates constructed a working shotgun using a bedpost, a charge made from lead from duct tape and matchheads, and an igniter made of a broken light bulb and AA batteries. It was discharged during an escape. A decorative wooden crucifix was discovered to contain a sheathed, sharpened metal rod. Blades from disposable razors are melted into toothbrush handles to make a deadly slashing weapon. Paper products are wetted and molded into hardened saps. Plastic bags are filled with urine or fermented products of sugar and smuggled fruit to toss

at COs.

In addition to weaponry, articles are fashioned for use as drug paraphernalia or tools for escape such as keys, grappling hooks, or chisels. Items to push barbed wire aside or to cushion an escape over razor wire can be found during searches. Narcotics use is still a problem behind prison walls as items are smuggled in or tossed over the walls, and somehow, cell phones also make their way into correctional facilities to be used for criminal transactions or planning an escape.

Whether they carry the label of LEO, those maintaining order behind the prison walls face deadly challenges every moment of their shift. They deserve our thanks and respect.

SWAT – America’s Specialty Peace Keepers

Daryl Gates, a Los Angeles police Inspector nearing his 20th year of service with LAPD during the Watts riots of 1965, is often credited as the “Father of SWAT”, a small, specially trained, and equipped unit of police officers created to deal with unique tactical challenges beyond the ability of a normal police response. In his biography, Gates states that he did not develop SWAT tactics or equipment, but did advocate for the concept which was met with initial resistance from the higher-ups.

Others will identify LAPD officer John G. Nelson as presenting the concept to Gates who promoted the idea. Meanwhile, in 1964 in Philadelphia, a special squad of 100 officers was formed to be a rapid response force to an alarming increase in violent bank robberies. The Acronym SWAT has stood for Special Weapons Attack Team but quickly evolved into a more palatable Special Weapons And Tactics moniker. Variations include HRT (hostage rescue team), STAR (supplemental tactics and response), QRT (quick response team), CIRT (critical incident response team), ESU (emergency service unit), SRT (special response team), SOG (special operations group) and other labels.

The National Tactical Officers Association defines SWAT as “A designated law enforcement team whose members are recruited, selected, trained, equipped and assigned to resolve critical incidents involving a threat to public safety which would otherwise exceed the capabilities of traditional law enforcement first responders and/or investigative units”.

The unrest and rise in violent gang, drug, and political violence of the 1960s included snipers, fortified drug houses, major robberies, and mass disturbances. Gates is reported to note that during the Watts riots, even

the massive response of National Guard units was not effective without special training and appropriate equipment.

The effectiveness and safety of these special teams have resulted in an increase in their deployment and are now often a component of smaller agencies in addition to their urban law enforcement colleagues. Most SWAT teams around the country are made up of officers who have regular duties and are on call for SWAT. Only large urban agencies with high critical incident call volume, rescue operations, and frequent high-risk warrant executions maintain full-time teams.

In some areas, the tactical teams are multi-jurisdictional where officers from various police departments train together for response in any of their communities. Agencies with no tactical teams typically have mutual aid agreements with the jurisdiction with a team. Even where agencies have a team there can be situations, like hostages or barricaded suspects that can last for hours beyond a normal operational period where relief and backup teams become necessary.

Specialties within SWAT teams vary, and many members can be cross-trained in case a team member with expertise is incapacitated. For example, a dynamic entry specialist may have expertise in using explosive charges, using distraction devices, or heavy entry tools. Emergency medicine, sometimes a licensed physician, is an important area for staffing in high-risk operations where life-saving care may be needed for an officer, suspect, or victim. Sniper training is another specialty that takes a great deal of ongoing training to maintain proficiency in both marksmanship and judgment.

SWAT teams are the only place where police officers are equipped with automatic weaponry (machine guns), but that type of weapon is of very

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limited value and rarely deployed. Specialized equipment and tools for SWAT teams may include armored rescue vehicles, robots, special cameras, and various distraction devices like stun grenades, smoke canisters, and chemical irritants that can be launched from a distance.

Dramatic scenes of SWAT use from the Black Panther stand-off in 1969 in which thousands of rounds of ammunition were fired over four hours, to the 1974 Symbionese Liberation Army (SLA – famous for the Patty Hearst kidnapping and brainwashing) shootout that resulted in six SLA members dying and the house in which they had holed up burned to the ground, likely as a result of a tear gas canister with a combustible fuse.

In the mid-70s the art of hostage negotiation was added to tactical operations, which influenced teams to contain and hold with the hopes that surrender would preclude further violence. With the failure of this strategy at the Columbine school massacre, active shooter response now relies largely on the first responding officer, whether alone or specially equipped or not, to immediately enter the killing zone and confront the attackers.

SWAT teams have been criticized (of course) for influencing the militarization of local law enforcement. These teams were created to respond to extraordinary risks to the public and serve to preserve life with their special weapons and tactics. With nearly 100,000 SWAT operations annually across the country, their success is well documented and their failures (such as the 1993 raid on the WACO Branch Davidian compound and the 1973 incident at Wounded Knee) are carefully reviewed for continued improvement.

Specialty Cops – Why We Need Them

As laws and institutions become more complex, law enforcement has expanded to meet the challenge. The four categories of law enforcement that most people know about are federal, state, county, and local. But wait! There's more!

Federal Agencies

Enforcement of the law is a function of the executive branch of government, therefore most of the agents with police powers to enforce federal law are employed by various agencies of the President's cabinet. While most citizens know about the FBI, the Secret Service, the U.S. Marshalls, and the Border Patrol, there are over one hundred agencies with law enforcement responsibilities who partner with the Federal Law Enforcement Training Center (FLETC). A handful of other agencies operate their own training facilities as well, such as the FBI's training academy at Quantico, VA.

Many of these federal agencies deploy uniformed officers with specific responsibilities. Those include securing federal facilities and protecting federal assets. Others are primarily investigative and most agents operate in plain clothes. A variety of undercover operations are performed as well. When we read that federal officers are being deployed to a hotspot, they may be pulled from a number of different agencies from those who protect our borders to those who protect our national parks. During presidential campaigns, the Secret Service is assisted by other federal law enforcement for the extensive demands for personnel.

The Department of Justice and the Department of Homeland Security are

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well-known umbrella agencies for federal agents, but every cabinet-level has investigators and protection specialists.

Military Law Enforcement

With millions of soldiers, airmen, marines, and sailors stationed all over the world and even in space, every branch of the armed services has its own highly trained law enforcement and investigative personnel. With its own set of laws, known as the Uniform Code of Military Justice, military courts and law enforcement have jurisdiction not only on the millions of acres of land, air, and sea but also over any service person no matter where they are.

State Agencies

States regulate who can be considered a peace officer with arrest authority, in addition to investigative bodies that may or may not have the power to arrest. Some agencies may have limited jurisdiction while others carry their arrest powers outside of their normal work assignment. For example, police officers in state parks may be limited to taking police action within the park boundaries, while some states authorize arrests anywhere within the state.

It should be noted that many states give automatic authority to federal officers, while some states require additional certification. For example, the FBI has jurisdiction over bank robberies because a federal agency that insures deposits can be a victim. But if an agent observes a convenience store robbery they may have to take action as a citizen's arrest.

With elected sheriffs covering all of the territory of states, independent state law enforcement agencies were often begun with limited support or

direct opposition of politically jealous sheriffs. This is one reason why some states have highway patrols and some have state police. In Missouri, for example, the state patrol began as the Courtesy Patrol with arrest powers limited to the roadways. In Colorado, the state investigative agency conducts investigations only at the request of the district attorney or another law enforcement agency.

States may also have specialty law enforcement such as brand inspectors, conservation and wildlife officers, and capitol police.

Local police

Many municipal police agencies began with an elected marshal with authority only over ordinance violations. There are still many smaller jurisdictions with marshals. Most police officers today work in towns of fewer than 10,000 population.

Special jurisdictions

If given authority by their state, public schools and colleges, transit operations, public housing complexes, hospitals, and other institutions may organize and staff their own police departments. Some states allow private campuses to have state license police officers, but many will have security or public safety officers who may be armed and have arrest authority on the grounds.

Another facet of law enforcement is tribal policing on native American land that is a sovereign nation within the United States. These agencies often partner with the FBI and the Bureau of Indian Affairs police.

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Interagency cooperation

Most agencies that serve within or adjacent to other jurisdictions maintain good communication and cooperation. While they may not share the same special responsibilities, they almost always share responsibility for the same criminal elements.

5. TRAINING

[What Cops Can't Train For](#)

[What's the Big Deal About Cop City](#)

[How Do You Train for This?](#)

[Critical Training for Patrol Officers Amidst the Current Chaos](#)

[Whatever Happened to the Police Corps?](#)

[Training in Transition](#)

[What 'Reformers' Don't Know About Police Training](#)

[Are We Trying to Eliminate Stress in Police Training?](#)

[The Myth of the Untrained, Uneducated Police Officer](#)

[The War on Warrior Training for Police: A Conversation with Lt. Col. Dave Grossman](#)

What Cops Can't Train For

The animal in man is something that appears in his most desperate hours. It is intense, visceral, and primitive. What happens in the mind and body when death is in the air is hard to research, since the body's functions are rarely measured during those moments. Capturing the full reality of a fatal encounter cannot accurately be accomplished in simulation.

There is a myriad of law enforcement training products available to respond to the constant call for more training for police officers. This almost always means more lectures, more PowerPoints, more videos, more simulations, more scenario training, more role-playing, and ultimately less time for these officers to be out on the street protecting the citizens. It would be a tragic waste of resources for ineffective or unnecessary classes and hardware to be required. The current political posturing and mandates give little regard to such matters, resulting in the potential to burn through grant funding, keep cops off the street, and diminish public safety.

This writer has been a trainer, practitioner, researcher, and consultant. There's no antagonism against more training and technology. With any topic, whether police training or new brain surgery techniques, an honest evaluation of its effectiveness and limitations is necessary. Periodic reviews of those traits are also essential. Is this really working? Has it failed? Are the results better now than before the change? If there has been an improvement, was it significant enough to justify the expense and time to obtain and utilize it?

In business, these questions are constantly being asked because profit depends on it. ROI – return on investment – is constantly being

measured. So it should be in law enforcement. Here are some considerations in law enforcement training.

Is there a need? The rush to de-escalation training will probably produce some good results, but did we establish a goal to meet? If there is an expectation that persons armed with deadly weapons can always be talked down, or that a drug-induced psychosis can be cured with empathy, then the critics will be disappointed. We have far too little data on the current effectiveness of officers accomplishing their mission with a minimum of force. We do know that only a small percentage of contacts results in the need for physical coercion, and a very small number of those are ultimately determined to be unjustified. In other words, we don't know what a great job law enforcement is doing, but because of selected viral videos, the entire culture of law enforcement has come under attack with the assumption that the current conduct of most police officers is defective.

Is it research-based? As a former subject matter expert on curriculum for the Colorado Peace Officer Standards and Training (POST) board, there was constant pressure to add this or that. The animal advocates wanted training on dealing with aggressive dogs. The domestic violence folks wanted training on cycles of violence. Now everyone wants de-escalation training. Those are

fine topics, but do we have evidence that the way the courses are presented, and the material used produce effective behavior changes? Do we chart current results and compare them to results after the training? Is the research, if any, on which the material is based objective and data-rich, or based on the opinions of activists and influencers?

Is it periodically evaluated? If so, what standards are to be met, and what

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goals were established to be met? Are we going to keep training this way forever?

Is it political or practical? The reality is that many police executives have to conduct a dog and pony show in order to make a press release that placates the critics. (Like that would ever happen!). Training in the essentials of the job that have the highest risk to public safety is often cut back or criticized in favor of indoctrination. Since most complaints deal with the use of lethal weapon options and use of force at all levels, perhaps more training in firearms and defensive tactics would be most fruitful. But a press release that says police officers are spending more time on the range doesn't have the soft appeal of saying that they all have had sensitivity training.

Does it work in the real world? Here is the real heart of this article: you cannot train to a point of fully understanding that primitive, visceral, violent, intensity of a deadly encounter. Role-playing and interactive video training can be helpful to raise awareness of tactical options, but there is no way to replicate the expression on a killer's face when they have decided to take a life. The best actors can't do it. Stress training on the firing range or in scenario training cannot reproduce the chaotic environment of a street fight.

As a consultant on a shooting case in a large southwestern city, I saw the derision directed at an officer whose report indicated that his assailant had a murderous look in their eye. This was an excellent observation and a very well-known reality in studies in the animal world. Even some faint smells can be detected in a fatal encounter that most officers wouldn't be consciously aware of or enter in a report detailing the reasons for their decisions.

An officer can train to achieve muscle memory in responding to threats and using their tools, including their body, during a deadly encounter, but they won't know what it's really like until it happens in the real world. We need to recognize this reality in our courts, including the court of public opinion.

What's the Big Deal About Cop City

Around the country, we hear the cry for more police training. Unless you don't want police training. In Atlanta, despite sometimes violent protests, the city council approved millions in funding for a new training center for law enforcement dubbed "Cop City". The decision was not unanimous and after the 11-4 vote, the council was greeted with "boos" from the crowd in the wee hours of the morning after hearing a parade of testimony.

This classic case of damned if you do (want to improve first responder training) and damned if you don't, has played out in vociferous objections to the building of a facility that advocates say will develop the kind of first responder the public is demanding in terms of training and skills.

One of the major claims that protestors have made is that the site's environmental impact is devastating to the ecosystem there. The reality is that the nearly 400- acre area had been cleared years ago for a prison and that the training facility would involve only 85 acres. There is no mature forest growth to be impacted. Atlanta Mayor Andre Dickens told reporters that the tract is filled with rubble and overgrown with invasive species, not hardwood trees and that 300 acres would be preserved as a public greenspace. "This is Atlanta, and we know forests. This facility

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would not be built over a forest," Dickens said.

Another claim is that the training will increase the militarization of the police to engage in urban warfare. This claim disregards the fact that other public safety first responders will be training at the site in addition to police officers. The militarization argument is a frequent trope of anti-police extremists who have no clue about what law enforcement faces.

Thirdly, just to toss in some racism as part of the protest soup, the training site will be near an economically depressed area populated largely by minority residents. If this were a nuclear waste dump one might be inclined to join the protests, but this facility will offer job opportunities, traffic for businesses to cater to the new population of staff and trainees, and may be the best hope for economic development that can benefit the area.

It is important that observers of this controversy recognize the terroristic tactics being used so that the character of these attacks on the facility becomes crystal clear. In January of this year, Georgia's Governor Brian Kemp had to declare a state of emergency over the protests. Explosives were reported to have been found and six arrests were made with criminal charges of domestic terrorism.

Purported to be protests over the death of Tyre Nichols at the hands of Memphis Police officers, the protesters set a police cruiser on fire and damaged buildings in downtown Atlanta one of which houses the Atlanta Police Foundation. A thousand National Guard members were on call but were not deployed. Kemp declared that in Georgia "we'll always back the blue".

Protestors also called the shooting of a protestor at the Cop City site a murder, even though the individual shot by police had shot and seriously wounded a state trooper. Manuel Esteban Paez Terán, known as Tortuguita, was a non-binary individual who had undergone training to be a medic for the “forest defenders” and was among a small group of protesters being cleared from the site. Tortuguita fired into the abdomen of the trooper with a gun that was purchased by Terán in 2020.

Georgia Bureau of Investigation Director Mike Register said that his agency and other law enforcement “embrace a citizen’s right to protest, but law enforcement can’t stand by while serious criminal acts are being committed that jeopardize the safety of the citizens we’re sworn to protect.” While protesters shouted slogans like “Trees give life. Police take it. Stop Cop City! If you build it, we will burn it!”

Register said the protesters were illegally occupying the area and committing criminal acts that endanger the community, including arson, beating people up, using explosives and setting booby traps that have the potential to seriously hurt someone.

Governor Kemp tweeted “Domestic terrorism will NOT be tolerated in our state, and we will not hesitate, we will not rest, we will not waver in ending their activities and prosecuting them to the fullest extent of the law”, in the kind of unequivocal support that citizens need in support of their police.

How Do You Train for This?

Dennis Guider Jr was recently sentenced to five years in prison for a 2021 incident that severely injured Carrol, IA Officer Patrick McCarty. Body camera footage released for the trial tells the dramatic story of what started as a traffic stop during which McCarty learned there was an arrest warrant for Guider. Guider began to drive away as the officer was in front of the suspect's car despite McCarty's drawn weapon and commands to stop the car.

As the suspect continued forward, McCarty ended up on the hood of the car and eventually clinging to the car's roof as it accelerated being pursued by assisting officers. With McCarty holding on for life and still commanding the driver to stop, the vehicle went off the road to avoid a passing train, driving into an industrial area and crashing across a deep ditch which threw the officer off. McCarty suffered a broken vertebra in the fall but has since returned to duty.

A New Mexico Deputy in Sierra County and a New Mexico State Police Officer stopped to offer assistance and check on the well-being of a young man on a highway south of Truth Or Consequences. Abraham Quezada was reported to have been hopping in and out of vehicles, which included an ill-fated bounce from a vehicle into the bed of a passing pickup, then onto the pavement.

Body camera footage shows the deputy asking Quezada, injured from his pavement encounter, questions about his injuries. The man gave short, reluctant, and vague answers then continued to walk down the roadway with the deputy following until the state officer arrived as a backup. Quezada admits to being under the influence of LSD, then dashes toward

the deputy's vehicle and stole it, crashing into the state police car. Quezada was extricated from the crash and taken into custody.

In Putnam County, FL a driver attempting to outrun deputies apparently got lost on the back roads and drove into a cattle gate and fence, backed up and rammed a deputy's vehicle, then drove his truck into the marsh nearby. The 25-year-old suspect, identified as Austin Daniel Cox, had already rammed a police vehicle in an adjoining county which had provoked the pursuit. Taking a lesson from Rambo, Cox covered himself with mud to blend in with his soggy environment as camouflage from the cops, but could not camouflage his scent from police K9 trackers. Cox was a previously convicted felon released from prison in 2020. He was subsequently arrested for the assaults and resisting, in addition to possession of trafficking amounts of methamphetamine and a sawed-off shotgun.

In another Florida case of hide and seek, yet another suspect with a criminal record was fleeing from ramming a law enforcement officer's patrol vehicle. This time it was Ryan Lee Pope who fled to a home and hid behind a makeshift fake wall. The U.S. Marshals assisted in the hunt.

A weekend of family fun in Tinley Park, IL, a village suburb of Chicago, was scheduled as the Armed Forces Weekend Carnival but a flash mob of over 400 teens summoned through social media got the event shut down by police. Bystander video shows chaos and random fights from the invading crowd. One police officer was injured and several persons were taken into custody or cited in the melee.

A Detroit police cruiser was damaged as officers attempted to crack down on a street takeover by over 30 ATVs and mini-bikes downtown. Drivers were operating recklessly on the streets and sidewalks when one ATV

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crashed into the patrol car. The driver fled but was arrested after a short foot chase. No other arrests were made as officers attempted to clear the area.

In Alachua County, FL, body cam footage shows police kicking in the door of a residence where a reported stabbing had been reported and the suspect refused to exit the home. The bloodied victim was able to be extracted, then the suspect, Omar J. Gutierrez, who was at the time, for unknown reasons, dressed as a kitty.

Continuing with the costume theme, a Kansas man was arrested for driving drunk by Franklin County officers patrolling I-35 about an hour from Topeka. Body camera video shows the driver doing roadside sobriety tests dressed as a can of Bud Light beer as part of his Cinco de Mayo celebration.

Police officers get a lot of training and amass years of experience, but the unexpected eventually surprises even the veterans among them.

Critical Training for Patrol Officers Amidst the Current Chaos

I've been around for a while. I've worked with officers who were around before anybody paid much attention to the 14th amendment. That means pre-Miranda, pre- Escobedo, pre-Terry. The day I was sworn in began my three week field training. It wasn't quite "here's your badge, a map, and the car keys – stay out of trouble" initiation that many of my era got, so I felt well prepared! Seven months later I attended a three week police academy, although I was exempt since the mandatory training law went into effect after I was hired. I was in the very first class that the law mandated, hosted by our state law enforcement agency.

Thereafter, I snapped up any training I could get, read everything I could find that I thought was relevant, and spent hours studying through my courses and sat in classrooms earning my degrees while working my full and part time jobs. I share that characteristic with a lot of officers, in this era when cops are accused of being poorly trained and minimally educated, who eagerly and sacrificially pursue knowledge.

What Cops Don't Know

Former Defense Secretary McNamara raised eyebrows in 2002 in commenting on progress on the war on terror when he said "There are known knowns, things we know that we know; and there are known unknowns, things that we know we don't know. But there are also unknown unknowns, things we do not know we don't know." Despite the roller coaster verbiage, there is a lot of truth in that statement.

Collaboration skills

With community policing back in the headlines, there's no skill more essential than collaborative problem solving to reach into the community in the current season of demands for police reform. That 8 hour block on community policing very likely gave little or no attention to the collaborative process.

To be fair, hardly anyone does collaboration by the book. In its purest form, collaboration is the work done among people who consider one another equal in value and contribution, resulting in the definition of a problem, and construction of a solution satisfactory to all collaborators. There are several roadblocks to that process. The first is the question of who gets to define what the problem is. The second is who gets to invite those who will be working on the problem. The third is that a resolution that makes everybody happy can be so watered down that in the end it makes no one happy.

Collaboration is at the other end of the decision-making process opposite coercion. Police officers are trained in the art of assertiveness and coercion. They are taught command presence, using a confident tone of voice, and schooled in martial skills to be used in extreme situations. Even when believing they are collaborating, officers are often leveraging their training in coercion by sitting at the head of the table, choosing the members of a team, bringing a definition of the problem for the group to address, and strongly advocating a pre-determined outcome. That may be a certain brand of leadership, and it may create an effective solution. But it is not collaboration.

Supervision and management

A common theme among the rank and file is that once a patrol officer is promoted, they forget where they came from. In those cases where that is true it is truly a shame. But what often happens is that that newly minted supervisor is suddenly faced with all of the realities of decision making that they never knew, and never read about in management books.

In due course, patrol officers will have the opportunity to gain experience in supervisory roles. For the officer on the career track through promotions, there are schools and courses that will prep them for those stripes, bars, and stars. But what patrol officers really need to know is what kind of obstacles and challenges those currently holding leadership positions are facing. Officers on the front lines deserve to know the reality of politics, budgets, morale, training priorities, cultural clashes, and a host of other interwoven complexities that result in the policies and procedures that guide their work.

Brain science

Among the wonders and tragedies of human behavior is the world of the brain. Behaviors always serve a purpose, and the main purpose of the brain is short term survival. Understanding how the brain works can help officers better understand violence, memory, deception, self-care, and decision making. Understanding brain function can help transition an officer from feel-good training that talks about emotions and feelings to practical methods of dealing with stress and depression, perhaps saving their own lives and relationships.

Principles of learning, habit, motivation, and retention can accelerate training effectiveness and efficiencies. Poor teaching methods and poorly executed scenario training are serious impediments to the current state of

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police education. This applies to basic academy training as well as in-service and specialty training.

The future

The politics of police reform will necessarily include legislative edicts about course content and titles. Influencers from policing must guide these efforts away from meaningless mandates and develop education and training that will carry law enforcement through the balance of this turbulent century.

Whatever Happened to the Police Corps?

There were high hopes when the Clinton presidency oversaw the development of the Office of Community Policing within the U.S. Department of Justice in 1994 with an initial \$8.8 billion expenditure over six years. One of the initiatives from the COPS office was the Police Corps, a program which, as stated in the authorizing legislation 42 USC 14091: The purposes of this part are to- (1) address violent crime by increasing the number of police with advanced education and training on community patrol; and (2) provide educational assistance to law enforcement personnel and to students who possess a sincere interest in public service in the form of law enforcement. By the mid 2000s, the program was defunct under the Bush administration, now focused on Homeland Security.

Twenty years ago the General Accounting Office (GAO) published a [report](#) on the Police Corps program. It reported “The philosophy of Police Corps training is that to serve effectively on the beat in some of America’s most challenged communities, Police Corps officers must have a solid background in traditional law enforcement, strong analytical abilities, highly developed judgment, and skill in working effectively with citizens of all backgrounds. Police Corps training is to emphasize ethics, community and peer leadership, honesty, self-discipline, physical strength and agility, and weaponless tactics—tactics to protect both officer and citizen in the event of confrontation.” The GAO’s mission is to audit performance and use of funds, so their report focused on the fiscal and operational aspects of the program. In its report, the GAO cited lack of participation due to bureaucratic impediments concerning financing the programs within participating states, lack of direction for grants to police departments, and residential requirements for the academy programs. The Police Corps

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curriculum was not discussed.

In the same year as the GAO study, the Office of Justice Programs, which ultimately was given responsibility for operation of the Police Corps, issued its own [report](#). Specific curricula or learning objectives were not discussed in this report either. Consistent with police training reform demands today, the report praises the “continued efforts to ensure that Police Corps training remains dynamic and futuristic with a continued emphasis on the social context of crime, communication, and problem-solving skills in multicultural settings, leadership, and ethics. Police Corps training promotes skill development in the areas of disengagement and weaponless arrest and control tactics, and goes beyond legal considerations in the use of force to considerations of moral and ethical dimensions.”

Although praised by many who observed the program and by the bureaucrats who ran it, there is precious little evidence that the training was vastly different than other quality police academies. Any difference the program may have made was either obscured or unmeasurable. As with many reform-minded efforts, the Police Corps replicated training that was already happening in the profession with little truly innovative methods. The Corps did have an explicit philosophy of community policing, ethics, and cultural awareness which is also espoused by most academies today. Members of the press were invited to see the training in progress, with features in major outlets and some documentaries. Being typically unfamiliar with other academy training and front loaded with the idea that this was new and special, the reports reflected those factors, not realizing how typical the training really was.

Why resurrect memories of the Police Corps? One word: Biden. Senator Biden was a proponent of the Clinton crime bill and still purports to be an

advocate of police reform through community policing. If police reform is still a political football in the coming months, Biden may be recycling training proposals like the Police Corps. Police leaders and citizens should be wary of politicians claiming to be innovative reformers by attaching new names to existing successes and adding meaningless hours of redundant training. There are some lessons to be learned from the Police Corps. It was a worthy experiment. But one lesson learned is that a make-over with federal dollars isn't transformative.

Police trainers and leaders welcome with open arms and open minds to transformative technology, methodology, and cultural change. They are less enthusiastic about political theatre, adding fluff to an already burdened training schedule, and being forced to develop curricula that is not based on research and data that affirms its value.

If Biden's campaign claims to increase funding for community policing come to fruition communities will welcome any funding and technical support to improve public safety. If the proposals come with burdensome strings attached, those proposals must be rejected or renegotiated. The public must also accept that police reform, no matter what form it takes, cannot compensate for violent crime resulting from lax prosecution and massive release of prisoners.

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Training in Transition

Long before the current shouts for police reform, police leaders and trainers have been considering the efficiency of basic police academy training. Since the New York City School of Pistol Practice in 1895, which grew into a more generalized police academy by 1909, there was early opposition to the need for training as the notion that prevailed for a long time was that all an officer needed was common sense and enough strength to swing a billy club.

J. Edgar Hoover's FBI training in the 1930s served as an inspiration for police training at all levels. The LAPD under Chief William Parker became a model professional agency in the 1950s after a major scandal when Parker emphasized rigorous pre-service and in-service training. Crime became a national political issue under the Presidency of Lyndon Johnson, with studies encouraging more education and training for officers with some money to help achieve it.

It wasn't until the 1980s that all fifty states adopted minimum training standards. (As a Missouri officer this writer was hired before the state required police academy graduation. I was on solo patrol at age 21 after a three-week field training program, which was more than a lot of small departments got.) There are frequent movements to establish national training standards, but the history of independent, local policing and sentiments against the federalization of law enforcement have prevailed thus far.

Training standards are up to each state, and individual agencies may exceed those standards. The two basic models of academy training are the paramilitary model and the collegiate model. The paramilitary model

looks very much like military basic training. Physical fitness and mental toughness are emphasized. Cadets are placed under stress in highly formal structures. The collegiate model has a more academic approach with policing skills achieved through less formal means. There is no consensus on which produces a better law enforcement officer, and many – your author included – believe that the field training component after the academy when the rookie practices their craft under the tutelage of an experienced officer is the most important aspect of police training.

Pre-service training is available for eligible potential police officers who want to enroll in academy training before being employed and at their own expense. Most of these academies are on college campuses and are made up of self-sponsored pre-employed students and newly employed students on an agency's payroll whose training is being paid for by their employer. Many agencies require a fixed period of employment commitment, with a promise to repay their training costs if the student leaves the sponsoring agency within a few years. This is to discourage having a small agency pay for certification training of an officer who immediately gets hired by a higher-paying agency.

Some law enforcement entities have an interest in perpetuating a unique culture that provides pride, unity, and status. These agencies eschew the blended academies in favor of having all cadets a part of one agency. For the sake of economy, some of these departments have accepted lateral employees from another agency with a shortened version for enculturation and agency-specific training, but the results have been mixed.

The irony of the demand for more training among police reform advocates is that some topics that have become politicized have been forced into academy curricula and displaced some of the traditional essentials of real-world policing. Defunding and budget shortfalls are

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often suffered most in the area of training.

For example, New York's immigration crisis is being partly funded by Mayor Adam's cutting the next NYPD recruit class, even with a 3,000 officer shortage since 2019 and a 30% rise in crime. The ongoing battle from so-called environmentalists against a new training facility in Atlanta, GA, has slowed progress toward better first responder training being demanded by other critics. Voters in Colorado Springs declined to fund a new training center that would have expanded recruitment and training capacity for an understaffed department in a growing city. In New Hampshire, the recruiting crisis has driven police executives to ask the state legislature to reduce or eliminate mandated physical requirements. In Portland, OR where vacancies have been high, newly hired candidates are waiting up to five months just to get into any of the state's academies. In Massachusetts, a larger number of cadets already in an academy are quitting after losing the desire to become law enforcement officers. In Cleveland, OH, a city that is more than 200 officers short, the latest academy class had only 9 students, the smallest number in 25 years.

To all of those clamoring for police officers to get more training, it should be known that law enforcement leaders are trying, but the profession is taking a beating from critics and activists and budgets are taking a hit. Is this what the reformers wanted?

What 'Reformers' Don't Know About Police Training

For various reasons, my wife and I decided to home school our two children for a year. One of the things that we discovered is how efficient and flexible homeschooling can be compared to public schools. Movement from class to class or activity to activity, slowing down for some students, managing discipline, and scheduling meals, snacks, bathroom breaks, and bus lines steal from instructional time. Individualized learning at home, blended with experiential learning such as supermarket math, can create a rich and efficient learning environment.

Much law enforcement training follows the public school assembly line pattern designed to accommodate the industrial factory age. Make no mistake, I am a supporter of both public and homeschooling. My wife is a teacher, I sit on my local school board, have a doctorate in education, and our partly homeschooled children grew up to be a special education therapist and a university professor. So, my observation that much of a school day is devoted to creating efficiencies of mass movement is not harsh criticism, but a question of innovation.

There has been too little innovation in police training and, in some ways, we've gone backward. Recently renewed calls for officers to have college degrees, first articulated on a national basis from a Presidential Commission Report initiated by Lyndon B. Johnson in 1965, do not answer the call from current police reform advocates for better training.

The typical entry to policing involves reaching the age of 21, completing a police academy either before or after being hired, undergoing a period of closely supervised field training, then fully entering into police responsibilities while completing a probationary period and frequent

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evaluation. According to the [National Police Foundation](#), about one third (30.2 percent) of police officers in the United States have a four-year college degree. A little more than half (51.8 percent) have a two-year degree, while 5.4 percent have a graduate degree. In addition, well over half of law enforcement basic training academies are part of a college campus. So, for discussion starters, the law enforcement career has a much higher percentage of college-educated officers than critics imagine.

A U.S. Bureau of Justice Studies [report](#) shows that the average police academy is 21 weeks long. The field training programs where an officer rides with a training officer can range from several months to a year, with a probationary period that may last up to two years. After that, critical skills are retained with in-service training, training required by insurers to avoid liability, and specialty training and new curriculum items. This creates a full plate for agency training officers and leaders.

The double-edged sword of training means that while it may create a better officer, it removes the officer from service. That means that training needs to be justifiable and efficient. Current models of police training often rely on a certain number of hours in a subject. Measuring learning by the number of hours in a classroom has never been a valid way to determine whether the objectives of a course have been met. Course objectives must be identifiable and measurable. To be identifiable and measurable, course content must be fact-based.

This reliance on science, research, and data in developing curriculum is often absent from the emotionally laden demands for more police training. Police leaders are very open to additional training, but their main mission of public safety must not be compromised. I know of a mayoral candidate in a city with 700 police officers who was incensed because the department's administration would not commit to an additional forty

hours of training in dealing with the emotionally disturbed. Was there research showing that this training was needed based on outcomes of current encounters? Was there research to say that there is a curriculum that would improve outcomes if implemented? What specific behavioral and knowledge outcomes have been shown to validate the training? Is forty hours a magic number worth taking police officers off the street for a total of 28,000 manhours and the logistical nightmare of scheduling and overtime costs? Could objectives be achieved by a training memo, a squad briefing, or computer-based modules?

Police leaders and community members should welcome new training mandates only if those kinds of questions are answered with facts and logic.

Are We Trying to Eliminate Stress in Police Training?

The brim of the academy instructor's campaign hat shudders just inches from the forehead of the rigid cadet straining not to bend over backward to retreat from the intense tirade. It was a typical start to a day that would be filled with push-ups and classroom studies. Even the "fun" stuff like arrest control, driving, and firearms would be accompanied by fast-paced commands demanding perfection while providing distractions, intense scrutiny, and insults.

Not everyone agrees with this military basic training approach. The philosophy was to break a trainee down and rebuild them. Creating physical and mental stress was designed to allow the trainee to develop the confidence that they can overcome whatever was thrown at them. Normalizing stress was a means of teaching coping skills for the stress they would be called on to endure in combat.

Others advocate for a supportive, collegiate-type police training academy that develops skills without creating artificial stress. In fact, within some police reform efforts are proposals to get away from a police subculture developed from basic academy training that demands that cadets suppress their emotions. The accused culture of toxic masculinity, imposed on men and women alike, is presumed to be damaging to police officers to the extent that they cannot deal with others in crisis and will, themselves, inevitably implode into brutality. The answer? A kinder, gentler training regimen that emphasizes empathy over aggression and self-awareness over tactical skill.

Police aggression and misconduct are believed to be related to the stresses of the job. While policework is accepted as an exceptionally

stressful occupation by most, it is not these stressors that are blamed but rather the police officers' conditioning to suppress and ignore their own emotions that produce bad results. In order to fully suppress one's own emotions as purportedly their culture and training demands, one must keep a lid on their peer's feelings as well. Police reformers believe that by increasing sensitivity to the feelings of police officers, they will be less stressed themselves and less aggressive in dealing with suspects.

Here's this writer's theory. First, let me explain that I've been on both sides of the training/trainee/trainer spectrum. My limits were pushed in Army basic training. My bed-making skills were trashed by a drill sergeant. My ancestry was impugned up to the point of my willingness to spend time in the stockade. But my skinny, intimidated self evolved quickly into a man that was ready to deal with whatever life threw my way. Every victory of survival was a building block of my character. Every insult that I was able to let fly past without wounding me thickened my armor.

My theory is that subjecting trainees to physical and mental stress in a controlled environment is a necessary element of practice for the time when stressful situations threaten to overwhelm them in an un-controlled environment. The old maxim in psychology is that frustration results in aggression. Aggression can be exhibited outwardly as anger or violence, or inwardly in self-destructive behavior. Stress is often considered the culprit that causes frustration. But what really causes frustration is the feeling that something is out of one's control. Therefore, what we learn about controlling our reaction to stressful circumstances increases our ability to automatically process emotion, reducing frustration and the resulting aggression.

Do we need to be supportive of the mental health of our police? No question. Do we need to be more open about providing services to our

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first responders without shame? Of course! Do we need to expose our officers in training to some simulation of the chaos and pressure they will inevitably confront on the job? Absolutely.

There is, of course, a balance between stress-inducing training and unnecessary mind games. Building character and resilience requires not only confrontation with one's potential weaknesses but supporting and enhancing the strengths that training develops. Learning to perform under stress, to control emotions rather than ceding control to our emotions, and – yes – being tough is still an essential of police work.

The Myth of the Untrained, Uneducated Police Officer

The mantra of police reformers is more training. The problem with many of those voices is that activists and politicians have no idea what the current state of training and education of law enforcement in the US is.

Research has shown that college-educated officers suffer less from stress, generate fewer complaints, and have fewer use of force incidents. While it is true that potential police officers can come to the recruiter's table with only a high school diploma, many agencies require some level of college to be eligible for employment. When considering that most police academies are taught on a level that is eligible for college credit, and many academies are on the grounds of a college, the number of officers with college credits is high.

A certificate program consists of vocational competence with classroom contact hours less than a two-year degree. The average of all police academy programs consists of 840 clock hours which equates to about 56 college hours. (One college credit hour is approximately 15 clock hours, with more clock hours required for learning labs.) Completing a two-year degree requires around 60 college hours which translates to 900 clock hours, not far from the average police academy which is compressed into a stressful 21 weeks. None of that counts the rigors of field training that officers must complete before working on their own.

Over half of all American police officers have at least a two-year degree, known as an Associate of Arts or Associate of Science which includes general education courses and is transferable in pursuit of a four-year degree, or an Associate of Applied Science which focuses more work on

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vocational skills and is not as readily transferable toward a four-year degree.

Nearly a third of police officers have a four-year degree. This is likely in the area of criminal justice, but officers and their agencies benefit from a variety of academic pursuits from psychology to computer science to English. Degrees in criminal justice are helpful, but no knowledge is wasted in law enforcement. Basic police skills are taught in the academies and field training

Over five percent of officers have a graduate degree or higher. With the availability of online graduate programs, that number is expected to grow as officers recognize the advantages of more education as they strive to move into management, supervisory, and specialty positions as their careers advance.

A current claim of critics is that police officers have no training in dealing with mental health crises. Although more training is always desirable, officers are taught these skills in the academy and in field training. In Colorado, for example, the minimum state required basic police training curriculum consists of a mandated set of courses totaling 556 hours. Many, if not most, state certified academies exceed this minimum. As in many other states, most police officers are trained in a community college environment while the remainder are trained at agency-run police academies. Most agencies prefer that recruits come with their basic training already completed at their own cost, while others are happy to conduct their own training. Some require completion of their agency academy even if the newly hired officer is already certified or experienced. This preserves the tradition and culture of a particular law enforcement agency.

Physical skills training in Colorado consists of driving, firearms, and arrest control which total 176 of the 556 clock hours. Of the remaining 378 hours of academic classroom instruction. Although only 12 clock hours are explicitly devoted to dealing with special populations, the topic is embedded in other subject areas like stress management, liability, ethics, judicial process, interviewing, controlled substances, and others in addition to field training and ongoing continuing education.

Other filtering of recruits to be eligible to train as a police officer include, of course, a background investigation, psychological evaluation, and entrance tests designed to determine the level of literacy and ability to learn of a potential recruit. The American public can be reassured that officers are well selected, well educated, and well trained. That doesn't mean that every officer performs perfectly every time. The filtering process continues throughout an officer's potential career and not everyone survives the demands of the profession. After all, as the old riddle says "What do you call the person who graduated last in medical school? Answer: Doctor.

The War on Warrior Training for Police: A Conversation with Lt. Col. Dave Grossman

Minnesota law now reads “Sec. 14. [626.8434]

WARRIOR-STYLE TRAINING PROHIBITED. Subdivision

1. Definition. For purposes of this section, “warrior- style training” means training for peace officers that dehumanizes people or encourages aggressive conduct by peace officers during encounters with others in a manner that deemphasizes the value of human life or constitutional rights, the result of which increases a peace officer’s likelihood or willingness to use deadly force. Subd. 3. Training prohibited. A law enforcement agency may not provide warrior-style training, directly or through a third party, to a peace officer.”

The statute, which went into effect August 1st, doesn’t mention the face that appears on every news report about the law – Lt. Col. Dave Grossman. “It’s not my word”, said Grossman in a recent phone conversation. He doesn’t spend much time arguing the warrior and guardian vocabulary saying, instead “My word is sheepdog”. Indeed, those who have taken time to hear him speak know that the “w” word is used only a handful of times, and only in context, never as a cheer or charge.

Often accused of promoting pseudo-science, Grossman cites his impressive credentials that include peer reviewed publications in journals, the well-researched library of books he has authored, and his time spent teaching psychology at West Point. He also relates how media presentations about his courses take content out of context to fit the narrative of Grossman being an advocate for warlike operations among police officers. He explained that he doesn’t take a lot of time promoting

his qualifications, but the attacks on his credibility as a scholar ring hollow when compared with the facts of his resume.

As the author of *On Killing: The Psychological Cost of Learning to Kill in War and Society*, co-author of *On Combat: The Psychology and Physiology of Deadly Conflict in War and in Peace*, and contributor on *Warrior Mindset: Mental Toughness Skills for a Nation's Peacekeepers*, and a trainer in the course *The Bullet-Proof Mind-Prevailing in Violent Encounters and After*, his study of "killology" is mischaracterized. "Psychology isn't about teaching people to be psychotic. Criminology isn't about creating criminals." Grossman related that media reports aren't merely biased, but intentionally misleading.

Grossman states that objective journalism is not the only thing lacking in the assessment of current affairs in criminal justice, so is the science. Grossman observes that the true picture of a violent America is not reflected in the reported murder rate. Citing major advancements in emergency medical care saving thousands of victims that would have been homicides in years past, the apparent leveling of the murder rate is deceptive, requiring more law enforcement, not less. Noting the risks of terrorism on American soil Grossman contrasts many other countries where policing is nationalized and the military operate within their borders, U.S. policing is local, so while we continue to fight the war on terrorism across the sea, the war on terror is left to the million police officers in our neighborhoods to remain vigilant and mentally prepared. "It wasn't 400 soldiers that ran into the twin towers as they collapsed, it was cops and firefighters". Intense training for the physical and mental challenges of that mission is essential.

Grossman believes it may take a generation to restore the narrative of police officers as the good guys. He points out that instead of growing up

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on Adam-12, Dragnet, and characters like Marshal Matt Dillon on television, today's generation was raised on *The Wire*, *Breaking Bad*, and *The Shield* where bad cops were the norm. In addition, educators from elementary to college often aid the narrative of police as the enemy.

A significant generational plague, says Grossman, is that screen time has created a generation of children who are over stimulated in bad ways and under stimulated in good ways. He promotes screen withdrawal in his book *Assassination Generation: Video Games, Aggression, and the Psychology of Killing*, and support of <https://www.takethechallenge.now.net/>, a program for withdrawal of screen addiction.

Besides the sheepdog analogy Grossman cites the mission of American law enforcement as akin to the big dog on the porch of our childhood homes. Gentle and tolerant of the householders, but ready to growl at a trespasser. His training days always end with his big red and blue markers on the flipchart writing the word love, affirming that the concept of love is the ultimate motivation for service as a law enforcement officer, soldier, or other first responder. That seems hardly a violation of Minnesota's new law prohibiting training that deemphasizes the value of human life or constitutional rights.

6. POLICE ETHICS

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Running Into Danger is No Myth

We've seen it in dozens, if not hundreds, of news reports and bystander videos. People rushing, faces full of fear, dragging children and loved ones along with them, running for safety as flames rise or the sound of gunshots or explosions echo. Mostly they are doing the sane thing for good reasons. But then you see the ones that Mr. Rogers talks about when helping children respond to chaos: "When I was a boy and I would see scary things in the news, my mother would say to me, 'Look for the helpers.' You will always find people who are helping." The helpers could be anyone, a former soldier, a nurse, a teacher, or anyone who has the heart of a hero. But more often than not, you see men and women in uniform heading toward the flames or sounds of gunshots. Most would say "I'm not a hero, just doing my job" or "it's not what I do, it's who I am" but their rush into chaos is the reality that we expect and they deliver.

But what if you're the officer that was on vacation that day? What if your partner was killed or injured and you walked away without a scratch or a thread of your uniform out of place? One of the stressors of policing that is not often discussed is the phenomenon of survivor's guilt.

Every officer who wants to "be there" and missed it knows the feeling. I got out of the Air Force Reserves a few months before my unit was deployed to fly our C130 cargo planes in service of the first Gulf War. I felt it when I missed a major crime on my day off. People said I was lucky to miss it, whatever the "it" was, but I didn't feel that way. When I rode with NYPD officers in the Bronx after 911 as a Chaplain, the officers apologetically said they had nothing to do with the response to the World Trade Center. Those can be minor cases of annoying guilt. But some know it so deeply that it becomes an impediment to healthy thinking.

Survivor guilt can be part of anyone's grieving, especially in the death of a loved one. Police officers are surrounded by death and danger constantly which necessarily affects their worldview and their response to deadly events. Not only do police officers respond to deaths, both natural and violent, they are surrounded with reminders of mortality. They carry tools of lethality with them, they wear bullet-resistant vests and bright yellow vests on top. All of this imagery and attitude is behind the curtain as their duty plays out on stage. Their daily objective is to control chaos, resist mortality, go home safe and whole. Then when a brother or sister in blue is struck down, their sense of control may go down as well.

Mental health professionals say that admitting those feelings of guilt is an important part of dealing with survivor guilt. Officers may feel guilty for feeling guilty. How could they dare complain or ask for empathy for their feelings when someone else did the suffering they avoided? So the silent feelings can grow, amplified by the next time they were lucky enough to avoid tragedy or the burden of a fearsome call. It becomes yet another emotion that must be pushed aside to keep moving forward.

The torturing thoughts of "why them and not me?" along with "Why wasn't I there for them" or even "What could I have done differently?" are also seen in PTSD and, in fact, may be part of understanding the impact of the surviving officer's experience. Grief arising from the midst of a life of exposure to chaotic events such as combat or rescue work is unique in its intensity, stealth, and context. Dealing with quiet suffering that comes from avoiding the active suffering of others is part of the police officer's burden. It should be acknowledged in our efforts to ensure and maintain the mental fitness necessary for our officers. Those who run to danger also often run from their grief. Support and encourage the survivors, but

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don't call them lucky.

The Moral Imperative of Self-Care

"In the unlikely event of a loss of cabin pressure oxygen masks will drop from the area above your seat. If you are caring for another person, please put your own mask on first then assist the other person". This advice from the flight attendant might be some of the best life counsel a police officer can get.

IOTEDLMLOTL

Our culture values life and therefore honors a life sacrificed. The biblical observation often quoted at police and military funerals is that there is no greater love than for a man to lay down his life for another. It is onto this altar of sacrifice each of us who are called into policing must take their place. It is not melodramatic to say that we face the specter of mortality in a way unlike other professions. It is this sacrificial dedication along with the occasional adrenaline infusion that creates the mysterious appeal of policing. Residing within this curious milieu lurks the dangerous aspect of implied privilege. By this I mean the formula that starts with "I'm out there every day laying my life on the line" (IOTEDLMLOTL) and therefore I deserve (fill in the blank).

This sense of entitlement has ethical peril swimming all around it. What explains the bravado of a police officer who takes wildly unnecessary risks? How do we explain the officer who routinely disregards using available safety and defense gear? How do we resolve the image of the warrior with the overweight, out of shape jelly bellies we see stuffed into police uniforms? The answer may simply be sloth, the moral implication of which is clear. But perhaps the answer lies in the IOTEDLMLOTL formula.

Where is the Moral Imperative?

Officers may believe that since IOTEDLMLOTL there are two corollaries: a) I'm bound to suffer so why not; and b) I'm too brave and important for anything bad to happen to me. Both of these mindsets do a tremendous disservice to the profession.

The first idea that suffering is inevitable is a fatalistic world view that opens the door to all kinds of dysfunction. We all know people whose relationships have fallen apart, who have become addicted to a vice, or who have ignored their own health and fitness by blaming it on the job. There are some serious mental health issues surrounding the traumas and stresses of law enforcement. Those who suffer from these maladies should not be diminished by those of us who simply make bad choices with the convenient mantra of IOTEDLMLOTL to justify our failures. Do you get the implication? "I deserve this donut because IOTEDLMLOTL." "I deserve to mope around the house and ignore my spouse because IOTEDLMLOTL" "I'm going to have these five beers because IOTEDLMLOTL".

The second idea is that because IOTEDLMLOTL the Universe owes me something. Many police officers think they've struck an automatic deal with God. Having faith in something is an important part of our over-all well being. We may have faith in our training, our own strength and character, the teachings of our youth, our own spiritual journey and experience, angelic protection, or the prayers of our mother. These beliefs are functional and have proven value in our lives. What is not rational or morally defensible is the idea that we can operate with supernatural protection merely because IOTEDLMLOTL. This differs from faith and wanders into the realm of assuming some god-like characteristics for ourselves – an obvious moral sinkhole.

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When we default our well-being to someone or something outside of ourselves we are ultimately shirking responsibility. Therein lies the moral imperative of self-care. Although many of us, myself included, could testify to miraculous circumstances in which our own heroism seemed to be elevated by something supernatural, if we casually rely on miracles we abdicate our own responsibility. The result of such an arrangement is that we put others at risk.

No Right to Risk - An Obligation to be Safe

John Donne's classic thoughts inform us here. "No man is an island, entire of itself, every man is a piece of the continent, a part of the main. If a clod be washed away by the sea, Europe is the less, as well as if a promontory were, as well as if a manor of thy friend's or of thine own were: any man's death diminishes me, because I am involved in mankind." This poetry reminds us that what we do affects others. Applying this to our daily routine compels us to consider others when we consider taking on risk. If we crash on the way to a call, we have imperiled others by failing to best care for ourselves. If we cannot run and jump in the course of a rescue because we have failed to keep in reasonable physical condition, we have imposed a risk on others by our failure. If we take a risk (no seatbelt, no ballistics vest, not waiting for available back up or failing to coordinate with our back up officers) that may keep us from being successful at our mission we have taken risk not only upon ourselves, but have imposed it upon those whom we are sworn to serve.

The independence of action that is a cultural ethic in law enforcement often values risk-taking. I am an advocate of courage. Risk is integral to our daily work. Nevertheless, routinely taking unnecessary risk by foregoing care and safety for ourselves is a disservice to our highest

purpose.

The Moral Imperative of Forgiveness

Look in the self-help or religion section of the bookstore and you'll find a number of books dealing with forgiveness. They will all agree that forgiving is essential to mental, spiritual, and physical well being, but they aren't talking about cops are they?

Policing is a business of dealing with wrongs. We deal with victims of misdeeds, negligence, ignorance, and downright evil as the bread and butter of our existence. It would be unthinkable if at every call we said "Aw that's OK, I forgive you" and left all the parties with a hug and song. The default conclusion is that forgiveness is just not a component of law enforcement. Is there no place for forgiveness with offenders or with our fellow officers, especially those whom we may supervise?

I believe everyone can benefit from a forgiveness management plan. Here are some myths about forgiveness that might keep police officers from engaging in the important life skill of forgiveness.

You have to forgive and forget. Many folks mistakenly believe this is a Biblical imperative but it is found no place in the Good Book. Those of you familiar with other sacred writings might enlighten me about its presence in other guides, but the Judeo-Christian ethic makes no such requirement. Our brains are very good at remembering threats whether they are a menace to our physical well-being or our emotional well-being. Remembering is how we avoid danger and respond effectively to warnings. Sometimes we can get stuck in those responses and generalize our anger or avoidance to situations that subconsciously remind us of the unpleasantness. It is this overgeneralization that we must take care to manage.

If I forgive I'm excusing bad behavior. I was knocked unconscious by a perpetrator on a car stop. When I filled out the victim impact statement from the prosecutor's office I was clear about the importance of jail time for the offender. I had already forgiven him personally (in fact he apologized a few years later), but that didn't mean I felt he should be off the hook. It's true with subordinates as well. We can be empathetic with those who have erred and failed, but it doesn't keep us from imposing discipline or even firing them. The practice of forgiveness is about how the forgiver processes the impact of the offense, not how the system processes it or how the offender processes it.

If I forgive I'm cheating the other people who were hurt. You can't forgive what someone did to someone else. My brother's son was murdered and when people ask if he's forgiven the killer he responds "He didn't kill me, so I can't forgive him for that". What he can struggle with is forgiveness for what the killer did to his life and heart. We have no obligation to forgive on behalf of others. When I was assaulted on duty, I believe everyone who wears the badge was assaulted as were the citizens who entrust me with my job. I couldn't forgive him on behalf of the law or my colleagues; I can only settle the affairs of my own mind.

Forgiveness must be immediate and complete. Forgiveness is a process during which we learn much about ourselves and the world around us. If we wait until we can achieve the perfect package of soul-cleansing forgiveness we may never get around to it. Start where you can even if it's only the realization that it might be possible. Remember that forgiveness is separate from other consequences. You might still be preparing a law suit, preparing for trial, filing for divorce or getting a restraining order, or suffering pain from the

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offense. It's OK to forgive from a distance. You don't have to embrace, love, or re-engage with the offender although that might be a great thing. It could take several years of work so take whatever small steps you can.

I can't forgive unless they apologize. Forgiveness, in the most merciful degree, absolves a person of their obligation to repent or make up for their offense. We might not be able to achieve that level of forgiveness. We may be merciful as a matter of a greater social good. That is, if someone asks for forgiveness, we grant it knowing that this may be in society's best interest and important for the reformation and restoration of the individual. If neither of these altruistic motives evokes an attitude of forgiveness a very practical level of forgiveness is to say that you expect nothing in the way of revenge; that some natural justice will occur and that carrying a grudge will only give the offender a continued controlling presence in your life.

Forgiveness is a deliberate matter of the will and has practical consequences. You can be a forgiving person and still hold people accountable, still be an authority figure, and still keep yourself physically and emotionally safe from people who have offended or hurt you.

Forgiveness may have great significance in your religious belief, or it may simply be an essential for your emotional health and survival. At the very least forgiveness is forgiving yourself from the need to hold a vengeful place in your life where an offender still holds power over you.

My guess is there is somebody you can start forgiving right now.

How Are Cops Accountable? Let Me Count the Ways

Accountability of our armed government agents is an essential part of our democracy. The Founding Fathers wrote a whole thing about it. That the idea of lots of armed government agents was somewhat foreign to those Revolutionary minds was evident in their hesitancy to even have a standing army. Having been shoved about by the red-coated British enforcing the colonists' subjugation to the crown, where the population consists of subjects rather than citizens, the new nation didn't want to live under the sword.

One of the provisions aimed at avoiding oppressive federal power was the 10th amendment to the Constitution which simply says "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Presumably, this meant the bulk of law enforcement was to be up to the states. The federal agencies existing around the time of the ratification of the Constitution are the U.S. Postal Inspectors, U.S. Marshals Service, and the U.S. Customs Service. Compare that to the nearly 100 current federal agencies with law enforcement personnel.

Meanwhile, the 18,000 or so state and local law enforcement agencies comprise the bulk of the roughly 800,000 police types serving today. The oldest local law enforcement was, of course, the office of Sheriff carried over from the old country. City night watch crews evolved into municipal police agencies. With the advent of motor vehicle traffic, state law enforcement grew. As technology increased and populations became more mobile, specialty police and investigative agencies increased in numbers.

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The rule books for the feds and state agencies were different until relatively recent times. The U.S. Constitution was of little concern to state and local law enforcement, who operated under their state laws. This shifted slightly after the Civil War with the passage of the 14th Amendment which states, in part “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” The implication was that every government had to abide by the rights guaranteed in the Constitution and Bill of Rights.

But locals pretty much ignored that for another century. In the same flurry of post-Civil War legislation, a law was passed that stated that “deprivation of any rights, privileges, or immunities secured by the Constitution and laws” by anyone could be met with a federal lawsuit (42 USC 1983). Civil rights violation “under color of law” (i.e. cops) was also criminalized. Although these laws weren’t used much until the 1960s, they’ve made a big impression ever since and are often employed against police misconduct.

All of this history explains why federal investigations and federal criminal charges are in play in what would otherwise be a local case. An example is the famous Rodney King arrest in 1991. Of the officers shown in the famous videotape, all were found not guilty in state court, but two officers were subsequently convicted in federal court. The charge in federal court was not “assault”, per se, but rather for violating King’s 4th Amendment right to be free from “unreasonable searches and seizures”. (By the way, the federal court ruled that only 1 or 2 of the baton strikes were unreasonable.)

Now that we have reviewed how the federal government can intervene to

hold individual officers accountable, we need to remember that entire agencies can be held accountable as well. If, through statistical studies, the U.S. Department of Justice determines that an agency's officers are consistently involved in a "pattern and practice" of violating the civil rights of its public, the agency is subject to penalty. To avoid litigation, most departments that are the subject of such accusations submit to what amounts to a plea bargain and promise to review and revise its policies, training, and conduct. To ensure compliance, federal overseers are appointed to review and direct the agency, a process that often takes many years and can cost millions of tax dollars.

These federal controls over police behavior are in addition to police officers' personal liability for state civil lawsuits against their assets, state criminal charges for misconduct, and department punishment for policy violations that can vary from lost wages to lost careers. An increasing number of states are empowering state attorney's general to impose sanctions much like the U.S. Department of Justice, forcing changes to whole agencies.

Finally, the voters choose those who select law enforcement leadership which makes law enforcement subject to the ultimate control of the ballot box. Given that police officers are the most surveilled and monitored profession in public service the constant calls for more police accountability must be coming from the lips of those who don't realize the many microscopes already focused on the badge.

The Moral Imperative of Coercion and Compliance

The consent of the governed establishes authority in our constitutional republic. Our representatives enact laws with the intent that most citizens will comply, but with penalties attached if they don't. The only way for those penalties to be meaningful and ensure the safety and equality of law-abiding citizens is to have a mechanism for activating those penalties provided under the law.

That mechanism is force. It is the legitimate police power of government.

Our history as a nation has included unjust and immoral laws. These laws have often been amended or eliminated by democratic action. Some have been changed through resistance and rebellion. Some remain to be aligned with the best of our natures. But the law requires obedience except in the most extraordinary circumstances.

When police officers refer to the thin blue line, they mean that element of government that is empowered to bring those who break the laws of the land into accountability to their fellow citizens. This accountability is through a carefully crafted system that, though not flawless, faces the accused with a judgement by his or her peers in a court of law. Without these armed government agents, the system collapses, and those who would happily and peaceably obey the laws would be forced to fend for themselves at the mercy of the violent.

As a nation whose history includes revolution and civil disobedience for a higher moral calling of greater freedom and justice, we hold a culturally sacred place for thoughtful resistance. Historians of the future, and astute contemporary observers, will find the current culture of resistance to law

enforcement is based on a tragically misplaced, destructive, delusional belief.

In the study of human behavior, especially collective and “viral” behavior, it is observed that while criminal behavior often derives from the offender’s ability to disregard social norms by some internal justification. When that criminal behavior gets defined by others with social influence and leadership as acceptable or at least justifiable, and in some cases admirable, the stage is set for broader social permission, or license, for others to emulate the once unacceptable behavior.

The narrative of rampant, enculturated unlawful behavior by law enforcement has been expressly and tacitly endorsed by an increasing number of persons of influence. These influencers, from President Obama to other elected officials, sports and Hollywood personalities, and social activists, have embedded in a layer of national consciousness the pernicious idea that the police in the United States have no moral authority to enforce the law.

The results of this narrative is increased crime and violence against law enforcement officers by offenders, and injustice to officers lawfully engaged in their sworn duties who face punishment in the courts and in their agencies. At a time when study after study endorses the reality of the overwhelmingly appropriate and courageous actions of officers in the millions of daily transactions with the citizenry, the misguided endorsement of mistrust of the institution of policing in this country has veered from legitimate accountability into a national travesty.

The solution is for the voices of sanity to become louder than the increasingly irrational voices of encouraging lawlessness. The majority of Americans overwhelmingly respect and rely on their police. Those voices

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must be encouraged and heard. Facts must become the substance of the narrative about racism, use of force, and police accountability. Lawmakers, clergy, journalists, and even members of our own profession must become better informed both on the facts, and on the reality of coercion as a legitimate democratic function of government, and compliance as the duty of its citizens.

There are few people in a position to lead this education effort. If police officers, trainers, and leaders don't take that responsibility, no one else will.

The Moral Imperative of Survival

Some voice told me not to step across the threshold. At least I had an escape route as the drunken man waved his brand new — and very large — hunting knife in a challenge to me. Killing a man in his own home on his birthday would make for bad press, but I kept pressure on the trigger and watched the imaginary line I had drawn on the floor which would mark the man's last breath.

I was at peace with my decision even before fate intervened and the man lived. I could be in church the next morning with a clear conscience either way. Most religions, certainly true of mine, are purposed to have men live peaceably and yet they have a place of honor for warriors. In the natural order of things in a fallen world protectors are divinely ordained to exist as an agent of good. They are not commissioned to heal and spread glee. They are not armed with poetry and pillows. God knows we kill and He is OK with it.

While this article deals with ethics from a Christian perspective, with rare exceptions most philosophies, moral systems, and theologies agree on this concept. Here is why, in my view, Biblical morality allows taking the life of another:

The law of Moses (the Ten Commandments) forbids murder. This is not a prohibition against the killing of war, nor of self-defense, nor of administration of justice. Historical context and word study make this clear to most theologians.

The biblical mandate for forgiveness and turning the other cheek is for personal morality. When we act on behalf of others, we have no moral

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authority to forgive on their behalf, to allow evil for the sake of tolerance, or to turn the cheek of anyone but ourselves. My badge represents all citizens. My sword and my body are in their service. To allow harm to me is to allow harm to them. To do them the most honor and highest service I must survive to continue the work. When I defend myself I defend thousands.

Jesus was always kind to soldiers, even those who carried out his execution. The Apostle Paul, primary theologian for the young Christian religion is most likely author of the New Testament book of Romans chapter 13:1, states: "Let everyone be subject to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God." Certainly there are authorities who abuse their powers, just as there are parents - ordained by God to be caregivers of their children - who abuse their role. But the point is that when a person is acting in this God-ordained role appropriately, he or she is doing a noble duty in line with a legitimate earthly system of preserving order.

Biblical accounts reveal the scars of battle on the minds of men. King David was called a man after God's own heart, yet his legacy was soldiering. He was a righteous warrior with some human failings. David mourned only for the deaths he caused by his own scheming to cover up a scandal, and for his rebellious son. We are not told if he grieved for the tens of thousands who died at his hand in battle. The Apostle Paul personally executed believers until he, too, became one. Noah closed the door of the Ark against his prior tormentors left to drown when the floods came and they decided Noah wasn't crazy after all.

Conclusion

My point is that even though death was a common theme in scripture there is no specific biblical prescription for handling death that comes from our own hands in terms of our emotional, mental, and spiritual state. There may be remorse, anger, guilt, glee, or a vacant place where feelings are expected to be. All of those reactions are normal and morally acceptable. They will be refined and worked out over time. Reactions to killing someone don't have to be fully formed and resolved before the smoke of the gun clears, before the administrative leave is over, or before the counselor or chaplain visits are done.

We may sense a global sadness about the loss of one's potential for good, but being thankful that the other guy is dead and you're still alive is not morally repugnant. Because the killing of one human by another is unthinkable to most citizens — and many officers — a police officer who kills has thrust upon them the collective anxieties of the whole social order. No way of feeling or thinking about the killing is going to please everyone. You feel what you feel. You did what you had to do. Take a deep breath and feel your pulse. If you survived, then you did the right thing.

The Untold Story of Police Self-Discipline

The statistics on police use of force cannot be repeated too often. With about 800,000 law enforcement officers of various stripes and duties making more than a million citizen contacts every week, the frequency of using force to make arrests and intervening in crime is remarkably low. The most severe outcome of lethal force occurs in 0.0015% of all face-to-face contacts initiated by police. Most citizen contacts are initiated by citizens themselves and are not reflected in the numbers related here.

Even more notable is that small percentage in light of the risk and opportunities that police officers routinely face where deadly force would be legally, tactically, and morally justifiable. Both this writer's research and a study published in the FBI Law Enforcement Bulletin showed that in any given two-year period of service, 70- 80% of police officers will be faced with a deadly force decision. The vast majority of the time the situation is resolved without a resulting fatality of the offender, but sometimes with the result of an officer's death due to their reluctance to take another human life.

Various theories attempt to explain the hesitation to use deadly force. Military researchers determined that for most people the taking of human life, even that of an enemy, is repugnant. Soldiers across history, since the dawn of firearms that created distance in battle, have been known to miss their human targets intentionally or unintentionally. In the days of execution by firing squad, it was common practice to have only one rifle loaded with a live round so that none of the execution squad would know if they were the killer. Police marksmanship training is designed to develop accurate shooting. It is not designed to remove the humanity from the decision to use deadly force.

Others recognize that even in moments of terror a police officer will consider the legal and social ramifications of the use of deadly force. The emphasis on de-escalation and negotiation, while admirable, can lead an officer to hesitate when they should stop the threat immediately. To some degree, the acceptance of officer injury and violence against police may be a factor in an officer's decision to continue to operate under a deadly threat rather than countering it with legal and lethal force.

Another theory is that the ubiquitous presence of body-worn cameras and bystander videoing reduces an officer's tendency to use physical coercion including deadly force. Much to the dismay of critics, several research efforts on the effects of body-worn cameras show no less pro-active police activity among wearers compared to non-wearers, and no revelation of widespread abuse of force. The majority of police officers consider the cameras their friend and continue to operate professionally and in accordance with the law just as they did before.

One problem with documenting how successful police officers are at avoiding force and using de-escalation techniques that have been long developed as tried and true is that the statistics most people look to are those that document force, not the lack thereof. As they say, it is hard to prove a negative. When the critics shout about how many persons are killed by police, it is hard to respond with a statistic about how many could have been but were not. Success is not measured. There are efforts to establish a national database to get a more accurate whole picture, but those efforts are in their infancy.

Other important studies refute the worn concept that police officers are motivated by race or other individual characteristic (i.e. "profiling") when using deadly force. The use of deadly force is only justified by the

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subject's behavior. Racial and gender disparities exist because of other social factors which result in the over- representation of some populations in police contacts. The constant "race count" by the media is quick to point out white officers and black suspects seldom use any other descriptors if the officer is not white or the suspect is not black.

The use of the Taser to reduce other types of force options has been statistically proven as beneficial. Lacking this tool, officers must choose another level of compliance that is more likely to cause injury to the suspect as well as to the officer.

A Phoenix study developed a reality that is surprising in that their findings on officer use of force indicated that the number of officers present is not a guarantee of a different outcome. Officers are often criticized for not waiting for backup, but having additional officers is no guarantee that the suspect will comply, even if there were time for additional help to arrive.

A study published by the Office of Justice Statistics is a result of thousands of interviews with citizens contacted by police. About 1% of respondents said that the officer used or even threatened force. Fewer than one in five actual custodial arrests involved the use of force to gain compliance of an arrestee.

It is easy to make allegations that law enforcement officers are brutal, but the facts show otherwise. They are quite human.

Accountability and Transparency

In 2020, Edward Bronstein, whose autopsy showed “extreme methamphetamine intoxication” died while being restrained during a blood draw for a driving under the influence arrest. Seven California law officers and one nurse were charged with manslaughter.

In 2019 Mario Terruso, arrested after he wandered into a home incoherent and with a warrant for failure to pay child support, died while in custody at the Atlantic County Justice Facility in New Jersey. Two correctional officers were charged with manslaughter for failing to render appropriate aid to the man.

Five years after Willie Marable of Portsmouth, VA was shot during the investigation of a reported armed home invasion by a Portsmouth officer, the officer was charged by a grand jury of involuntary manslaughter.

These are just a very small sampling of law enforcement officers charged criminally for deaths that occur during police action while on duty. The outcomes of these cases can be lengthy prison sentences, astronomical legal costs, and loss of careers. Many officers who are charged and are given a jury trial are found not guilty, and many who are sued are found not liable. The key to all of this is that due process applies to all and the justice system with all of its potential flaws is at work.

For those who claim that officers kill without consequences, the reality is quite different. American law enforcement has the highest degree of accountability imaginable in any profession, even before the era of body-worn cameras.

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Police officers are subject to criminal prosecution if their actions exceed the limitations and allowances of governing statutes. An arrest becomes unlawful restraint and assault if unjustified. A violation of a Constitutionally or other federally guaranteed right can result in criminal prosecution on the federal level for a civil rights offense. Since the same event might be alleged to violate both federal and state law, charges can be brought at both levels since each is a sovereign jurisdiction, and therefore double jeopardy does not apply.

Police officers are subject to lawsuits for damages from a violation of law, policy, or reasonableness in state court. An alleged violation of civil rights can be the basis for a suit for damages in federal court. Again, these actions can occur in both levels of jurisdiction.

In addition to these four levels of accountability, an officer faces punitive action from their employer. An officer may be fired, demoted, barred from promotion, transferred to an undesirable assignment, be required to work unpaid, or lose leave days. Loss of the job can forfeit earned retirement and the loss of certification barring them from the profession for life.

Officers who engage in unlawful conduct need no sympathy for being subject to the legal consequences of their actions. The tragedy of unjust prosecution, as it would be with any other citizen, is that punishment happens regardless of innocence in many official ways.

The stigma of accusation and all of the initial inflammatory media attention can remain despite any declaration of innocence by a jury or investigative body. A finding of no basis for a charge or a jury's decision of not guilty is often met with cries of injustice or privilege and refused by those

whose minds were made up and not to be deterred by the facts.

The psychological cost of enduring exhaustive inquiries, the moral repugnance of taking a life even in the most demanding circumstances, the financial burden of defense, and the stress on family and friends that often results in isolation are incalculable costs.

There are many courts, many prosecutors, and many defense attorneys who have far too little knowledge or give far too little attention to the science inherent in use of force cases. The biological limitations of the human brain and body, the chaotic circumstances, the physics of time and distance, and the lethality of threats are not adequately presented in many court proceedings. The public's awareness of lethal encounters comes from entertainment venues, not the dynamics of the real world. Unrealistic expectations of superhuman exploits and precision movements are not aligned with the chaos of a deadly interaction.

The public wants and, indeed, deserves a high level of accountability of police officers. The evidence is that accountability could hardly be greater than the present system.

Pay For That Donut

There was a day when police officers on the beat were expected to grab a free apple from the corner grocery. In more corrupt agencies, the freebies could even be cash as an incentive to keep an eye on a business. Business owners may have wanted to show their appreciation, but they also wanted to show favor to the politicians who provided the officer's employment through a patronage system and to be sure their business was properly protected.

Patterns of gratuities and outright graft began to be disrupted by investigations and headlines from the 1920s until modern times. The lure of payoffs and money earned from vice has been a temptation to government officials since the beginning of time.

In 1957, the International Association of Chiefs of Police adopted the Law Enforcement Code of Ethics which includes the lines "I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities" and "I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers".

There are still officers and agencies that pay little attention to the "small" privileges afforded them by charitable businesses. Free or half-price meals, free coffee and fountain drinks, or discounted admission to entertainment venues are offered in many places although most agencies have a policy against taking those gifts.

Many officers and civilians alike see no harm in graciously accepting a token of appreciation from an individual or a business. The problem is that

the officer can't know whether he or she is truly being appreciated or whether they are being bought. It was a lesson I learned as a young officer. The police department I worked for had, of course, a policy against graft and favoritism. There was never a message that the occasional cup of coffee was a violation of that policy.

As a matter of routine, I would patrol around the bus station, which was a potential place for trouble of various sorts. One of the reasons that the bus station was at this particular spot was the presence of a 24-hour donut shop where people could grab a snack out of the weather while waiting. I thought it was a good idea for my presence to be felt there at the same time I enjoyed a cup of coffee and a chocolate glazed.

I looked forward to those breaks and the occasional adventure that went along with the comings and goings of the bus passengers. It was not unusual for me to buy a cup of coffee or a donut to a down and outer passing through. Another appeal of these coffee breaks is that the owner expressed their appreciation for my service by providing my chocolate-covered power ring for free. I could leave the counter with a good feeling from being present to prevent crime and disorder, and from the jolt of caffeine and carbs with no damage to my wallet.

That perspective changed one night when, while patrolling that same area, I stopped a driver whom I suspected of being intoxicated based on their driving. Sadly it was the proprietor of my favorite donut shop. Showing no favoritism I completed my investigation and informed the driver that he was under arrest for drunk driving. He was not happy and was not as compliant as I would have liked. While I clicked the handcuffs into place he loudly announced "I can't believe you are doing this after all the donuts I gave you!"

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It was then I realized that the freebies were not a token of appreciation, but the purchase of expected favoritism. Never again did I leave a place with an unpaid bill. That doesn't mean that people of good will never make a well-intended offer, but I had to make a black and white personal policy of doing nothing that would create the impression that I expect any special treatment. With an expression of genuine thanks, I had to refuse offers to pay for my coffee or meal, even from a well-meaning citizen. If a kind soul paid for my meal anonymously, the server was the beneficiary of the full cost of my meal.

Not everyone agrees with my total prohibition on small gifts, but the loud voice of my donut donor still rings in my ear.

The Quest for Professional Status for Law Enforcement

In the ancient world, those who were appointed as special protectors were highly regarded and feared. From ancient Babylon to ancient Greece, agents of kings and courts were given broad powers to investigate, enforce, and even execute. It was likely Augustus Caesar who made one of the first police force that was separate from the military with the Praetorian Guard in 27 B.C.

In English history, royal officials oversaw communities that were expected to police themselves or the King would enforce penalties reserved for the criminal upon the person or community who failed to deal with the wrongdoer. This evolved into volunteer night watchmen paying others to take their shifts, while private muscle protected commercial endeavors.

The watch system prevailed in the United States became inadequate with the growth of populations in cities. Despite the public's suspicion of state power, citizens came to expect police services as part of city life. In 1844 the New York state legislature established a full-time police force for New York City. By 1880 most major American cities had police forces, while the expanding west relied on citizen possies formed by Sheriffs.

A series of corruption among the police in cities diminished the reputation of law enforcement in the 1900s. Graft was almost expected as a supplement to officers' income. Corrupt mayors appointed officers on the spoils system and used the force to curry favor and punish opponents. After notorious corruption during the Prohibition era, progressive leaders like Theodore Roosevelt, adopted a civil service, para-military model of police professionalism.

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The upsets of the 60s and 70s around the Vietnam war and civil rights often portrayed police officials in a negative and oppressive light as America watched riots on the evening news. The brutal response of law enforcement to civil disorder caused a loss of faith in the professionalization movement.

A major crime study under the Johnson administration eventually resulted in massive legislation in the Nixon administration with federal dollars pouring into the state and local law enforcement for training, equipment, and personnel. A major recommendation was more college education for police recruits.

The first formal training of American police officers was the New York City School of Pistol Practice in 1895 which evolved into a more generalized police academy by 1909. One notable father of training was Chief August Vollmer of Berkely, California who was criticized for wasting time training police officers since the main qualification perceived at the time was that a recruit had the strength to swing a billy club. Vollmer persuaded UC Berkely to offer a law enforcement- related degree which was the nation's first. It was a 2- year degree in economics with a criminology minor.

Los Angeles Chief of Police William H. Parker served as chief from 1950-1966 and began his LAPD career in 1927. He became chief after a major corruption scandal and instituted rigorous pre-service and in-service training. It was not until the 1980s that every state- required minimum training standards be met for police officers.

Today, nearly 90% of police officers have a college degree, varying from over half with 2-year degrees, nearly a third with a 4-year degree, and a

little over five percent with a graduate degree. Hiring standards are uniformly high, and training requirements for both pre-service and in-service instruction are steadily increasing. The many calls for better educated, better trained officers are often done in ignorance of the level of achievement of most police officers currently serving.

The quest for status as a “professional” is ongoing. Is policing there yet? Not everyone agrees. When compared to medicine and law, or other licensed professions, law enforcement meets many of the criteria. These include minimum education/training standards, supervision from an accrediting body, a code of ethics, and a body of specialized knowledge and skill. Just as medicine developed from self-appointed practitioners of ancient methods, lawyers from reading up on the law, and dentists evolved from barbershops, policing has achieved a level of professionalism that belies its past and improves daily.

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You Have the Right to Remain Silent

One of the guilty pleasures in my early days working in the same college town where I was a young officer was arresting criminal justice students. There was something about having taken a few classes that made many of them have the confidence of a seasoned attorney. More than one would smugly state that any charges will be dropped because I didn't read them their rights. Surprise! I don't have to!

I have nothing against criminal justice students, having spent many years as one myself and many years teaching since. The problem was that many of these young citizens learned more from television and movies than anywhere else, something they had in common with most Americans.

The myth that any contact or arrest by a police officer must be immediately accompanied by an advisement of their Constitutional rights per Miranda comes from many a dramatic scene where these rights are being recited in the middle of a struggle with a fictional suspect on our favorite cop show. To be sure, many officers will spontaneously recite the Miranda warning as soon as practical to avoid being accused of getting an unlawful confession, but it isn't necessary unless it meets the requirement that arose from the Miranda case (*Miranda v. Arizona*, 384 U.S. 436 (1966)), which was part of a cluster of cases that reached the U.S. Supreme Court regarding the 5th and 6th amendments.

The era of the Supreme Court under Chief Justice Earl Warren entertained cases that expanded the understanding of Constitutional rights as the 14th Amendment was finally being applied in criminal justice matters. The core issue of these cases was to keep law enforcement from coercing confessions from suspects while they were kept from getting legal

counsel. Just a few years earlier, the Court had decided in *Gideon V. Wainwright* that the right to an attorney meant little unless the government provided such counsel to those who could not afford one.

The *Miranda* ruling did not precisely prescribe what the warning would look like but did give instructions on what such warnings must contain. The standard *Miranda* rights advisement evolved and was endorsed in subsequent cases.

The insistence of the Founders on prohibiting government abuse of its citizens was based on their knowledge of history. Coerced confessions through torture was common in the world, as were secret trials and summary punishment. In throwing off the oppression of their European predecessors, the authors of the Bill of Rights wanted to ensure that persons accused of crimes would be free from torture, had public trials, the oversight of objective magistrates, and access to advocates on their behalf to ensure due process and counter the power of the government. The 5th and 6th Amendments addressed these vital concerns, along with rules for searches and due process.

These Warren era court decisions changed law enforcement that had long operated free from federal concerns. The Exclusionary Rule was now employed and ruled that evidence that violated Constitutional standards could no longer be used at trial. These changes gave rise to claims that criminals were being let go on legal technicalities and eventually gave rise to a new emphasis on victim's rights as well.

The new caution exercised by police officers in protecting suspect rights and ensuring that evidence collected would be useable at trial resulted in the common portrayal of police immediately reading from the ubiquitous *Miranda* cards on every arrest (we are taught Some departments were so

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cautious that warnings were given even to witnesses. It became a standard component of dramatic media portrayals of suspects being told their rights between blows in a fight or while applying handcuffs.

In real life, Miranda applies only to persons who are in custody (not free to leave), and to questions that are guilt-seeking. It does not include general on the scene inquiries, answers to standard booking questions, or spontaneous voluntary statements. My criminal justice arrestees don't get a free pass just because I didn't whip out the card. Refer to your Intro to Justice class,, not TV cop shows.

Digital Detectives Exposing Abusers

The headlines are all too common. Oklahoma, March 2023 “Extremely disturbing’: 5 men charged in child predator sting using decoys posing as 14 and 15 year olds”, Las Vegas, June 2023 “14 suspects arrested in undercover child sex predator sting”, San Francisco, June 2023 “ Seven men were arrested during a sting operation launched by the Contra Costa County Internet Crimes Against Children task force last week”, Oregon, April 2023 6 men arrested in Washington County child predator sting”, Scottsdale, AZ June 2023 “Dozens arrested in the Valley after online predator sting operation”, Hawaii, March 2023 “13 Sexual Predators in Hawaii Caught in Sting Operation”. The list could go on. And on.

Detectives find themselves knee-deep in a lot of places looking for clues to solve crimes. It could be a fugitive in the broom closet, a body buried in the backyard, or a receipt in the dumpster. Or it could be online playing the part of a 14-year-old girl being propositioned by a man somewhere who should know better than to think there are any secrets on the internet.

It isn't very difficult to get hit on if you look like a girl in a chat or on social media. Boys are victims, too as well as female perpetrators, but men attempting to lure underage girls is the primary finding of investigators. Making a case for internet luring or attempted sexual assault of a minor is not quite so easy. As with any “sting” operation, law enforcement must ensure that the suspect is not lured into committing an offense that they might not otherwise commit. This would lead to a defense claim of entrapment that can result in a lost criminal case. The suspect must be fully aware and acknowledge that they believe their target is a minor, and must be the first to suggest sexual activity.

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Internet predator investigations can be done with any size agency, although the time it takes to establish the connection with a suspect, establishing their criminal intent and a step in furtherance of their crime, setting up the capture, and documenting the digital evidence can be daunting. Larger agencies have dedicated units that deal with all sorts of internet investigations that include catching predators.

A frequent method is using a multi-agency team involving federal agencies. Task force operations with monikers like the San Francisco area's Operation Spring Cleaning, Hawaii's Operation Keiki Shield, Florida's Operation C.A.K.E. (Cops Against Kid Exploitation), and Fresno, CA's Operation H.O.O.K. (Hands Off Our Kids), and Salt Lake City's All-Star Weekend predator roundup Operation Technical Foul are examples of reaching across boundaries.

In the recent Las Vegas arrests a joint task force included the FBI, Henderson Police, Homeland Security Investigations, North Las Vegas Police, U.S. Air Force Office of Special Investigation, and the Nevada Attorney General's office. Federal help can be essential because the internet knows no state boundaries. Predators can be more than willing to travel long distances when they have a chance to fulfill their fantasy of sex with a child. Some agencies use young- looking female officers to do real-time video with suspects or to be in the rendezvous location for the arrest. Others use the distribution of child porn or laws against internet luring to make a case even if a physical meeting is not attempted.

As with many criminal endeavors, particularly those associated with vice, the suspects range from exactly who one might picture, to a perfectly respectable person to the world outside of the presumed anonymity of the internet. One Oregon suspect was a U.S. Forest Service employee who

showed up in an agency fire truck to meet an underage girl, another was a music director at a church. Some are already registered sex offenders, but most are not. Most also continue their conversations with undercover officers and include pornographic photos along with their sexually explicit chats.

Officers who work with exploited children in internet investigations and other child exploitation units need breaks and ongoing mental health support to deal with the deplorable things they see and hear. The work is challenging, but of course, vital. Agent Edward Arias of Hawaii's Attorney General's Office says "I want to say to all the predators and you think you're talking to a child you're probably talking to one of us. So I want to put the fear of God in them." In addition to catching predators, these operations may make others decide the risk is not worth the cost.

Small Number of Offenders Magnify Crime

Like a white dot on a field of black, our attention is inevitably drawn to the outlier, the loudest, the brightest flash, and the thing that creates the most fear and unknown. We are built like that because noticing things that are out of place has survival value to our primitive brain parts.

Some years ago I was asked to serve as a judge for a writing contest for middle schoolers submitting papers on school bus safety. A disturbing majority of young writers included the phrase “millions of students are killed or injured in bus accidents every year”. The National Traffic Highway Safety Administration reports that “The school bus is the safest vehicle on the road— your child is much safer taking a bus to and from school than traveling by car. Although four to six school-age children die each year on school transportation vehicles, that’s less than one percent of all traffic fatalities nationwide.” We are so used to hyperbole that we have infected our children with a shadow of constant dangers.

I had a colleague who, during the heyday of missing children and stranger danger awareness, had taught his children to simply scream and run anytime they encountered a stranger. We lost track of each other as our careers diverged, but I always wondered how those poor kids turned out.

School shooters rivet our attention and create fear. The images and horror are justifiable fodder for worry. But their rarity is seldom cited among dramatic news coverage of each event. There are over 130,930 K-12 schools. School shootings happened at 34 of them in 2021 with 15 deaths and 53 injuries. Too many, yes. Too tragic, yes. Coming to your school? Less likely than a lightning strike to your head.

In the same way, researchers find that a small percentage of criminal offenders are responsible for a disproportionate amount of crime. Allowing our justice system to detect, prosecute, and immobilize these chronic criminals can have a huge impact on the crime rate.

There is plenty of research on both humans and animals that shows the physical changes in our body as we look for and prepare for something to go wrong. The object of our attention is literally magnified in our imagination as it is in our eyes and other senses. Our visual focus zeros in on that thing and narrows our vision to exclude other sensory inputs. It is what we ordinarily call tunnel vision.

Our other senses, too, have the capacity to enlarge a sensation whether by sight, touch, taste, smell, or hearing. If we are annoyed by snoring, chewing, or a dog barking, those sounds begin to dominate our consciousness. Our ears tingle while tip-toeing through a dark abandoned house and amplify every creak of the floor. The touch of our finger on a tiny splinter feels like there is a railroad tie under our skin.

Even if not in full fight or flight panic mode, our bodies undergo subtle changes as a little squeeze of adrenaline gets us ready for trouble. Our thinking process shifts from quite rational to edgy with possible danger as the neurons for fear fire more frequently and begins taking over our thoughts. When we hear the phrase “living in fear”, it can be very true.

There is statistical evidence of this on a cumulative social level. When measuring crime, researchers ask not only whether persons have been actual victims, but they ask how safe people feel. Two trends emerge. One is that the fear of crime is never at the same level of actual crime. People

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are generally more fearful of being a victim of crime than the statistical probability of victimization would predict. Conversely, people tend to report that their block or neighborhood is safer than surrounding neighborhoods. After all, don't we hear residents interviewed by local reporters after some event saying "it's usually pretty quiet"?

The only thing more dangerous than awareness of risk is the denial of risk. This, too, is the brain's over-reaction to information, pushing back against the danger-finding brain to cover the discomfort that caution causes. By focusing on the rarity of unexpected violence, this article in no way encourages disregarding their reality. For this reason, we look to our friends and neighbors for support, remain vigilant, and support our local law enforcement as they engage in prevention and response to violence.

The Public's Fascination with Homicide

If there is one area of law enforcement that retains the respect and fascination of the public it is the murder detective. Americans are fascinated by murder. The harder to solve, the better. The most incongruous the setting, the better. The prettier the victim, the smaller the town, and the more violent or bizarre the better.

I gave up trying to count the number of true crime television shows. One can't swing a dead cat (cause of death undetermined) without finding one. Sure, there are shows about big robberies, con games, organized crime, and other kinds of crime and mayhem, but murder is the big winner. Removing sports from the equation, crime shows are a third of the top fifty shows on network television. Toss in streaming services and small networks and the opportunity to watch homicide cases, fictional or historical, is endless.

Television violence was examined as a public health concern was examined in a report from the U.S. Surgeon General in 1972, and for a while the violence of video games gained attention and blame for murder and mass shootings, but the ubiquity of crime TV seems to have overshadowed concern about its effect on society.

Keep in mind that in 1972 it was network television that commanded the public's attention. The violence consisted largely of suggestion imagery. Autopsy scenes were not realistic or graphic. Cowboys and Indians died bloodlessly, although bar fights featured busted lips and fake blood. It wasn't long until cable television, far from the content control of FCC regulators, created a demand for realism. Whereas *Gunsmoke* might show a shooting victim clutching their chest over a wound, *CSI* followed

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the bullet closeup as it traveled into the body splitting flesh and bone.

During this writer's experience as a death investigator, witnesses and survivors were not only bystanders to tragedy, they were armchair detectives anxious to offer theories and point out evidence. Police and prosecutors have noted what is referred to as the "CSI effect" among jurors who now expect DNA and microscopic evidence in every case regardless of its availability or relevance.

What does this massive fandom of murder shows mean? It could mean the devaluing of human life, akin to the spectator sport of the Roman battles to the death in the Colosseum. It could mean just the opposite, that we are appalled at the loss of life and want to see justice win. It might be that in immersing ourselves in death stories we are confronting our uncertainty about our own mortality, affirming the relief that we are still alive and these things happen to other people.

In terms of public attitudes toward the police, the national conscience seems to celebrate the work of investigators. That respect is well-deserved. Every law enforcement assignment has its challenges, but the detective's lot has its own unique hurdles. Their hours are unpredictable. The pressure and emotional strain are palpable. Their fear of missing a detail or clue that would have solved the case or won in court is ever-present. Televised re-creations of their efforts portray them as tireless and dedicated. That bodes well for the reputation of what is often considered the elite epitome of police work.

On the other hand both the reality shows, re-enactment shows, and fictional stories set up some unrealistic expectations. With a notable (30%) increase in homicides across the country, concentrated in urban areas and often in those areas with less support for law enforcement, the

unsolved murder rate hovers at around 50%. Fortunately, for public confidence, the murders on television are almost always solved. No producer wants to leave the viewer unsatisfied about justice.

The public has grown to expect adequate resources to be focused on solving murders. They expect the FBI and state investigative agencies to swarm to the case, bringing vans with highly technical crime scene processing tools. This may be the case, but ask any homicide detective if they always have the staff and resources to do the kind of investigation they really want, and find out – especially in those cities where patrol officer shortages are so severe that detectives are pulled from their duties to return to uniform patrol.

Let's be optimistic and say that these shows increase a viewer's appreciation for life and for those who speak for the ones who have been silenced by violence. And don't defund detectives.

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Police Reports: Simultaneously Mundane and Critical

No candidate for a police job answers the question of why they want to become a law enforcement officer by saying they really love filling out forms and writing reports. The satisfaction that comes from catching bad guys, intervening in a crisis, and helping the helpless is the meat and potatoes of job satisfaction. The downside of all of that adventure is that once the action has calmed down it's back to the station to put it all down on paper.

Nothing is more mundane to police officers than tapping out their reports after an incident. Even so, there are few things of greater long-term significance. It is akin to giving birth to a story that can outlive the writer. And like any offspring, sometimes they can be troublesome.

The first stop is the supervisor's review. Is the grammar correct? Are all persons' identifying information provided? Is the narrative clear? Do all the times and dates align? Are the suggested charges appropriate and supported in the report? Were the available leads followed up and identified? This is also the first place for potential manipulation. Do we really want this classified as a robbery when it could just be a larceny? Is it a larceny or maybe just a lost property? If five vehicles were vandalized is that five incidents or one continuing incident? All of this matters because the Mayor may want to show less crime during an election year. Meanwhile, the Chief may want to emphasize higher crime stats to justify her new budget requests. The sergeant may want to show that his sector is successfully intervening in gang activity. Regardless of motive, these classifications are always a judgment call.

Now that the supervisor becomes part-owner, they will either send it back

for corrections or give it a green light for its next stops. Back in the days of carbon copies, this is where the original report would begin its distribution. With the nearly universal use of report-writing software, the distribution is more convenient and instantaneous. The first copy will go into the giant repository known universally as “the files”. There it may die, but not before all of the names and addresses in the report have been matched with the files. Perhaps there is a related case, a chronic offender, a repeat victim, or a connection to an unsolved case.

If the case needs more development the report will go to the investigators. Depending on their workload, they may pursue it, refer it to the prosecutor as is, or lay it aside as low priority or for no further action to be taken. It is here that the patrol officer’s work can pay off in solving a case. If a case is well written, a detective may have more confidence in pursuing it.

To prove a crime, every element of the crime must be proven beyond a reasonable doubt in court. That means that an accused’s intent must be proven, that all possible defenses be disproven, and that all behavior meets the definitions in the statute. If a certain amount of force makes the difference between a misdemeanor assault and a felony, it must be proven. If a weapon is part of the charge, its existence and use must be proven. Was the wound from a knife or from a fall against the table edge during the fight? Was the blow struck in self-defense? Was it intentional or accidental? The detective will want to make the case as definitive as possible.

While the next step for our report may be the prosecutor’s office, other people are also asking for it. The media will demand to see it. Insurance companies will want a copy to verify a claim. Researchers will want to examine the report to gather data. A probation officer might be notified

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that a client was involved in an incident that needs attention.

The prosecutor will read the report through the eyes of the defense attorney. Where is the case weak? What could be followed up and nailed down? How credible are the witnesses? Is this officer's report consistent with reports from other officers and witnesses at the scene? Is it consistent with the body-worn camera video? Were the statements from suspects obtained lawfully after a warning of their Constitutional rights while in custody? Was the evidence collected properly?

If the case goes to successful prosecution, the report once again is reviewed for the pre-sentence investigation. If a suspect is imprisoned, the report may be used to determine their security classification, and perhaps again years later during a parole hearing.

In cold cases, a report might be pulled from the file decades after the officer wrote it. Only then will the skill of the report writer be clear. Only by this report will the event be brought to life accurately to perhaps bring someone to a long-awaited justice. The most boring facet of police work can become the most valuable.

The Manifesto: Evidence and Educational Opportunity

The mysteries of homicidal attackers in public and sacred spaces have garnered attention and study. From the local school's threat assessment team to the FBI and Secret Service, researchers and psychologists have attempted to draft a profile of those who threaten our safety and sense of peace and predictability.

Such a profile is still elusive. Although the news seems to announce a new shooting event daily, the occurrences are rare enough that studying the attackers and slicing and dicing their traits for commonality has yet to yield an answer in the quest for predicting who will be the next mass killer.

The science of behavioral profiling boils down to the science of statistics. When we see a pattern or patterns repeated, we can begin to chart probabilities. But as anyone who has baked a cake knows, there are so many variables that getting the exact same product every time is never completely in the baker's control. We also know that concurrence is not causation. If we find in retrospect that most mass killers had oatmeal for breakfast, baking oatmeal illegal is not likely to reduce murders.

So what can be done to identify potential killers and increase the probability of intervening before they act? While there is emphatically no profile of attackers or their targets, there are some commonalities that safety experts can learn from. Two of these are that there is a planning phase for many potential active shooters and a motivation that evokes a desire to carry out their destructive plans. Those two elements can often be found in a plotter's manifesto.

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The classic definition of a manifesto, according to Webster, is “a written statement declaring publicly the intentions, motives, or views of its issuer.” That sounds innocuous enough, but the connotation in common use is a declaration of something sinister. Recent revelations of vile manifestos are that of Connor Sturgeon, the man who fatally shot five coworkers at a Louisville, Kentucky bank in April, and critically injured a police officer who was shot in the head. Another was that of the diary of Manuel “Tortuguita” Teran, an activist who died after exchanging fire with police near the site of the planned public safety training center near Atlanta, Georgia.

Robert Card the 40-year-old gunman in the mass shootings that killed 18 people and injured 13 others in Lewiston, Maine left no known lengthy document but did prepare a note giving some final instructions to a loved one. Card was later found dead from a self-inflicted gunshot wound.

Retired police lieutenant Dan Marcou, a nationally recognized police tactics trainer, cites as one of many reasons to study the diaries, journals, and manifestos of plotters and killers is to serve as a training aid. Another is for use in evidence of a surviving plotter or killer, to prove intent and forethought. Therefore, the release and analysis of these documents is critical to the prevention of future tragedies.

Manifestos can often be found on social media platforms. Authorities in Virginia were alerted this past September to disturbing Instagram posts by Rui Jiang showing potentially violent intentions toward a church in Haymarket, VA. Officers attempted to contact Jiang at his residence on a Sunday morning. When they were unable to find him, police began patrolling the Park Valley Church as services were about to begin. They found Jiang had entered the church through a side door, armed with a loaded gun and extra ammunition. “This was a thwarted diabolical plot to

kill churchgoers in Haymarket, Virginia — and local law enforcement stopped it,” Chief Kevin Davis of the Fairfax County Police Department told reporters.

Finding manifestos of plotters and studying those left behind by active shooters is an important piece of the puzzle in understanding prevention and response to mass killers.

Catching Killers Before They Strike: The Latest Secret Service Report

The search for the elusive predictive profile of active killers continues. The U.S. Secret Service recently published "[Mass Attacks in Public Spaces](#)" outlining statistics from attacks in the U.S. in 2018. As the world's foremost experts on public violence, the United States Secret Service National Threat Assessment Center (NTAC) once again announces there is no profile of such attackers. While there is no template for these violent offenders, there are numbers and trends of interest.

"Between January and December 2018, 27 incidents of mass attacks – in which three or more persons were harmed – were carried out in public spaces within the United States. In total, 91 people were killed and 107 more were injured in locations where people should feel safe, including workplaces, schools, and other public areas" according to NTAC. Schools, of course, are of the most public and professional interest but comprise only three such attacks out of the 27, representing 29 of the 91 fatalities (31%) and 40 of the 107 injuries (37%). The most common places for a MAPS assault are commercial spaces, representing 20 of the 27 events.

For planning purposes, law enforcement tacticians and trainers working with the community to prepare for possible attacks can relate factors that are more than 50% likely in an attack.

The attack will last fewer than 5 minutes

The attacker will use firearms

The attack will happen between 7 in the morning and 3 in the afternoon on a Wednesday or Thursday

The attacker will end the assault on their own by leaving or killing themselves

The attacker has a grievance, mental illness, previous law enforcement attention, has expressed a threat or concerning communication, and suffered a recent stressor event

Friends, family, or neighbors have expressed concern for the attacker's well being

Victims will be targeted randomly

The attacker will be male

The attack will be at a place of business

The most important fact to relate to potential targets is that the cumulative data from this 2018 report is not an exact match with the [2017 report](#). In other words, not only is every incident an anomaly that will defy the odds in various ways, but the data itself fails, once again, to be predictive.

The exceptions to the 50% chances above are many. The reader will notice the absence of the generic term "active shooter". Vehicles were used in several MAPS assaults in 2018 and 2017, and edged weapons were used in many of the 2017 attacks. Over a third of the attacks will last more than 5 minutes. Police ended 22% of the attacks, firearms malfunction ended 15%, and bystander intervention ended 7% of MAPS events. Depending on the timely arrival and efficient action of law

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enforcement is not a sufficient strategy for dealing with these mass assaults.

Attacks can happen any time of day, any day of the week, and any month of the year. Interestingly, December was left alone by 2017 and 2018 attackers. The diversity of 2018 attackers defies the young white male stereotype.

Those who propose legislative remedies to mass attacks are frustrated by the randomness of attacker characteristics. Or, more accurately, the actual impact of legislated remedies is frustrated in the area of gun legislation and mental health. Of the 24 killers who used firearms, 10 possessed the weapons unlawfully, including 2 minors. Type of long gun, type of bullet, and weapon capacity surprisingly does not center on the infamous AR 15 or AK 47 alone. In a separate [analysis](#) of twelve 2018 firearms related mass killings (axios.com) only the Parkland attacker used exclusively an AR15. All other events cited on the axios.com chart showed the attacker in possession of more than one weapon, or a shotgun or handgun alone.

Distress and mental health issues were reported to have been present in examination of the 2018 killers based on testimony of those who knew them. Even so, only 44% had actual an actual diagnosis and prior treatment. In any given year, according to the [National Institute of Mental Health](#), 20% of Americans show indicators of some level of mental illness.

Philosophers and mathematicians recognize limitations to predictability, commonly known as [Chaos Theory](#). "Small differences in the initial conditions may generate very large differences in the final phenomena. A small error in the former will lead to an enormous error In the latter. Prediction then becomes impossible, and we have a random phenomenon." A planner ignoring this reality is subject to preparing for

the wrong thing.

The apparent randomness of mass violence events doesn't mean that communities are powerless to intervene. The Secret Service advocates a comprehensive threat assessment team in communities and school in order to recognize and respond effectively to persons and situations that may portend violence. "While not every act of violence will be prevented, this report indicates that targeted violence may be preventable, if appropriate systems are in place to identify concerning behaviors, gather information to assess the risk of violence, and utilize community resources to mitigate the risk."

Gathering Information for Investigations

Facial recognition, fake cell tower interception, surveillance flights, and license plate readers all have two things in common. They solve crimes and they cause privacy concerns. When does good investigative police work cross the line to an invasion of privacy? Do criminals have the right to privacy? Should citizens give up their privacy for the sake of putting killers and drug dealers in jail? Those questions are still being asked and answered.

Americans have a history of being a little paranoid about being monitored. It smacks of the dystopian world of George Orwell's 1984, where no voice goes unheard and no movement goes untraced. As technology evolved, consumers discovered that it wasn't the government who was collecting data and listening in, it was businesses that wanted your information. And, for the most part, the citizenry is fine with that. Sure, they find it annoying that a conversation in the living room about a new fishing lure seems to magically generate Facebook ads about fishing lures, but it is a mere curiosity rather than an alarming event.

When cell phone cameras became ubiquitous, the filming of fights, disputes, and odd people shopping at Walmart joined the internet universe along with the police doing their work and ending up on YouTube, usually with a fake story attached. Adding to that are doorbell cameras and perimeter surveillance cameras that are on nearly a third of private residences and no longer just the wealthy. Don't expect to slip and fall or be chased by a bee without the ensuing hilarity being posted for millions to watch. Some homeowners have voluntarily allowed police access to their home surveillance systems in real-time as a crime-fighting tool.

Are police in on the surveillance action? You bet they are. Armed with court orders, law enforcement can trace cell phone calls and plot the travel of their owners, or tag a vehicle with a GPS tracking device. Drones are regulated through the FAA regarding what airspace they may traverse. Aerial surveillance is not new, and courts have ruled on what can be considered in plain view observation. What can be observed by the naked eye in lawfully navigable air space may be used as evidence to obtain a search warrant. A case in Baltimore, however, stopped a police program of flying a fixed-wing aircraft over the city taking photos as unconstitutional.

Automatic license plate readers (ALPR) are considered a threat to privacy by civil liberties activists, but there are protective rules in place in most law enforcement agencies. The ALPR cameras mounted on police cars or stationary posts only catalog plate numbers. There is no alert unless a number matches one that is listed as stolen or wanted in connection with an investigation. The system does not automatically show the owner information, and the data are stored only for a limited time before being purged. Investigators can go back to stored images when looking for a suspect vehicle. The fears of “big brother” spotting an innocent person’s vehicle to see if they were at church, or a porn shop, or at their mistress’ house persist. ALPRs have become a very useful tool for law enforcement with minimal impact on personal privacy.

Police agencies have been criticized for keeping gang intelligence files that identify known and suspected gang members as unlawful profiling, but those files can help solve crime just like the old-fashioned mug shot file. Many agencies have stopped posing mug shot photos of arrestees or allowing newspapers to routinely publish arrest photos.

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It is technically possible for police body cam video to compare facial images with driver's license photos to identify wanted persons. Police can monitor neighborhoods for the sounds of gunshots and locate their origin with triangulation. As cities grapple with violent crime, the use of technology can help locate and prosecute the bad guys. The question is whether the other 98% of the population is willing to be surveilled to some degree or another for that to happen.

The Drug War We Can't Stop Fighting

Drug laws have been all over the map since the first federal legislation started regulating them. A 1912 international agreement obligated all participating nations to regulate opium traffic within their borders. The U.S. Congress passed the 1914 Harrison Narcotic Act to meet the treaty obligations. Intended to be a regulatory and taxing process, the act evolved into a prohibition in line with the evolution of other federal drug laws to follow.

According to the Federal Office of Justice Programs, "The law and its stringent application had little impact on opium use. Congress' response in 1922 was to increase the maximum penalty for violating the law. The Marijuana Tax Act was passed in 1937, and it failed to curb marijuana use; penalties were increased. Antiamphetamine laws have also been enacted with similar results. Law enforcement has sought to reduce drug abuse by arresting users, pushers, and persons high up in drug trafficking networks. It has sought to interdict drugs at U.S. borders and curb the production of illegal drugs abroad. Although some of the efforts have apparently been temporarily effective, adjustments by drug networks soon bring the supply back to previous levels." The Volstead Act, taking effect in 1920 prohibiting the manufacture and possession of alcohol was part of the wave of prohibition.

Current thinking about the drug problem varies from harsh penalties for fentanyl possession in Colorado to get out of jail free cards for drug offenses in Washington state. Marijuana has evolved from felony possession of low-quality weed in the 70s to the complete legalization of new highly potent marijuana in many states in recent years.

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While these laws and policies fluctuate drug use has increased and overdose deaths exceed 100,000 a year. Drugged driving is part of the increase in car crash fatalities in recent years. The US border with Mexico is a political hot potato, but one thing that is not in dispute is that tons and tons of dangerous drugs are fueling the supply of cheap and deadly illegal drugs in the deluge of those crossing the border.

One of the theories in promoting legalized marijuana is that the illegal underground market for the drug would disappear once users found that they could walk up to a counter and buy it like a pack of cigarettes or a bottle of beer. The advantage of black-market marijuana is its price. Commercial marijuana is heavily taxed and regulated and requires real estate and operational costs, including security and cash handling.

One way that illicit marijuana marketers save money is by using government land to grow their product. This has caused multiple issues for foresters and those law enforcement entities whose jurisdiction is our state and national lands. A recent article in the Grand Junction, Colorado Daily Sentinel newspaper chronicles the devastating environmental effects of illegal grows on public land.

Safety concerns around illicit grows are for both law enforcement and civilians using the land recreationally. Grows have been known to be guarded by armed workers associated with criminal cartels, often accompanied by booby traps on perimeters of the operation.

Cutting of native trees and plants, application of herbicides, and diversion of water are considered more prosecutable as environmental crimes than the production of marijuana itself. In one investigation on land under the jurisdiction of the Bureau of Land Management which has its own criminal investigators, thousands of marijuana plants were discovered in just one of

five grow sites. The Sentinel article reports that “BLM spokesman Eric Coulter said staff found pesticides, herbicides and rodenticides at the Rifle site, and about 2,100 trees and more than 3,800 shrubs were removed to make way for the grows. Soils were disturbed along with the area’s hydrology, and large amounts of solid waste were found, including trash and growing equipment supplies that included more than 47,000 feet of poly irrigation line.” The estimated value of the production on all five sites has an estimated street value of \$7.5 million.

Mitigation costs at these remote and high elevation sites involved helicopter use to remove waste products. One site required an estimated \$150,000 cost in cleanup, not to mention the costs of complex and technical investigation spanning several states, and agencies. Restitution is unlikely.

Inconsistency in legislation, enforcement, and public opinion regarding harmful drugs has emboldened those who profit from addiction and misery. The toll on our environment, our highways, and workplaces have not been resolved by the permissive soft touch of the law.

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Cops Not Allowed to See the Critical Evidence They've Collected

One of the controversies that doesn't make sense to the average observer is the question of whether police officers should be able to review their own body camera video before writing their report. The alleged fear is that officers will be tainted by viewing their video. Really?

Should physicians view patient x-rays before making a diagnosis? Should carpenters be able to review the blueprint before starting to build an apartment complex? Can Perry Mason ask the court reporter to read back testimony?

One of the many myths about police officers and their superpowers is that they have abilities far beyond the mere mortal. Their powers of observation must be able to remember what was happening for the whole time an incident played out with 360-degree vision and 100% recall. The reality of human brain function is that persons in a threat environment will automatically focus on the threat area and automatically, autonomically filter out sensory inputs that aren't clearly relevant to the immediate threat that is perceived.

One factor is the well-researched phenomenon of inattention blindness. Most drivers have had the experience of a crash or near-miss where they had to exclaim "that came out of nowhere!". Dozens of experiments, including the famous dribbling gorilla, have proved that we can be looking at something without seeing everything. This notable experiment is a video of a group of basketball players. The observer is asked to count how many times the basketball is passed. In the middle of this exercise, a person in a gorilla suit dribbles a ball through the other players. Most

observers are astonished when they are told about the gorilla because they never saw it! When the video is replayed with the observer's knowledge about the distraction, many have to be convinced that it was the same video. The point is that, especially in traumatic events, the human eye will not attend to and record that which is not perceived as relevant to their focus.

When an officer is interviewed about an event, an internal affairs investigator or a defense attorney might ask, for example, whether there was any pedestrian activity on the nearby sidewalk. The officer may simply not remember because their attention was elsewhere. The interrogator might seem incredulous and accusatory – “how could you not see these people on the sidewalk?”. Despite popular conceptions of memory, the brain does not work like a video camera that makes a record of everything within its lens. So many television shows and movies have moments when someone is trying to remember something with their eyes squinted closed, then says they remember something they hadn't thought of before, that we think that is how recall works. It doesn't.

What can occur is the natural filling in the blanks in a narrative. Humans do it all the time and automatically. Did you pass the donut shop on the way to work? You can't recall specifically, but you assume it was. You wouldn't have a specific memory of it unless you noticed a new sign, were looking for their daily specials, or there was something unusual going on. But you would testify with certainty that the donut shop was there, even though you don't have a specific recollection. The mind just filled in the blanks for efficiency.

The brain does this with our vision. We don't really see something 100% of the time because, for one thing, we have to blink every so often. But we rarely notice our eyes going closed frequently because the brain fills

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in the blanks. Just like the fact that a movie is actually a rapid presentation of still shots, but our brain sews them together to make the appearance of motion. When we fail to hear exactly what someone says, we often make a very good assumption of what was said because we've heard the phrase so often or we associate body language and facial expression with the thought and our brain fills in the blanks. We may remember and even testify to what we heard when the words never actually registered in our hearing.

Is it relevant for our officer to know that there were people on the sidewalk? *Maybe, maybe not.* But is it contaminating their report writing to note that fact as they observed it on their body worn camera? Of course not.

There are many cognitive and sensory distortions during traumatic events. It is not rare for an officer who had to fire their weapon to not remember drawing it, not hearing the noise of the gunshot, or even report seeing the bullet on its path toward the target. The brain is trying to keep up with literally millions of bits of sensory input and, when overloaded, can create perceptual distortions that are hard for the uninformed to believe. An officer can be speaking confidently and truthfully and be accused of lying because of the limited capacity of the human brain — any human, including trained police officers — to present information precisely under stress.

An officer should be able to examine all the evidence before writing their report. It is short-sighted to prohibit them from consulting their notes, their fellow officer's observations, and certainly their own body cam video.

8. THE ANTI-POLICE MOVEMENT

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Abolition of the Police Disguised as Reform

Abolishing law enforcement has been a topic in some academic circles for decades. It seemed so ludicrous to those outside the ivory towers where ideas are churned about that no one in the real world gave any attention to the threat that the idea of ridding America of police officers might become popular.

The defunding of law enforcement has been activated in many jurisdictions, even though many of those are showing regret and re-funding. Police leaders and alert citizens should be aware that defunding was always a means to move toward abolition of police entirely. While some efforts are out in the open, many efforts to abolish the police engage more subtle tactics to achieve the same eventual goals. Although most Americans still trust their police partners and cannot imagine having no policing in their communities, there are active groups still plodding and plotting toward abolition with ideas that seem good but include the seeds of abolition.

Mental health support services are gaining much-needed attention. Several non-law enforcement (NLE) and co-responder programs are claiming success. The delusion of the abolitionists is that police budgets should be cut to fund these programs. Police failure is essential to the abolitionists' long-term goals, so reducing police agencies' capacity to respond to calls fits the abolitionist agenda perfectly. Diversion and defunding are synonymous. The need for robust law enforcement budgets and staffing will not be reduced by adding NLE responders. While valuable, NLE responders will not be able to handle the volume of calls, nor will they handle calls where violence or weapons are involved.

Citizen oversight of local policing has always been present. When police agency heads are selected by elected officials, and Sheriffs are elected directly, the control of policing is at the ballot box. Calls for more accountability ring hollow when law enforcement is already subject to constant surveillance, court orders, restrictive legislation, and civil liability. No one suggests that police officers should run rogue with no one watching, but the reality is that everyone is watching. Additional community input is important, but red flags toward abolition are waving. When anti-police activists and those with no understanding of the realities of what police officers deal with and the constraints surrounding them have policy-making authority and decisions over treatment of personnel.

In the name of accountability, legislators are pressured to increase liability for police officers by removing qualified immunity and other legal protections and impeding police fraternal and union influence which exist to protect fair working conditions for police officers. The move to prohibit safety equipment such as rescue vehicles and protective gear against assaults, as well as removing options to control violent criminals are ways to dissuade persons from becoming police officers or remaining so. These efforts have gained ground as evidenced by the recruiting and retention crisis in American policing. These efforts are not-so-subtle means of ensuring the demise of law enforcement toward the goal of abolition.

In addition to defunding the idea of non-funding is also a component of abolition. Vociferous objections to any building or renovation of justice facilities replace civil debate with arguments that new jails, police equipment, or update police facilities are simply not needed and would be harmful to society. Every project and its impact on tax-paying citizens deserve scrutiny, but reducing the criminal justice system's capacity to deal with crime is another attempt to cause failure with an eye to abolition.

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Media narratives of police encounters are often guided by anti-police sentiments rather than fact-based reporting. Viral videos are too often accepted as “news”, but more disturbing are biased mainstream media accepting the narratives of those without substantiated facts. Many commentaries make patently false claims and exaggerations about police misconduct and violence that a gullible public fails to closely examine. These narratives are fed by those who claim to be in favor of police reform, but many of whom are just building the case for abolition.

The abolitionist is an idealist who rejects the idea that evil exists, and that people make intentional predatory decisions to kill, steal, and destroy. They believe that destroying existing systems and replacing them with new systems will reduce bad human behavior. They explain all crime as the product of capitalistic oppression or mental illness, which can be eliminated by good vibes, no borders, and expecting everyone to be peacekeeping lovers of their neighbor. There is no precedent for such a society but rather a common-sense expectation that chaos and brutality would be the real result. We must not be led to a disastrous result with false promises wrapped in nice-sounding packages.

Anti-Cop Violence is Terrorism

Portland, Oregon police continue to seek to connect with their community even after all they have been through. They planned a Coffee With a Cop event at Bison Coffee House, a neighborhood coffee shop. Coffee With a Cop has been a series of events offered by local police agencies at local establishments where citizens can drop by and chat with law enforcement officers. Events are usually cordial, well-attended, and a great bridge-building activity.

There are enough bridge burners in Portland that six masked criminals shattered the windows of Bison Coffee House at 3:00 a.m. the morning before the neighborhood event occurred. The news reports referred to the offenders as vandals and the crime as vandalism. The more accurate term would be terrorists doing terrorism.

Owner Loretta Guzman is an enrolled member of the Shoshone-Bannock Tribes. In addition to the suspects smashing windows with hammers and crowbars. Although the attackers apparently did not enter the building, they did spray what appeared to be fire extinguisher powder into the business. The thousands of dollars of damage includes the residue on Native American artwork and an authentic buffalo head on the wall. Authorities have considered adding hate crime charges in the attack.

To Guzman's credit she courageously still hosted the event that evening after cleaning up and baking a fresh batch of homemade bakery items for the shop. A GoFundMe page was established to help pay for the damage.

Federal law (18 USC Ch. 113B) defines terrorism. Under the heading of domestic terrorism the definition is "acts dangerous to human life that are

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a violation of the criminal laws of the United States or of any State; appear to be intended to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, or kidnapping". Far beyond mere mayhem and property damage, and even beyond a hate crime if partly driven by Guzman's heritage, the acts seem to be well aligned with the definition of domestic terrorism.

A man walked into the 10th district West Side Chicago Police station on Ogden Avenue mumbling and ranting anti-police sentiments. The man was holding a plastic bag through which was visible what appeared to be a gun and pointed at officers in the building. Officers fired in response to the threat, sending the suspect to the hospital with non-life-threatening injuries. No officers were injured.

In an earlier and unrelated incident, another man managed to enter a training area on the fifth floor through a fire stairwell during a Chicago PD training, picked up weapons that were nearby, and pointed them at officers. Armed officers in the room fired and wounded the man.

These recent events are not unprecedented. During the protest riots of 2020, Aurora Police officers were trapped in a station under assault for seven hours. Evidence of the intent to harm or ambush the officers included stashed weapons and tools for arson found after the crowd was dispersed. In July a 20-year-old man was arrested after video showed him firing a shot through the glass at a police station in Riverside, California. In April, the friend of a man who died while in custody marched into a Milwaukee, WI police station and after a brief conversation with the officer working the counter, began shooting. He fled and was shot by officers later as he raised his weapon against commands for him to surrender and drop the gun.

Attacks outside of police stations in the parking lots and entrances add to the list of violence against law enforcement in their own workplaces. Some police stations are fortress-like and for good reason. Many agencies still want their facilities to be safe and open spaces for citizens as they should be. For violent criminals to destroy that sense of safety is an insult to the public.

Whether tougher penalties would affect the decisions of those bound by hate is subject to debate. But to label them merely as vandals or even assailants ignores their true purpose and identity. They are, and should be prosecuted as, domestic terrorists.

Disgraceful NY Judge Implies Cops Can't Be Religious

Serious philosophers, theologians, and scholars rightly have wrestled with the serious questions of government power, justifiable war, the death penalty, and killing another in self-defense. None of these deep thinkers include Associate Justice Troy K Webber of New York State's Appellate Court.

When NYPD Sgt. Patrick Marsteller sued for the right to keep his job and refuse the COVID vaccination on a religious exemption, Judge Webber expressed her doubt of Marsteller's religious convictions since he was a police officer and police officers kill and that conflicts with Christian values because of "That, you know, do not kill the thing?"

Critics immediately pounced on the judge's flippant statement and flagrantly ignorant understanding of basic theology as a prejudicial comment. In context, Marsteller's objection to the vaccine was predicated on the use of aborted fetal tissue in its development, a pro-life position that the judge mocked for its implied hypocrisy.

"What this judge said is reprehensible – does being a cop conflict with Christian values?" Queens Councilwoman Joann Ariola. "Police are not on the streets looking to commit mass murder, they are there to stop criminals and protect the innocent. This kind of anti-cop rhetoric has no place in court."

The judge was wrong on about every level of this case. Regardless of how one feels about abortion, in the ending of a pregnancy, the unborn has no guilt, no responsibility, no advocates, and no complicity in its

termination. That is no comparison to a life taken in the heat of a battle of self-defense or defense of others, or even, for that matter, in the legal execution of the death penalty.

Secondly, the sincerity of one's religious belief – in this case, Christianity – is not automatically nullified by being a person who, in the line of duty, might be subject to using deadly force. This is true for every religion that I know of, and every religion is represented among the diverse ranks of police officers. If there is a moral abhorrence to the possibility of doing harm, the simple answer is to not become a police officer. Since there is no mandatory service, as in the case of a wartime draft, there is no need for a cadet to be a conscientious objector.

For a police officer who holds Christian beliefs in particular, the orthodox guide to Christian conduct is the Bible. The Bible holds no prohibition to righteous killing, only a prohibition of murder. Clearly, it follows that if a third person is threatening murder by attacking a civilian, police officer, or posing a high risk to the public at large should they escape capture, using necessary means to prevent the murder is not itself murder by any legal or moral definition.

Further, the authority of governments and the Christian mandate to be obedient to government is found in the New Testament where it is stated: "Let everyone be subject to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God. Consequently, whoever rebels against the authority is rebelling against what God has instituted, and those who do so will bring judgment on themselves. For rulers hold no terror for those who do right, but for those who do wrong. Do you want to be free from fear of the one in authority? Then do what is right and you will be commended. For the one in authority is God's servant for your good. But

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if you do wrong, be afraid, for rulers do not bear the sword for no reason. They are God's servants, agents of wrath to bring punishment on the wrongdoer. Therefore, it is necessary to submit to the authorities, not only because of possible punishment but also as a matter of conscience. (Romans Chapter 13 New International Version for those interested).

Lastly, the text and context of the judge's remark is aptly described by Councilwoman Joann Ariola as leftist anti-cop rhetoric. The implication is that the police like to kill and are likely to kill, two propositions that are soundly defeated by multiple studies. Judge Webber should not be allowed to touch any cases remotely attached to the involvement of a law enforcement officer.

Anti-Police Activity Goes Professional

We've seen the ACAB (All Cops Are Bad) protest posters and have heard the shouts amid riots and protests claiming racism and brutality. We tend to think, and have been led to believe, that these voices spontaneously arose out of righteous indignation and the ACAB view caught on with a few vocal politicians who thought they could grab a headline or two.

The reality is that the Anti-Police sentiment is being intentionally fueled by those with an economic or political agenda that goes beyond good citizen involvement in community affairs. To be sure, organizations that promote justice and seek accountability in policing do not deserve to be labeled as anti-police. Those who profit economically or gain political power by explicitly opposing law enforcement and inciting violence and resistance deserve to be identified and regarded as a threat to law and order.

Recently, a group calling themselves Stop Cop City is thought to be responsible for acts of property damage and vandalism to a proposed law enforcement training facility in Atlanta, Georgia. The group claims to be comprised of those with environmental concerns about the property on which the training facility is being built. But the language of the protests is anti-police claiming that the facility is an expansion of the "police state". A firm contracted to design and build the Atlanta police department's new training facility had several broken windows and graffiti painted on a window earlier this year that said: "Drop Cop City or Else." The company reported \$80,000 in damages. Financial accountability for the organization does not appear to be available.

Protestors can cash in on opportunities to be paid for participation in demonstrations, some even with the task of being provocateurs. The

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presence of outside agitators in Ferguson was significant enough that NYPD sent detectives to Missouri to learn about their operation in anticipation of riots in New York City. Law enforcement officials, government officials, and even local protestors, a local peacekeeping pastor, and the owner of a black-owned newspaper in Ferguson acknowledged the presence of outside agitators that added to the chaos of the protests.

A Beverly Hills company aptly named Crowds on Demand has hired actors to portray themselves as lobbyists, and be supportive fans and paparazzi at other events. Homeless persons have been recruited for a few bucks to show up at a rally to bolster numbers. The company was sued on claims of extortion for intimidating practices, including a website for misinformation, to embarrass a businessman according to a 2018 article in the Los Angeles Times.

With recent embarrassments to the Black Lives Matter organization regarding squandered money from the millions donated after the death of George Floyd, some local organizations found no support for protests against white supremacists from the national organization. A look at the expenditures of the National Education Association, a staunch supporter of getting the Black Lives Matter curriculum into schools and getting law enforcement out, spends more money on political contributions than programs that benefit teachers or students.

Politicians, including prosecutors, local leaders, and national elected leaders who are vocal about defunding and defanging the police attract megadollar donors that support the agenda of dismantling the criminal justice system. Billionaire George Soros states on his own website that his advocacy is not anti-police: "The goal is not defunding the police but restoring trust between the police and the policed", but the candidates

receiving his millions are “reform” minded prosecutors and leftist ideologues who favor defunding. He donated half a million to an effort to oppose a ballot issue that would have increased the number of police officers in Austin Texas, after helping elect District Attorney Jose Garza who favors prosecuting police officers over criminals. He also supported San Francisco DA Chesa Boudin who was recently recalled after only six months in office for being soft on crime.

These groups and the dollars they collect and distribute keep fanning the flames of anti-police sentiment at a time when confidence in law enforcement remains high and efforts to punish police officers for doing their job are meeting public backlash in the face of rising crime fears. The public must not be deceived by those who cash in on money and power at the cost of public safety.

6 Ways the Antipolice Movement is Harming America

If the antipolice crowd planned the weakening of law enforcement in the many nefarious ways it is occurring, then they are brilliant strategists and propagandists. If the byproducts of their fury are mere happenstance, then they must be ecstatic at their destructive influence. Here's what is at risk.

Local business

It was hard enough for small business owners to make a living in urban areas before the destructive riots, and even before COVID. Businesses offering services to underserved areas have additional challenges but remained for those who needed access to food and other goods in their own neighborhoods. These are some of the hardest hit from recent days of civil unrest. Recovering from looting, vandalism, and fear is not as simple as filing an insurance claim. A loss of police protection is unsustainable. Many are leaving, seeking opportunity elsewhere.

Many areas thrive partly because people want to travel to or through the area. As travel is increasing after COVID, who wants to go to areas where there is no guarantee of safety or police response? The vitality and diversity of many communities relies on visitors having good travel experiences, whether for business or leisure. Those opportunities are now being lost to both the travelers and their potential hosts.

Tax base

Social justice takes money for sustainable programs and personnel. There

are cries for more drug treatment, more social services, more alternatives to a police response. The concept of defunding to shift resources doesn't even sound good in theory to those who work in the reality of emergency services. The loss of tax revenue resulting from lower property values, less sales tax revenue from closed businesses, and fewer consumers venturing out to spend, will have crippling effects in the cities where the demands are the greatest. Looking for federal money is not a long term solution.

Media Credibility

Those who know and care about facts have come to realize that widespread media bias or laziness is failing to convey reality to Americans. Media reports are fed from media manipulators. The language of antipolice sentiment has been adopted from the blog level to the national media. Competition for website clicks has reinstated traits of yellow journalism where misleading headlines sold newspapers. Gannet publications is an example. The publishing giant states its mission on its webpage: "As the new Gannett, we exist to make communities stronger. As an award-winning news organization, we inform and empower our communities. As a modern media company, we foster deep and vital connections among our communities and the world around them." Despite referring to itself as a news organization, its stated objective is to mold opinion and behavior. There is no commitment to objectivity.

Essential public safety programs

The defund proponents are seeing school safety staff and programs gutted. Who will engage in traffic enforcement aimed at reducing the 38,000 annual traffic deaths of which 10,000 are from drunk driving? Murder is on the rise. Despite the current critique of the 1994 Crime bill that added tens of thousands of officers to the payrolls of agencies, that

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increase in police officers had a well-documented effect on reducing crime rates.

Police officers are leaving embattled agencies and jurisdictions through resignation and retirement. They are also keeping a lower profile, reducing initiated activity, being more reluctant to engage in order to protect their minds, bodies, and finances from the threats that have increased toward them. Inflammatory rhetoric has emboldened lawbreakers and weakened law enforcement. This loss of productivity off officers struggling to remain multiplies the effect of reduced staffing from defunding and resignations.

Loss of leadership for reform

One of the saddest ironies of the antipolice movement is the loss of great leadership for reform that is embodied in police leaders. Chiefs with long years of service, many of whom are executives of color, are leaving their positions in protest or hopelessness of what they know as professionals to be impossible and irresponsible demands.

The promise of a brighter and better future for those serving in law enforcement in the light of public attention has turned to dust. We will not only continue to lose competent leaders now, but perhaps an entire generation of young men and women who will be discouraged from joining the law enforcement profession.

Loss of checks and balances

With whatever faults exist, the criminal justice system has been a guardian

of rights and due process on the local level. With local law enforcement at risk of collapse, federalization will increase. As demands for radical reform reach the ears of opportunists in Washington, more federal control over those dollars will occur. America should pride itself that it is protected in each local community by the 18,000 police agencies directly accountable to their communities. Loss of that local control to federal influence portends a loss of liberty. Ceding most criminal justice efforts to mental health and social services enters people into a world where there is no representation, no public oversight, no appeal, and no accountability to victims of crime.

In many ways freedom is ultimately the cost we may bear more than anything.

Cutting Police Services for Pie in the Sky

If a headline read “Ambulance Services Cut to Fund Cardiac Health”, readers would shake their heads in disbelief. Would hospitals really stop responding to ambulance calls for heart attack victims to help pay for education, brochures, checkups, and low-fat diet plans? Do nations at war cut spending on troops to pay for more diplomats? Should plumbers stop fixing stopped-up toilets and concentrate on installing new pipes?

The teacher’s union in Bellevue, Washington has passed a resolution against having a school resource officer (SRO) in favor of using whatever funds would be for a police presence in their school to be funneled into counseling and mental health services. The renewed discussion comes after a shooting at a nearby Seattle school that left a 17-year-old student dead at the hand of a 14-year-old who brought a handgun to Ingraham High School.

The union, claiming to represent the interests of Bellevue teachers, parroted the ideology of the National Education Association which vociferously opposes law enforcement in schools as a corollary to their Black Lives Matter in schools agenda. “There’s definitely a history with students of color feeling a certain way with the presence of officers in school,” Jill Rock, president of the Bellevue Education Association asserted.

The resolution referred to a previous 2020 resolution that states the district must recognize “...that we participate in and perpetuate the school-to-prison pipeline and other expressions of institutional racism through our biases, our curriculum, our pedagogy, and our discipline policies, and that we continue to harm Black students and families when

we do not act to dismantle institutional racism...”

The resolution goes on to say “WHEREAS, the Bellevue Education Association recognizes that many students and staff have experienced an increase in violence across campuses in recent years and there exist valid, important concerns regarding safety on campus. WHEREAS, the BEA supports clarifying the responsibilities and further training of on-campus Administration to respond to incidents of violence and also to increase access to mental health counseling at our schools.”

Whether the union truly represents the feelings of teachers or students of the school, it does represent some curious reasoning in explaining its opposition to SROs. In referring to the “school-to-prison” pipeline, the resolution states as fact that responding to disciplinary problems results in students being groomed for a life behind bars because of institutional racism. Differential treatment by race is certainly a matter deserving of study and monitoring, but to identify SROs as a core component of the allegation ignores the value of officers’ presence.

In an irony that seems to escape the authors of the resolution, the document validates the existence of safety threats on campus and an increase in violence. Their answer is to better train administrators on responding to incidents of violence. If there is an administrator’s union, it would be interesting to see what their view would be of making first responders out of administrators.

There is widespread agreement that the need exists for better access to mental health services, especially for young people. What is far less certain is what these preventive services would accomplish in reducing individual’s acts of violence. SROs are a safety net, not only for immediate response to threats and violence but as an effective relational connection

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to students and a presence that can discourage attacks.

The final logical fallacy of the purloining of law enforcement resources to fund mental health resources is that it is a binary choice of one or the other. They are two different functions for two different purposes. There is no mathematical correlation to school safety in subtracting from one and adding to another. So, sure, bring on the counselors. But keep the cops.

Corporate Antagonism Towards Law Enforcement Continues

Financial support from businesses for causes ranging from local little league baseball to diversity have been a mainstay of good corporate citizenship in the American landscape. Things have taken a turn from non-controversial support to potentially risky advocacy and now to advocating negative actions against law enforcement.

Ice cream makers Ben Cohen and Jerry Greenfield, the co-founders of Ben & Jerry's which is now owned by conglomerate Unilever, are starting a campaign aimed at ensuring personal financial ruin for police officers accused of misconduct. Their aim is to eliminate the qualified immunity defense to civil actions and encourage personal suits against officers that would force them to pay from their personal bank accounts and real estate. Cohen and Greenfield have a history of accusing police of widespread racism and brutality.

Qualified immunity is a defense to lawsuits that was established by court precedent. The doctrine was designed to protect government actors – not just law enforcement – from being sued personally for complex decisions they have made for which there were no clear guidelines. It is not a blanket exemption from lawsuits for police officers, nor a major impediment to those who have suffered from wrongdoing or negligence.

Punishing police officers for being police officers as a corporate policy is not limited to Ben and Jerry's. LEGO's toymaker halted promotion and display of police themed LEGO sets in 2020 in the wake of anti-police protests. BikeCo, the distributor of Fuji Bikes, announced that they would

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no longer sell bicycles to police departments. The irony is immediate, since bike patrol has been a major component in community policing efforts across the country. The bike distributor claims that police bikes have been used as weapons against protesters, although police officers are uniquely vulnerable while on bicycle assignments.

Major sports organizations have encouraged and enabled anti-police sentiment, and suppressed support of law enforcement, perhaps influenced by athletic gear makers Nike and UnderArmor. Supporting black lives and supporting law enforcement has become an artificial divide. Supporting defunding of the police is not the same as examining ways to reform policing for everyone's benefit. Corporations that support groups advocating defunding include Microsoft, Intel, Airbnb, H&M, Cisco, Degree, DoorDash, Vans Inc., Lululemon, Dropbox and the Pokémon Company International.

Admittedly, decisions on whom to support or on remaining neutral aren't always easy in the boardrooms and backrooms of companies small and large. Mom and pop stores in Portland felt compelled to write on their windows that they were black or BIPOC owned to avoid destruction by protesters. Starbucks has been picketed for supporting the Seattle Police Foundation, and criticized for supporting anti-police sentiments. Employees of Ford Motor Company wanted the supplier of one of the most popular police vehicles to stop selling to law enforcement, but company leaders refused to give up that market. Other corporations have supported the claims of racism in policing but have been called out for their own lack of diversity and social responsibility.

There are also many companies that have expressed support for the men and women who make up our nations law enforcement community. Many simply realize that quality law enforcement is essential to the operation of

their businesses, whether they are direct vendors to police departments or not. Others are simply good citizens who recognize that their police officers belong to them and want the best possible outcome for their communities. That should never mean that citizens should refrain from speaking out on issues where law enforcement needs change. Being an ally of law enforcement gives a credible voice for guidance and change.

Citizens who want to maintain and improve quality law enforcement can encourage those businesses that have visibly or even quietly supported law enforcement. A word of thanks, a thumbs up, and patronage of their establishments can make a difference.

Anti-Police Noise Stifles Real Citizen Awareness

In an excellent article by NPA contributor Steve Pomper, he cites a clearly justified police shooting of an attacker who had just committed murder. Pomper related that Seattle protesters rose up against the shooting “despite non-police video showing the suspect shooting into the car the women were sitting in, police video showing the suspect shooting at arriving officers who had only seconds to react, and despite one of those women dying.”

The conclusion that, to some anti-police activists, no use of force is ever justified (since no police entity should exist) is an opinion well protected by our concept of free speech. The solution to irrational and destructive speech is to either ignore the voice with which we disagree or engage in intelligent discussion using facts and logic to engage the subject matter. The flaw in that very reasonable approach is that it rarely exists.

Agitated protestors garner headlines. Their passion inspires. Their rhetoric about racism tickles the emotions and scratches the itch of guilt. The recitation of the martyrs — even murders shot in the commission of their crime by heroic responding officers — never acknowledges the evil but appeals to the image of lost promise and grieving family left behind. Their loyalty to the “victims” of “police violence” is absent the crime scene and autopsy photos of their victims but filled with the double sadness that the killer was just about to turn their life around, had just celebrated a birthday, was going to be a good father to the babies left behind.

Not only do people listen to those voices, their headlines, and their narrative but there is very little available information to contradict their claims. The officers who had to make those dreadful decisions are

forbidden to speak. Police leaders are forced to dance to the tune of conciliation. Investigations take time, and evidence will not be allowed to speak until a civil or criminal trial when the incident is likely long forgotten by the protesters and their audience. Witnesses remain silent by advice of lawyers. The tide of misinformation and disinformation rises.

What can the ordinary citizen do to filter the truth? Here are some keys:

Wait. It will be a long time before a use of force case is fully investigated. Even in controversial cases supposedly being watched nationally, by the time the facts become known and vetted, minds have already been made up based on the commentators and activists who are seeking attention with their speculation and accusations. Recognize that many voices have been silenced. Video and interviews have been edited. There is never just one side to the story, and hardly ever just two.

Listen. When news outlets, particularly those with an editorial history of activism, choose to describe an officer involved incident as a “violent killing” rather than an “in custody death under investigation” it is clear that a bias is showing. When an event is compared to other events such as “this follows a spate of brutal police killings across the country”, the careful consumer recognizes that the reporter isn’t just reporting a fire, but throwing gasoline on it to make it bigger.

Trust. A good citizen is skeptical and demands openness and accountability, but some level of trust in the system must remain. This trust is not merely blind faith and patriotism, but a recognition that our judicial system and law enforcement are generally trustworthy. For example, the vast majority of cases of police use of force that reach a criminal or civil trial are resolved in favor of the arresting officer. Skeptics argue that the

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system is rigged, that cops can't be successfully prosecuted, and that cops will cover up misconduct by other cops.

The reality is that outside agencies cooperate to investigate complaints as thoroughly as any violent event. Officers can lose their careers and pensions by lying about other officers in a coverup. Grand juries have great power to indict officers who commit crimes. Prosecutors are accountable for objective investigations and determining charges. Multiple levels of the criminal justice system are at play and are accountable to one another. Journalists and activists watch the system carefully. Jurors are notoriously careful in their duties.

Seek multiple sources. Anyone can create a website with an impressive header that looks like a legitimate news source. Reading carefully, it often doesn't take long to determine whether a writer has a bias. As a writer for NPA and founder of The National Center for Police Advocacy, my perspective should be transparent to any inquiry. My expertise allows me to back up my editorial positions with facts and logic. Others purporting to be objective journalists, or those with a stated agenda, should be able to defend their reporting as either news or editorial. Claiming to be news while holding an obvious bias is a red flag, as the American public has been learning for at least the past decade.

The Myth of Militarization

As disturbances around the country explode after officer-involved suspect deaths, law enforcement is standing by to provide a measure to mitigate violence and property damage. Dramatic video of armored vehicles and riot-gear clad police often incite cries that the police are provoking violence, as though donning protective gear lights a match to an otherwise peaceful protest. As someone who has been trained in crowd control as a member of the National Guard, and who has been on the scene during the disturbances in Ferguson and Portland, these claims reflect a gross misunderstanding of the tools used by police to keep others safe.

I've also been on the scene of many fires but have yet to hear anyone in the crowd or in the press criticizing firefighters for wearing helmets, fire-resistant bunker gear, breathing apparatus, or rolling in large trucks to a scene. No one accuses the firefighters of starting the fire or making it worse by showing up ready to deal with it, even if it turns out to be a false call. First responders have a right, and indeed a moral obligation, to protect themselves from harm when called to a scene. From latex gloves to armored rescue vehicles, the purpose of equipment is to accomplish the mission with no injuries or fatalities.

The moral obligation of self-preservation, or what is often called "officer survival" by trainers and critics alike, is not merely a selfish one. If a police officer is injured or killed, they become a liability to completing the mission. They incur great costs to the taxpayer (although we pay far too little attention and resources to our dead and injured). They become another victim requiring resources for rescue and treatment, diminishing the capacity of response to others. In addition, an officer disabled during

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the mission is no longer able to protect the weapons, vehicle, and other gear assigned to them, leaving gear vulnerable to acquisition by lawbreakers and rioters.

When riding with a Portland officer during the ceaseless siege on their city, I noticed there was no rifle or shotgun in sight. Whenever I do a ride-along with any agency I want to know where their shotgun is and how to access it just in case, since I'm not usually allowed to carry my own weapon. He told me that they had stopped having shotguns in the patrol car lest they be overcome and the car and or weapons be stolen and used against others.

Helmets, shields, shin guards, heavy gloves, long batons, gas masks, and other gear have very practical purposes. Those with no intent to peacefully protest bring bottles of frozen water, balloons filled with bleach or urine, and any available rock or brick to throw at officers. Their hateful purpose is to injure and demoralize officers, their tactical purpose is to keep officers from interfering with looting and arson. Chemical irritants are not for the purpose of punishing protestors, but to move and disperse hostile crowds away from a vulnerable area. Gas masks for officers helps keep them on mission. "Riot sticks" are not appropriate or practical for overhead swings to bash heads, but to be used horizontally to push against an advancing hostile group.

While a fully equipped crowd control officer may look intimidating (not a bad strategy in itself), the primary purpose is to allow the officer to do the job they were sent to do and return home whole and healthy, ready to continue to serve.

As for armored rescue vehicles, there is no intent to "militarize" civilian

law enforcement, but to enable officers to enter dangerous areas and complete their mission. I once published an open challenge with a cash reward to anyone who could send me evidence that machine guns were mounted on an armored vehicle. The challenge went unanswered because these vehicles are not tanks ready for battle, and fully automatic weapons are a rarity in police armories. Surplus MRAPS have been acquired by police agencies only where the very high cost of purchasing law enforcement specialized vehicles makes this military surplus the only option. Do even small agencies need a bullet-proof vehicle? I worked in an isolated rural area where a parole officer was pinned down by rifle fire from the home of one of his clients. His only rescue was by a surplus armored vehicle that the local sheriff's department had acquired despite criticism from some residents who thought the idea was so much macho foolishness.

While reporting from the Ferguson disturbances, an officer told me they were not allowed to wear their protective gear because it would leave a bad impression. This while the scorched remains of business still smoldered in the background.

Depriving any first responder of the necessary equipment to do their job effectively and safely is to put public safety at risk.

Sympathy For Criminals Becoming Public Policy

As they say in the South, “bless their hearts”. What we used to call soft on crime is now mental health awareness, racial justice, and criminal justice reform. In Colorado, Governor Polis signed legislation to reduce penalties for some offenses. Former Colorado prosecutor George Brauchler pointed out in a Denver Post editorial that “ the most offender-friendly governor in our lifetimes pushed a bill, entitled “Misdemeanor Reform,” that slipped in a provision carving up a long-existing felony statute and decriminalized gun ownership by tens of thousands of felons, including those convicted of drug dealing, organized crime, burglary, arson, car theft, treason, sedition, anarchy, and inciting a riot to name only a few.”

In the typical rush to criminal justice reform reverberating throughout the nation’s legislatures, contradictory laws have been passed. Colorado’s reforms, for example, forbids gun possession by a misdemeanor conviction of assault, but not for burglary or drug dealing. In another law, some crimes involving guns were reclassified as more serious misdemeanors, while the penalties for misdemeanors were reduced, meaning the former lesser offense had a harsher punishment than the new higher classification.

In the midst of these disjointed and short sighted changes, the Colorado legislature did impose stricter gun laws on law abiding firearms owners. Fewer penalties for felons, more burdens for the non-criminal citizen. One doesn’t have to pick on Colorado for creating laws that fail to consider the reality of unintended consequences. Californians are suffering from rampant increases in crime and its Governor is back pedaling to deal with it.

Gavin Newsome is finally addressing a lapse in the law that has emboldened organized shoplifters who calculate the value of their stolen goods to stay in the misdemeanor range. Meanwhile, as that nation observed from the lack of prosecution of theft and vandalism during last summer's riots, many prosecutors don't consider misdemeanor theft serious enough to prosecute aggressively. In addition, retailers are cautious about apprehending shoplifters, realizing that there are liabilities involved and a have a low expectation of justice.

On the national level, President Biden's latest nominee as U.S. Attorney for Massachusetts, Rachael Rollins, is on record as having a policy in her current prosecutorial role of not prosecuting some crimes. Her memo, emblazoned with her quote "There are many ways that we can hold people accountable without putting them in jail", she includes driving offenses, drug offenses, and property crimes as non-violent offenses less deserving of prosecution. She also states that a criminal conviction can be a barrier to education, income, and housing.

Those are compassionate words and an evaluation of non-jail options and prosecution priorities is good practice. However, anyone who has been the victim of a car crash with an unlicensed, uninsured motorist, dealt with a drug influenced trespasser, or felt that pain of the theft of something of value would be hard pressed to believe that a blanket catch-and-release policy is justice for the victims. Rollins' 66 page memo devotes a half page to victims.

In addition to the list of offenses whose charges she prefers to decline, she has made it a policy to avoid making criminal defendants accessible to immigration law enforcement, and expressing a concern that a criminal conviction can harm "immigration consequences". Her official policy is to excuse shoplifting of "necessities", to allow the return of property as a

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reason not to prosecute theft, prosecution only after special approval for disorderly conduct arrests from disturbances, and gives tacit permission to break and enter for a place to sleep. Reduced prosecutions for possession of drugs with intent to distribute by limiting the impact of officer observations of known characteristics of drug possession with intent to distribute, and a litany of excuses for criminal behavior.

Bad laws and weak prosecutors are not the only factors associated with an increase in crime. Chicago's Police Superintendent recently fired a verbal shot at the courts for releasing criminals back on the street. At a press conference when asked what can be done about the body count when 12 persons were killed and 70 other shot on a recent weekend, Superintendent David Brown said "What we can do different is challenge the courts to render Chicago safe. Holding offenders in jail longer, not releasing murderers back into our community."

All manner of ill conceived and hastily constructed criminal justice reform efforts are creating a storm of mistrust and fear among a voting public that will likely not long tolerate increasing violence and criminality. Making a policy to generate a headline or satisfy political aspirations will eventually be slowed as the public realizes the peril of dismantling a system that, while never perfect, was working for them and not the criminal actor.

9. SCHOOL SAFETY

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Did We Forget About School Safety?

Before COVID the public outcry for school safety developed closer working relationships with law enforcement agencies. Among those responses was expanding police presence in schools to act as a deterrent, first response, and behavioral intervention to reduce the occurrences of school violence.

Now headlines continue to report the canceling of school resource officers since the in-custody death of George Floyd in 2020. Minneapolis schools, in a move consistent with many missteps of that city after the Floyd incident, moved to remove police in schools. While Minnesota law requires schools to run students and staff through five lockdown drills a year, school board member Kimberly Caprini. "I firmly believe that it is completely unnatural to have police in schools." There have always been debates about the appropriateness and efficacy of police in schools, but "completely unnatural" is not part of a rational discussion. Typical of the police reform proposals, the decision was not based on data but ideology. Many school district patrons decried the lack of collaboration and information in making such a dramatic decision.

Their solution in replacing police in schools is a new safety team – made up of more than half of the specialists with experience in security, corrections, or law enforcement. The original job posting for these positions listed law enforcement as a desirable background, although that was removed after criticism.

In other words, the skills and knowledge are apparently still valued, just not the badge.

In Portland, Oregon, the epicenter of how not to handle public safety, the superintendent of Portland Public Schools said he was “discontinuing” the presence of school resource officers (SROs) and would increase spending on counselors and social workers. That can certainly work for resolving internal conflicts, not so much for armed attackers from outside the school.

Schools in Los Angeles have cut the number of SROs by a third, diverting money to social workers and mental health professionals. Joining the trend of removing less than lethal tools from officers to control violent behavior, the Los Angeles Unified School District also voted to ban the use of pepper spray on students.

The claims for firing SROs are the usual diatribes against police violence (based on erroneous assumptions and contrary to data), systemic racism, and students of color feeling “uncomfortable”, and described as a “traumatic presence”. The anti-police headlines have overtaken headlines and studies showing that schools consistently fail to offer students of color equal opportunity to succeed academically. In comparison to isolated reports of actual police misconduct while on SRO assignment, the California Commission on Teacher Credentialing received 5,895 misconduct cases in 2019 – the highest number of instances of misconduct reported since at least 2007. The hypocrisy seems to go unnoticed.

Teachers are divided on the issue of police officers in schools, but sentiments against police in schools are not a clear majority. Some voice concerns that in situations where police need to be called in, responding officers may lack the knowledge of the school or experience in dealing with student populations.

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Student safety that may be impacted by inviting access to biological males to female bathrooms, showers, and locker rooms seems to be less important than an ideological imposition of artificial equality with zero scientific basis or justification. Protecting young minds from the apparently hurtful cartoon drawings in Dr. Seuss books, and removing the offensive title of "Mr." from your favorite plastic potato toy, all seem to be more important than having a trained armed sentinel guarding our most vulnerable.

Students, teachers, staff, and citizens deserve fact-based decisions regarding the value of police officers in schools. The mission and expectations of SROs should be clearly defined between school and police leaders. Will they teach courses? Intervene in the enforcement of school rules and discipline? Guidelines and training recommendations from the National Association of School Resource can be helpful in those situations. There is no substitute for close collaboration between schools and local law enforcement in preventing and responding to violence. Whether that involves police officers remaining on-site or not is open for discussion. Summarily cutting those ties based on pre-conceived notions rather than data is not a strategy for safety, but merely a political statement.

Real Common Sense Planning for School Violence

Despite the statistical rarity of mass shootings at schools, events are so bone-chilling that that prevention and response has become a priority in every community. As a former Chief of Police on a university campus, a graduate of the Emergency Management Academy and a host of FEMA courses, I have written a number of well researched articles on school safety and active shooter response in addition to conducting full scale exercises and first responder training. I do not minimize the seriousness of the threat, nor the need for preparation. We've had enough experience since Columbine to have learned a few things and ignored a lot of other things. Here are some fact-based observations:

The number of well-armed attacks on mass numbers of students is much rarer than reported. In counts of "school shootings", those violent crimes that are actually interpersonal, domestic, or gang related, or completely unrelated to the fact they occurred on school property also get counted. Certainly potentially deadly, these cases are not what we have in mind when we imagine the horrific random attacks designed to kill as many people as possible, and not the kind of crimes for which much of our preparation attempts to address. These crimes target individuals who happen to be on a campus when contacted by the assailant.

We probably need to stop doing active shooter drills in our schools. There are several reasons for this.

One is that the drills can traumatize students and teachers, normalizing an expectation of imminent violence.

Secondly, since most attackers are students or former students, drills train the shooters as well responders.

Thirdly, there is no template for the way attacks play out. In other words,

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we are likely drilling a practice that would be irrelevant in an actual attack. Fourthly, first responder participants in a drill likely will not be the ones responding to an actual event. When the call goes out, every law enforcement agency with a radio will be responding, from the local agency that you'd expect to the game warden. Seldom are all of those agencies represented in full blown exercises which are, by the way, a hugely expensive endeavor.

Fifthly, most active shooter events are over by the time law enforcement arrives, which limits the value of full-scale deployment practices

Sixth, not every police leader has actual expertise in this type of response and, therefore, may not be aware of best practices or be willing to coordinate with the vast number of agencies and personnel to coordinate a response.

Complex systems of response don't fit with human nature. There are many well intended systems of signs, placards, codes, etc that are part of some emergency plans.

The human brain is less effective when there are too many things to remember. In police training we know this as Hick's Law, a principle in psychology that says the more choices you have, the slower the decision-making process becomes. Having a seldom used system that requires a lot of decision making increases the likelihood of that system failing.

The frequency of employing the knowledge of these emergency procedures will result not only in their lack of use in a crisis, but also in their lack of awareness by new staff, first responders, substitutes, and visitors.

Coded public address announcements, and even sophisticated alert systems via cell phone, are likely to be heard and received by the attacker or given too late for effective response.

A failure to adhere to the system with 100% accuracy can result in unnecessary panic and are not a reliable indicator of a situation inside a classroom. Does that OK placard in the window really mean the room is safe? If the teacher forgets or chooses not to risk moving toward the door to put up the right placard, will the SWAT team be tossing in a stun grenade?

The attraction of evacuation must be resisted.

There have been zero — yes, zero — k-12 students killed who were behind a locked door secured as soon as an intruder or threat appeared. The classroom with a locked door is unquestionably the safest place for anyone to be in a school shooting. Any protocol that moves students from that safe “protect in place” location increases exposure to attack.

Marching students from inside the school to another location with their hands over their heads makes reunification, accountability, and protection less effective. Allowing students to stay in their classrooms with a safe adult allows the situation to be controlled better than any other strategy. Students can be counted, identified, and released to parents directly from classrooms more efficiently than after a mass exodus past potentially hazardous locations.

This includes bomb threats. The preferred protocol is to have students remain in place while the threat is assessed, or the premises are searched. Bombs are much more likely to be anti-personnel or of limited power than to be of such magnitude that structural damage is likely. That means that movement outside the classroom more likely exposes students to an explosive device than protects them from one. Classroom walls are the students’ best protection while first responders arrive.

Prevention and intervention are possible. Schools are often afraid of privacy concerns like juvenile laws, FERPA, HIPPA, and protecting victims

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and therefore do not share information about the behavior of students. This is exactly why the Virginia Tech killer wasn't stopped before he murdered 33 people. On the university campus where I most recently served, our CASH (CAmpus Safety and Health) team reviewed reports of concern from law enforcement, students, faculty, and staff to "connect the dots" on concerning behavior and develop intervention strategies for potential threats from on or off campus. Other behavioral intervention team strategies are available to copy that can be effective and pass legal review.

I am not addressing security hardware or security personnel in this commentary, but I'm convinced that it is time to simplify our preparation and response to the threat of a mass killer.

What We Know About School Shootings

The blood was still on the ground at Virginia Tech in 2007 when I traveled to interview as a campus police chief in Colorado. My time in charge of public safety was punctuated by the threat of campus violence. It was the same year that my daughter married a young man who just eight years earlier had been sitting in the cafeteria at Columbine High School, not knowing that he was eating and chatting with friends next to a home-made propane bomb placed there by two classmates who, moments later terrorized the school murdering 12 students and one teacher.

Violent attacks in places that are sacred and safe inflict a national anxiety on us like no other crime. We need to go to our churches, schools, stores, concerts, and movie theaters without feeling like a random target just waiting for the impact of flying lead. With every headline starting out: “yet another...”, the violence seems so frequent and pervasive. It is hard to evaluate these events without viewing them through the lens of hopelessness and panic.

Most of us, when the weather threatens, do take steps to avoid being struck by lightning even though we know that death from lightning strikes is so rare that it is the measure of small likelihoods. The probability of a student being killed in a school shooting is less than being struck by lightning. That may be of little comfort, but the reality is that school shootings are an anomaly. Schools remain the statistically safest place for a child. The most dangerous places are in the home and in automobiles.

Even more interesting is that no student who was behind a locked door with an attacker on the outside of that door has ever been killed in a school shooting. Some parents and officials advocate running or

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evacuating during a violent attack. Staying in the classroom behind a locked door provides the best chance of survival.

The frequency of school shootings is overstated in statistics as well. Many acts of violence occur on school grounds that are personal acts of violence directed at specific persons from gang violence or domestic violence. A victim and their perpetrator may have no affiliation with the school or a student but the crime ends up happening on school property. These are still scary, but not the random, mass violence that we assume when a "school shooting" is reported.

There are some standard active shooter protocols in use around the country, but there is no one response that is appropriate for every kind of attack (the phrase "active harmer" is often used to include non-firearm weapons). Methods of attack have included stealth entrances, distraction by explosives, false alarms to get students out in the open, team attacks, and hostage-taking to name a few. Simulation drills in school have been criticized, including by this writer, for invoking unnecessary fear and trauma in students. Since many shooters are former or current students, they know what to expect from participating in the drills themselves. Many protocols are too complicated to execute while under attack.

There is no profile of a potential active shooter. The U.S. Secret Service and the FBI have studied the subject thoroughly and have stated at the end of their research reports that there is no profile. Although some shooters have a history of violence, many do not. Some shooters were taking prescribed psychotropic medications but shooters aren't always diagnosed with a mental illness. Some shooters played violent video games, but most young people play video games and don't become killers. Police agencies are often criticized when the public hears that

some report had come to their attention about a person involved in school violence, but sorting through all reports of people acting strange is a bigger task than one would imagine.

There is evidence that a significant number of shooters had given some subtle or overt signal of their intentions. Training teachers and law enforcement officers to recognize those outcries has had some good results, but the challenge is that gathering bits of information from friends, counselors, and family members (many of whom want to keep confidentiality) to create the constellation of evidence that might predict a violent outburst is burdensome. Hindsight is of little consolation and “we should have known” doesn’t mean we would have.

The political response to these anomalous attacks usually centers around new firearms restrictions and legislation or more funding for mental health programs. There is no consensus that new laws would have made a significant impact on the ability of attackers to obtain weapons, but when bad things happen, politicians are quick to claim answers are in pages of new laws.

Two responses seem to make a lot of sense. One is threat assessment teams made up of a variety of persons who may have information on persons of concern. This would include school personnel, law enforcement, and mental health professionals who might be able to “connect the dots” on clusters of concerning behaviors with the goal of intervention. The other is to make sure that getting students secured behind a locked door is the first response of choice when alerted to a possible threat. Ridging schools of a law enforcement presence including School Resource Officers, despite the claims of the National Education Association teacher’s union, is a step in a decidedly wrong direction.

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Knowing facts about school shootings can help relieve some tension about the probabilities of it happening to our kids. We can take some comfort in knowing that schools are very safe places to be. The only thing worse would be to believe it will never happen to your school.

I Hate To Say I Told You So, But...

It didn't take a prophet to predict the collapse of law and order when the anti-police movement virus spread from criminals and academic philosophers to politicians and government leaders. It also took no supernatural skill to predict that regret, backpedaling, and restoration would inevitably follow.

A prime example is the presence of police officers in schools. Mythology promoted by anti-police voices in general, with a big push by the National Education Association, encouraged the de-policing of schools. The NEA devotes a web page to the promotion of the Black Lives Matter agenda, the "school to prison pipeline" caused by school disciplinary measures, and their "Creating Safe Schools" position that states "When police and immigration authorities aggressively pursue enforcement activities on or around school property, they interfere with all students' ability to learn."

Perhaps one has to be of a certain age to remember the panic caused by school shootings in the Columbine age that continues today. A flurry of laws were passed about school safety that lowered the age to be tried as an adult for violent crimes and mandated that schools report criminal behavior to law enforcement. For college campuses, the 1990 Clery Act required detailed reporting and disclosure of criminal and delinquent behavior on campus to keep colleges from hiding dangers encountered by students. For better or worse, the public became keenly aware that, while schools are still the statistically safest place for children to be they are not insulated from dangerous behavior from students and outsiders.

Many school districts increased law enforcement presence on their campuses beyond the popular DARE (Drug Abuse Resistance Education)

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programs. Some schools developed their own specialty police agencies to serve their schools.

Now we have forgotten those realities. A prime example of the knee-jerk decision to keep cops away from schools was Alexandria, Virginia. In May of this year, the city council decided to pull their school resource officers because of accusations that uniforms intimidated minority students. Just five months later the council voted to reallocate those officers back into the middle schools and high schools. A spate of videos showing violent attacks in and near the school grounds reached the public with shocking effect. Superintendent of Schools Gregory C. Hutchings Jr. came to the city council saying "I'm pleading with the City Council this evening that we reinstate our school resource officers immediately."

Meanwhile, in Louden County, Virginia, a parent whose daughter was raped in the girl's restroom by a boy wearing a skirt, was arrested when he tried to passionately plead for the school to stop covering up the crime.

In Covington, Louisiana an 18-year-old student knocked a 64-year-old disabled teacher out of her wheelchair in what is believed to be in response to a TikTok "slap a teacher" challenge. The video of student Larrianna Jackson knocking the teacher over and punching her was posted on social media.

In San Francisco, a suspected gang member was arrested after a number of guns were found hidden in the Kezar Stadium bathroom during a high school football game.

In Arlington, Texas, a Timberview High School student allegedly had been repeatedly assaulted and bullied then brought a gun to school. A fight

broke out on October 6th at 9:15 that escalated into gunfire that left four persons injured, two by gunfire. A .45 caliber handgun was eventually recovered in the investigation.

In Seattle at Ingraham High School where SROs had been banned by Seattle Public Schools, a dispute near campus spilled into the school's parking lot where teens were threatened by a man in a vehicle pointing an AR-15 rifle at them.

All of these events occurred within the first two weeks of October 2021. Are our schools safe? The general answer is yes, but the exceptions are terrifying enough to cause intelligent citizens to regret the absence of law enforcement.

Campus Cops – An Important Part of Any College Town

As a former university police chief, I have encountered a lot of misconceptions about campus policing. There are plenty of reasons for the notion that college law enforcement isn't "real police work". Foremost is the average person's template for what policing looks like is the city or county law enforcement officer. Although there are plenty of entities with their own police force such as railroads, museums, hospitals, parks, and state capitol buildings, anything other than the city or county police car causes a double take.

Campus policing is thought to have its origins with Yale University's 1894 decision to hire two officers for patrolling the campus at night to establish a campus security function. Until the 1960s and 70s, the growth of campus security remained a watchman-type function. With the prevalence of campus unrest during the turbulent years of civil rights and anti-Vietnam war protests, campus leaders came to believe that relying on outside agencies to deal with campus disturbances was inadequate from a political and operational standpoint.

The transition to full-fledged armed and commissioned police officers on campuses came about from legislation authorizing colleges to have their own police departments. Another factor affecting public confusion about campus law enforcement is the variety of approaches that colleges take. The watchman model of security personnel limited to physical security and limited intervention in crimes in progress is the choice of one-third of campuses of over 2500 students. In over 40% of campuses use a combination of non-commissioned (no or limited arrest powers) and commissioned officers, while over two-thirds use sworn officers, with a

third of those officers carrying weapons. Some campuses use a contract model with local law enforcement agencies or private security companies to provide specific services to the campus population.

Another complicating factor is the variance from state to state authorizing what police powers campus officers may have. Private colleges may not be allowed to commission their own officers in some states. These may have to operate under private security or special officer regulations. Other states allow only limited commissions that do not grant general police powers away from campus or off-duty. Others may grant state commissions similar to any state law enforcement organization with powers on and off campus, and on and off duty.

For campuses with a full complement of sworn officers, the duties include anything a municipal agency would do. In addition to patrolling and responding to calls for service, there may be specialty units such as detectives and tactical teams. Community policing concepts are especially important in campus policing due to the unique demographics of a college campus. Young people deserve extra guidance from campus officials including campus law enforcement. Education about relationship violence, stalking, sexual assault, and drug abuse is especially important for this population.

The legitimacy of the campus police officer is often questioned by students as well as the community. "Can you arrest me?" is not an uncommon question facing a campus officer. The answer is "yes", as evidenced by arrests for sexual assault, drug transactions, theft, and even murder. There are people in prison who were arrested by campus police officers. Another question from the public and campus community is whether campus police should be armed, and further should have access

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to rifles, armored vehicles, and visible body armor. Campus law enforcement leaders must be able and willing to justify the need for such equipment based on the threats on or near campus.

Campus housing in dorms as well as married housing presents special challenges for young people learning to live together in a diverse community. The typical population group of college students is ages 18-25. This is not only statistically the most frequently represented age group of perpetrators, but also the most frequent crime victim group. This concentrated group of potential offenders and target-rich victims is a strong argument for campus policing.

Campus law enforcement is required by law to report criminal activity and disruptions on and near campus. This federal legislation, commonly called The Clery Act, is unique to colleges. This requires transparency for campuses and is a disincentive for college administrators to hide or downplay safety issues on their campuses.

Campus police are an integral part of a community's public safety infrastructure. They deserve appreciation and respect along with their better-known public safety partners.

Confusion in the Chaos of School Emergencies

After the apparent lack of swift response to the school shooter in Uvalde, Texas, parents can panic over what might seem to be inaction on the part of the law enforcement response to emergencies in their own neighborhoods.

There are two things the public, and law enforcement leaders, must recognize about school attacks. One is that response strategies are still evolving, and the other is that the chaos of these tragic events is never the same as the last one or the next one. For all the planning and threat assessment that can be done, the uniqueness of each attack and each attacker.

One common misconception is the benefit of evacuation. Some have advocated pulling the fire alarm in cases of school attacks or bomb threats. This would be a mistaken tactic that can put students at higher risk. Statistics from decades of studies on school shootings show that the safest place for students is behind a locked classroom door. As of the date of this writing, there have been no fatalities of a K-12 student with a locked classroom door between them and the attacker. Putting students in hallways or streaming outside of the school building exposes them to unpredictable hazards.

Many think that evacuation should be the first option in cases of bomb threats as well. The best practice advises otherwise. Generally, protecting in place is the safest option. This is not because most bomb threats are false although allowing the disruption can feed into the caller's motive. Just like safety from attack is found in the walls of a classroom, so too can safety from explosives be found behind those same walls.

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When the image of an explosion comes to mind, it is likely that something like the collapse of the Murrah building in the Oklahoma City bombing. The kind of explosive device that might be used around a school is more likely to be a relatively small one, and more likely to be designed to maim than to destroy a building. These anti-personnel devices can be seeded with objects that create shrapnel rather than the power to take out walls. Such a device would likely be outside the classroom, either in a hallway or someplace commonly accessible, or outside near where persons might be exposed to a detonation. Best practice is to assess the credibility of a threat and conduct a search of areas by persons who know what would look “normal” or out of place.

Imagine if the Oklahoma City bomber had called in a bomb threat and the building had been evacuated into the parking lot where the truck full of explosive material ignited! Evacuation can result in a more dangerous exposure than the relative safety of the classroom.

With attacks on schools often completed within just a few minutes and usually essentially over by the time law enforcement arrives, the most current philosophy is that the first officers on the scene make an immediate entry to stop the attacker. Parents and observers, who may arrive sooner than law enforcement or soon after the police have deployed, can wonder why there are police still outside the building. In some instances, parents have rushed past the police to get into the building. The terrible memory of hundreds of officers in Uvalde, Texas waiting to enter the kill zone, as well as the apparent hesitancy of the school resource officer at the 2018 Parkland, Florida massacre has eroded trust in law enforcement response.

A first arriving officer might know that other officers are arriving soon and

wait in order to create an effective ad hoc entry team, as happened with great effect in the Covenant School shooting in Nashville. Taking time to coordinate information and communication with the variety of agencies that will respond to this type of call is an important investment in a good outcome. Having many individual officers making uncoordinated plans and decisions can create confusion that may hamper an effective rescue and response. Officers may be setting up appropriate perimeters and observation points while observers wonder why they aren't inside the school hunting for suspects.

Asking terrified parents for patience as they wait for word on their children is a big request, but in most cases letting the police do their job first is the safest for all.

Active Shooters: Myths and Realities

The October mass shooting in Maine happened in a state with one of the lowest violent crime rates in the nation and a state with permitless carry. Everytown for Gun Safety cites Maine as “a permitless carry state, though it continues to have low gun violence relative to its weaker firearm laws.” The site further states that 89% of gun deaths in the state are from suicides, meaning that overall, violent crime related to firearms is significantly rare in the state.

That won't stop those who believe more restrictions on firearms ownership will reduce mass shootings of strangers. The debate over such efforts is not the focus of this article, but decisions in the discussions should be informed by facts and not fear. It should also be noted that nothing in this article minimizes the tragedy and loss of violent crime, nor lessens the need for awareness and preparation.

A news report cited over 500 mass shootings in the U.S. in 2023 as of the date of their coverage of the Lewiston, Maine shooting. They may have erroneously referred to the USA Today scorecard that counts 569 events since 2006. The Associated Press cites 37 mass shootings (using the FBI criteria of four or more persons dying within 24 hours) as of this writing. The Gun Violence Archive website cites 567 mass shootings (presumably including non-lethal events) in 2023 and 32 mass murders. Wikipedia claims 487 shootings while Axios states 501 at the end of September.

No wonder the tendency is toward panic. The major concern is random violence as we go about our business. Is it safe to go to Walmart? A USA Today article published in April of this year notes that in a 10-month

period, there were 363 gun incidents. Even assuming each of those events happened at a different store, there are over 4,700 Walmart locations in the U.S., meaning that 4,337 stores had no gun incidents. That means there is a 0.0002% chance of being in a Walmart on a day with a gun incident.

School shootings in 2023 number at least 58 according to CNN, 39 of which were on k-12 school grounds and 19 on a college campus. According to weareteachers.com, there are 115, 576 K-12 schools, and USNews and World Report there are about 4,000 college campuses in the U.S. The chance of being on a k-12 or college campus on a day with a shooting event is 0.000003%. Check my math, but the CDC estimates that the odds of being killed in a school shooting any given year is 1 in 2.5 million, much less the risk on any given day of a 180-day school year.

Compare these rates to the risk of being struck by lightning in any given year is 1/1,222,000 according to weather.gov, 90% of which are non-fatal. Dying in a car crash is 1 in 101 in any given year according to the National Safety Council. Being killed by a shark is 1 in 3.7 million

As a school safety expert, I do not take this risk lightly. But even among reported school shootings, many happen on school property from crimes that are unrelated to the school population, and many are not aimed at random members of the school community but are targets of personal disputes or domestic violence.

A Rand Corporation study on state and local gun regulations concluded that “none of the policies we examined would dramatically increase or decrease the stock of guns—estimated by the Small Arms Survey to be more than 393 million firearms in 2017—or gun ownership rates—with

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about one-third of households estimated to own firearms in 2016—in ways that may produce more readily detectable effects on public safety, health, and industry outcomes.” The study found few regulations that could be tied to a reduction in firearms-related deaths but did note that even a small reduction in such fatalities and injuries could be a significant number over time.

The fear-to-fact ratio appears to be tilted far in favor of fear, which is never a solid foundation for new laws, particularly those that impinge on basic freedoms. Facts matter, but who can we trust to produce and interpret them?

Avoiding the “School to Prison Pipeline” Yields Tragic Results

In the rush to label policing as a racist enterprise, dozens of school districts dropped school resource officers from their buildings. To the surprise of no intelligent human, their absence has been felt during attacks on schools. A recent shooting of two school employees in Denver occurred when a student with a history of disciplinary issues shot the two administrators while they were doing a regular pat-down search of the student.

There are too many issues involved in this case and so many like it that one article simply can't address them all. It seems like the only response is a call for more gun control measures that have zero evidence of making a molecule of difference in reducing school violence.

The Denver shooter, identified as 17-year-old Austin Lyle, was later found dead in an adjoining county in a remote mountain area. The unusual release of the juvenile's identification was because he remained at large and a published alert with name, description, and suspect vehicle information was necessary for public safety.

In case the reader is wondering why administrators were searching Lyle for weapons, it was part of a “safety plan” put into place due to repeated disciplinary issues. In fact, the student was a transfer from another school district from which he was removed due to his behavior.

Much of what happens with students is protected privacy by federal law, so whether or not the public will ever know this student's history, his

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continued presence in school is not unusual.

Legislators and rule makers and the distributors of federal funds with federal strings attached have universally lost touch with the reality of life in schools, just as they have lost touch with the realities of law enforcement. School officials are so afraid of lawsuits and being labeled as intolerant that the best way to keep a low profile is to be a punching bag for delinquents. There are schools that, by policy, prohibit teachers from defending themselves or restraining students in any way.

One of the most effective and highly recommended methods for preventing school violence is a school-based threat assessment team. Critics of the idea of holding anyone accountable for their behavior say that these teams are also discriminatory against minority students. They are also adamant that no law enforcement should be a member of such a team. Such is the position of the nation's largest teacher's union whose platform is for more Black Lives Matter education and no police officers on campus.

There are some statistics that can be manipulated to indicate that minority students are disproportionately affected in disciplinary proceedings, but those studies lack the context for accurate interpretation. Neither officers in schools nor threat assessment teams have the primary purpose of disciplining or punishing students. Their purpose is prevention, early detection of risk factors, and getting students the support they need. Keeping law enforcement out of the loop on threat assessment leaves a dangerous information gap needed by schools to detect and prevent problem behavior.

Of course, Denver schools are scrambling to get police back on campus, despite the school board's previous ejection from campus. The same

thing is happening across the country as politicians are spraining their ankles to back peddle on their anti-police stance now that the public is recognizing that as a pro-crime stance.

There is obvious consensus that combating inequity and racism is an important social goal. It is naïve and unproductive to say that all inequity begins and ends with law enforcement or even rule enforcement. Students who engage in dangerous behavior must forfeit their rights to education in the public classroom. There are alternatives, and frisking them every day is not the solution.

Teachers and Professors Need Education on Policing

My wife is a music teacher and belongs to a Facebook group for elementary music teachers. A member of the group posted a question about ukuleles but instead got angry lectures because his FB profile photo was a blue line flag. "If you are a music teacher and have a Blue Lives Matter flag, you probably aren't going to gain much respect." "Blue Lives Matter is a harmful movement that actively seeks to silence Black people." When other teachers rebutted these kinds of comments, another commenter said "Calling out racist behavior is not being unkind."

Other angry posters cited the often-heard claim that "thousands" of black people are killed by police. If this is the thought process of a significant number of teachers in this subject, what is going on in the classrooms teaching history, social science, and civics?

A racist rant by a Black motorist lawfully stopped by a Latino Los Angeles County deputy recently was captured on camera. "You're a murderer, OK?" says the female driver who identified herself as a teacher. In another widely reported incident, an adjunct professor for Cypress College in California was captured on a Zoom classroom session antagonizing a student who called police officers heroes. The instructor stated that "A lot of police officers have committed atrocious crimes and have gotten away with it, and have never been convicted of any of it" and "I don't trust them. My life's in more danger in their presence." When asked by the student who she would call if faced with an armed attacker, the teacher responded "I wouldn't call anybody." She also stated that policing in America started with slave hunters.

If teachers are communicating their anti-police position to students from

elementary to college, the least we could ask for is that it be presented with facts, and with respect for dissenting discussion. Saying that American policing began with slave hunters, or that “thousands” of Black people are killed by police is no better than teaching that the earth is flat or that gravity is just a theory. The sharing of ignorance, bias, and unsubstantiated opinion from a position of power is the antithesis of education.

The National Education Association, the most powerful teacher’s professional association, and the largest union in the country supports the Black Lives Matter movement, including the idea that schools with disciplinary measures are pipelines to prison. Under their topic about safe schools, the leading statement on their website is “When police and immigration authorities aggressively pursue enforcement activities on or around school property, they interfere with all students’ ability to learn” advocating for police-free schools, claiming widespread police brutality inside schools.

There are many correlations between teachers and police officers. Both get blamed for things out of their control. Both deal with increasing disrespect and resistance. Both are frequently evaluated, and both are subject to investigation of their ability and character before hiring. Both are recruited from the human race with all of its potential for error and misbehavior. In fact, a quick internet search on teacher misconduct will indicate the extent of the problem of teacher misconduct including sexual exploitation of students, as well as concerns about a uniform platform for reporting, and serious questions about unreported misconduct.

Police agencies have been supporting schools and teachers for decades. Key components of many community policing outreach efforts have been focused on cooperation with schools. Most schools have very productive

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and mutually beneficial partnerships with their local public safety professionals. Teachers and police have no reason to be adversaries, other than the unsubstantiated narrative of wholesale racism and incompetence in law enforcement that has taken root like the worst kind of predatory weed.

Law enforcement leaders, school administrators, and parents are all concerned about school safety and good citizenship. Those relationships that remain must be reinforced and celebrated. Where those relationships have been damaged by the ill-advised removal of school resource officers, intentional efforts to repair those relationships must happen. Some school districts are forbidding the inclusion of police in responding to criminal behavior. The involvement of law enforcement with crimes on school property is something worthy of discussion, but teachers and well-behaved students can suffer real harm if violent behavior is not handled appropriately.

Teachers and law enforcement are on the same side. It will take the efforts of administrators, school boards, parents, and police leaders to keep those positive connections.

Less Juvenile Crime?

With murder rates spiking and fear of crime growing across the country, there is some good news and bad news about the role of teenage offenders. According to a Department of Justice report recently released, violent crime among youth has declined from previous levels. Juvenile arrests for violence peaked in recent years around 1996, then declines with a slight bump in about 2006 and declining thereafter.

Important caveats are stated in the body of the report for those making a close analysis of the information: "The number of arrests is not the same as the number of people arrested because an unknown number of individuals are arrested more than once during the year. Similarly, arrest statistics do not represent the number of crimes that arrested individuals commit because a series of crimes that one person commits may result in a single arrest, and a single crime may result in the arrest of more than one person. One should not use arrest statistics to indicate the relative proportions of crime that youth and adults commit. The FBI requires law enforcement agencies to report the most serious offense charged in an arrest. The arrest of a youth charged with robbery and aggravated assault would be reported to the FBI as an arrest for robbery."

Keeping in mind that crime rates are influenced by the proactivity of law enforcement, the willingness of the public to report a crime, and the accuracy of statistics provided to the Department of Justice by local law enforcement, the trends appear to be in the right direction. Not part of the calculus of this particular data is the percentage of persons aged 0-17 in the population relative to the percentage of persons 18 and older. The increase in the adult population due to immigration and the decrease in birth rates in recent decades would be necessary to calculate the true

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impact of juvenile crime, but fewer kids relative to the population could be a factor in the decline. We also note that these figures are from the year of the height of isolation from the pandemic. Nevertheless, raw numbers show a decline.

According to the report, of the 424,300 arrests involving persons under 18 in 2020. Eight percent of those arrests were for a violent crime, representing 5% for aggravated assault, 3% for robbery, and 1% for murder. It may be no surprise that 80% of juvenile arrests are of males. For the most violent of offenses, males make up 92% of juvenile murder arrestees and 88% of juvenile arrests for robbery. Those somber figures are the bad news, even though those numbers are in decline.

Relative to all arrests for violent crime, suspects under 18 years old accounted for 7% of all arrests. This percentage is half of that reported in 2010. The rate of decline for juvenile involvement in violent crime is much higher than any decline reported in the adult category.

The age group of 18—24 represents a much higher threat to public safety than those under 18. This older group of young people represents 19% of all arrests and 21% of arrests for violent crimes. They are responsible for four times the number of murders than their younger cohorts.

In more bad news, young people are also crime victims. Serious crime victimization of juveniles showed a spike in 2019, a dramatic decrease in 2020, with the exception of murder. Youth homicide claimed the lives of 1,780 children and teens in 2020, a rise of 30% over 2019. Over half of these victims were aged 15-17. Over a fourth were children under age six. Two-thirds of the victims were killed by gunfire. Males were not only more frequently the perpetrators of murder, but also 74% of victims. Black

victims represent 55% of homicide victims.

There isn't much good news about the crime rate in recent months, and even these statistics give a limited prospect of optimism. We can only hope that families, law enforcement, schools, and positive organizations for young people can unite to keep young people from becoming offenders and victims.

10. LEADERSHIP

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Protect Our Police Chiefs

As LA Times writer Jill Leovy noted in an article nearly 20 years ago “The era of long-time chiefs has given way to an era of short-timers (who) rarely last longer than three years anymore.” The average tenure of police chiefs, although shorter for large agencies than smaller agencies, is 2-3 years. Compare this to 5-6 years in the 1980s.

The challenge of carving out and maintaining a healthy police culture can hardly be met by police leaders with short tenures. Unfortunately, the highly charged politics of policing has made leading a law enforcement agency tenuous for police executives. Chuck Wexler, Director of the respected Police Executive Research Forum, said “Chiefs must perform a high-wire act of retaining the respect of their officers, aligning with their elected officials, and giving the community genuine input into policy and operation”.

As former Detroit Chief of Police Jerry Oliver says “Change agents have a shelf life. When you make changes, you make enemies, and sooner or later your enemies become 51%”. How can police leaders at the top executive level affect the leadership an attentive public expects when their own officers suspect he’ll be gone soon? It may be time to provide greater security and job protection for these positions to ensure greater stability in an era of change.

Missouri is one state that has put some stability for police chiefs into law. Prior to the law police chiefs were entirely without job protection and could be fired at any time for any reason or no reason. This practice, still the case with many chiefs across the country, results in pressure to accommodate political cronyism. The chief must decide how much

compromise they can tolerate in order to remain in leadership and keep a job and viable career.

The Missouri statute requires that there exists just cause for a firing and requires some degree of due process. The language of the law states that a chief may be fired if he or she: "is unable to perform his or her duties with reasonable competence or reasonable safety as a result of a mental condition, including alcohol or substance abuse; has committed any act, while engaged in the performance of his or her duties, that constitutes a reckless disregard for the safety of the public or another law enforcement officer; has caused a material fact to be misrepresented for any improper or unlawful purpose; acts in a manner for the sole purpose of furthering his or her self-interest or in a manner inconsistent with the interests of the public or the chief's governing body; has been found to have violated any law, statute, or ordinance which constitutes a felony; or has been deemed insubordinate or found to be in violation of a written established policy, unless such claimed insubordination or violation of a written established policy was a violation of any federal or state law or local ordinance."

The governing or appointing authority must not only cite cause for dismissal, they must provide certain due process protections including written notice of intent, and a specific charge and statement of supporting facts.

The chief must be afforded notice of time and place of the meeting at which the dismissal will be considered and have the opportunity to present a defense to the charges with counsel. There must be a two thirds vote of the governing body to complete the firing and a written notice of the grounds after dismissal.

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While these protections won't prevent a clever enemy of a chief from manufacturing "just cause", it does present a statement to the public that arbitrary or purely political and personal conflicts are not grounds for depriving a police executive of their livelihood and leadership. In an era where policing is a political football, stability of police leadership is especially important and should be protected.

Police Chiefs – Leaders, Diplomats, and Politicians

While at lunch with a former police chief of mine and the county sheriff, the sheriff remarked that he needed to start campaigning for the next election. The chief chuckled. “You’re lucky that you only have to worry about your job every four years. I have to work to keep my job every Tuesday night when the city council meets!”

Very few law enforcement executives have job protection. This reality keeps many potential candidates away from the top cop slot. As officers achieve advancement in rank, their job security remains intact until that final step behind the chief’s desk. Political whim and public opinion can unseat a police chief overnight.

Does this mean that police chiefs are necessarily politicians who must bob and weave, agree with those in power above them, and cater to the shifting winds of politics? To some degree, yes. Police chiefs are creatures of politics. They are appointed by elected officials. Some chiefs have maneuvered and manipulated their way to the top. They have deftly catered to those who can be of use to them and cleverly hindered those who might compete with them. They know how to play chess with scandal, personal weakness, egos, rumors, and rewards. It is this kind of chief that does no favors to their officers unless it benefits them personally.

This kind of chief knows who the influencers are and caters to them shamelessly. Businesses and individuals with economic influence in the community are treated differently than the average citizen. In these departments, when a patrol officer hears that the person against whom they are about to take some enforcement action says they know the chief, or threatens to have their badge, there is good reason for the officer to

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worry. These chiefs don't have to be corrupt, just slanted toward self-interest rather than equal treatment.

The ethical officer who earns the title of chief through their meritorious lifetime of service must still be a diplomat. The difference between the diplomatic chief and the politically motivated chief is the acceptance of the reality of losing their job. The chief who refuses to sweep things under the rug, who insists on treating all citizens equally, and who is willing to defend officers who have made controversial but reasonable decisions, must be willing to accept being fired.

The ethical chief will think first of their mission to their community. They will think second of their responsibility to their officers. Only after these two essentials are assured can an ethical chief think of themselves and their careers.

An ethical chief is not invested in preserving his or her ego. They will listen to their citizenry, listen to ideas and opinions of the officers under their command, take responsibility for decisions and the blame when they are wrong. They will give credit where credit is due and not claim others' work as their own. They will pull every string to get funding for their agency's needs and be good and frugal stewards of the resources they have.

One of the potentially long-lasting and negative results of the current reform movement may be the gradual elimination of some of the most ethical police executives. Decisions on policy, reform, and funding are so often being made based on political expediency in complete defiance of facts, that chiefs who argue against irrational changes for the sake of change can be thrown to the wind. While some compromise is inevitable, demands on chiefs to make changes that are harmful to their officers and

harmful to the mission of protecting the public must be resisted. The choice is to acquiesce to the superficial politics of the moment, or to do as little harm as possible and still keep their position in order to be a positive influence. At some point, the desire to remain and build the agency up can result in an intolerable ethical choice of doing harm.

In turn, this pushback on ethical leaders trying to stem the tide of rising crime and disorder in the face of deconstructing their police department can give rise to those political opportunists who are all too happy to satisfy political expediency to get and keep the rank of chief.

Chiefs know they can be replaced in short order. We must maintain a cadre of ethical leaders who can maneuver in the fickle realm of politics and retain their mission and character. While we thank police officers for their service, those police executives who have the backbone to stand up against the call for the dismantling of our law enforcement institutions should be given our thanks as well.

Zero Defects: The Quest for Perfection

Can a police officer get through a shift without making a mistake? If so, can they sustain that perfection for a career? How about a physician, a factory worker, a teacher, or an engineer?

We accept mistakes as part of life. That's why we have so many safeguards in place to prevent errors. Every factory has safety and quality control rules to follow, inspection points along the process, and the threat of customer dissatisfaction and even lawsuits as an incentive for perfection.

My father worked in a WWII barracks on an Army post in the accounting department. As with any bureaucracy, there was always some new program coming down the pike. One day he came home sporting a lapel pin with the letters ZD on it. When I asked what it stood for, he explained that it meant Zero Defects. The purpose was to encourage workers toward perfection by taking responsibility for their work rather than expecting that a supervisor or inspector would just catch any error they made.

Even proponents of ZD and other quality management philosophies recognized that the goal of no mistakes is not possible. It appears that the public does not apply this reality to law enforcement. Our military recognizes the possibility of "collateral damage" when targeting enemy positions. Not so in the crime-fighting business.

With the erosion of qualified immunity police officers are more frequently avoiding imperfection by reducing officer-initiated activity. No contact, no complaint becomes the rule. Could this be playing a role in the frightening increase in violent crime? There is no doubt in this writer's mind!

As a reminder, qualified immunity (QI), is a court-developed doctrine that recognizes that police officers face situations for which there is no clearly established precedent to guide the officer's decisions. QI addresses the reality that officers face unique, often split-second decisions, for which no clearly established law or policy applies. It does not permit or forgive a decision that is wrong on its face based on what the officer knows or should have known.

Imagine a surgeon opening up a patient and thinking "I've never seen this situation before!" Does that mean that the surgeon immediately gives up on the patient? The trained surgeon uses his or her best judgment to take action to save a life. In the same way, an officer can only put to use what he or she knows to craft a solution to the event unfolding before them. Police officers may not have the luxury of calling a time out or walking away. They must be given the latitude to do the best they can, then wait for the possibility of years of litigation for a court, far removed from the crisis, to decide that the officer did the best they could do.

Recently, nurse RaDonda Vaught was convicted of manslaughter because of an error in administering medication to a 75-year-old patient. Without commenting on the appropriateness of the verdict, it is noteworthy to consider her attorney's argument that it was an honest mistake that was partly due to systematic errors in supervision and management that should shoulder some of the blame. We almost never see doctors prosecuted in the estimated 100,000 (some say closer to 400,000) deaths due to medical errors. That's not to say that doctors should be immune, but their activities are not generally known to the public, while police officers' activities are very public. There is no profession as highly surveilled as American law enforcement. Even before body-worn cameras, ubiquitous cell phones captured police activity. These videos are inevitably posted on

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social media, often with erroneous, damning narratives casting libelous false information. Reams of policy are reviewed for violations in the officers' actions. Lawyers make claims that are often paid with no regard for the merits of the case. Grand juries and sometimes hostile prosecutors review the officers' actions.

No one, even fervent police advocates like this writer, seeks to diminish the necessary accountability of our armed government agents who are empowered to take life and liberty. But they must also be trusted to make necessary, complex, and gut-wrenching decisions with the continued protection of qualified immunity.

The Good Police Leader

If there was one way to be a good leader there would be one book on the shelf at the bookstore, instead of an entire section on leadership. You can lead like a Naval commander of a battleship, a major league coach, or even Jesus. You can be a transformational leader, a fierce leader, a wise leader, a trusted leader, touch hearts with fire and go from good to great. But will any of those make a good police chief?

There is no absolute template for a police executive. The diversity of American policing won't allow it. Some top cops will never be met by the officer on the line. Some chiefs still answer calls and work beside their officers. Some rose through the ranks and some are outsiders. Some were hired to solve deep problems with an agency, others fell into the job when others fell away.

There are some traits and behaviors that every citizen can appreciate and every officer can hope for.

The first on my list is realizing that the officer who faces the citizen is the first customer of the chief. Others may argue that the citizen is the first customer, but that person will be treated by the line officer whose behavior should be modeled by their leader. Officers that are berated rather than corrected, whose concerns are unheard, and whose value is unappreciated are likely to reflect that in their interactions with the public. How can a chief who treats their officers with impatience and distrust will inevitably see that reflected in the public's perception of the agency?

An effective chief will provide appropriate and relevant training to their officers. A close evaluation of performance deficiencies as determined by

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citizen feedback and prosecutors' observations is necessary to determine training needs. Unfortunately, politics and special interests rob police agencies of discretion in what justifies taking officers away from their police duties and into the classroom. A good chief will be creative and give the officers what they really need.

A good chief will back the blue. It seems obvious but with the political pressures to prosecute and vilify law enforcement officers, some so-called leaders willingly sacrifice their own to calm the cries of critics. Photos from some anti-police protests will show some police leaders kneeling, marching, and bearing placards to show unity with the protesters. Maybe that is a good public relations stunt in the short term, but it hardly creates confidence among the officers lining the streets amid taunts and threats of others in the crowd.

Frequent, positive communication with the public is another desirable behavior of police leaders. Instead of making press appearances only during a crisis or making a "no comment" response when called upon by the media, the chief should be in a constant process of educating and informing the citizenry. A good chief keeps the conversation going.

Speaking of conversations, a good chief will listen to their employees. Officers, administrative staff, dispatchers, and custodians all have access to information and inspiration that may escape the boss.

There are certainly times when an order must be issued and obeyed, but whenever there is an opportunity to gain insight from others, a chief should humbly seek it out.

A good chief is a good diplomat. We would like to say they should stay

out of politics, but police leaders are not like federal judges who can remain independent because of their lifetime appointment. Being a police executive in most agencies is always a high-wire act without a net. I once heard a city police chief remark to his colleague, a sheriff, that the sheriff was lucky. He only had to run for office once every four years, but the chief had to run every Tuesday night at city council meeting! International diplomacy may be about compromise, but police executive diplomacy is about holding fast to immutable principles and keeping lines of communication open.

Finally, (for this lecture – the list could be much longer) a chief must dare to discipline consistently and fairly. A chief who really cares for their officers and wants to be loved by them in return may be tempted to let some things slide. But forgiveness is not a policy when it comes to maintaining high professional standards. Officers may need to be retrained, realigned, reassign- ed, or released.

The average tenure of a police chief these days is half of what it was 25 years ago. It is not an easy job and shouldn't be. If there is to be continued professional development of law enforcement, good chiefs are an essential ingredient in progress.

Is Paramilitary Structure Bad?

One of the terms thrown out by police critics is “paramilitary”, implying that law enforcement is an occupying force and, therefore, a bad way to operate. By definition, the term means “organized similarly to a military force” according to the dictionary. That is not inherently evil.

As we examine whether or not most law enforcement agencies are paramilitary organizations, we can look at similarities and differences.

Ranks and organization.

Most uniformed agencies parallel Army-type ranks and insignia from the rank of corporal and above. The stripes, the clusters, the bars, the stars, the hash marks, and the award ribbons are familiar sights on police uniforms. From a functional standpoint, these markings are helpful to civilians. Even if a citizen has no military background, the ranks are widely known so that a police supervisor is easily identified.

The use of hash marks or stars on the sleeve to show years of service is also a confidence builder for the public and a morale builder for the officer. Pride in service and achievements of awards are recognized throughout all industries. Office walls and shelves universally display awards, trophies, letters, and symbols of achievement. Look for them at your doctor’s office, your insurance agent’s office, the McDonald’s manager, or your next oil change service counter. Law enforcement is no different.

Can we claim that this paramilitary ranking system comes with any disadvantages? Even the critics would be hard-pressed to cite an objection to this aspect.

Uniforms.

Other than a star dangling from a shirt, the idea of a standard police uniform wasn't very popular prior to the civil war. The specter of uniformed Redcoats running the streets of the colonies eventually faded. After every able male had donned a uniform in the War Between the States, along with vigilantism in the wake of the conflict, the idea of a police uniform was no longer distasteful and was deemed quite appropriate.

In 1970, the City of Lakewood, Colorado was carved out as an independent suburb of the Denver metropolitan area. With innovation in mind, the first person to head the city's law enforcement was Ronald Lynch. The 70s were a time of tumult, continuing from the 1960s civil rights and anti-war disruptions, assassinations, and a great mistrust in government, including law enforcement. In order to avoid the cloud of a paramilitary label, Lynch eschewed common terms and accouterments of traditional law enforcement. The agency was called a Department of Public Safety, its head was a Director, not a Chief. Its personnel were agents, not officers. Supervisors were not sergeants but agents in charge, reflecting FBI structure rather than military ranking. The uniforms consisted of a blazer and gray pants, not the typical uniform of a gun belt and badge.

It didn't work. Not only did the blazer concept lack functionality for the line agents, the public expected the police to be easily recognized with the enhancing authority of a uniform. Today's Lakewood Police are still known as agents, and still known for excellence and innovation, but sport traditional uniforms.

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There are those who claim that uniformed officers arriving at a scene are inherently disruptive. There are many who find so-called “riot gear” too aggressive and provocative. This has led to the unconscionable deployment of officers in highly dangerous situations without essential protective gear. To expose an officer to serious injury for the sake of some sense of good public relations is as foolish as sending a firefighter into a blaze in their pajamas.

Firearms.

Yes, cops carry guns. They carry them constantly and visibly. As much as the idealists want to make US police like UK police, where fewer than 10% of the force carry firearms in specialized units. Those comparisons lack many values for accurate assessment. The American culture of acceptance of weapons for hunting, sporting, and self-defense along with the embedded arms rights in the Constitution has created nearly universal acceptance of police officers carrying weapons.

This doesn't equate to police being militaristic. The tactics of military operations are vastly different than the demands on police officers. Military movements are team movements that include a variety of force options, based on clear objectives, actionable intelligence, and commenced from a position of strength. Apart from a few major law enforcement operations, there is little comparison.

As discussed below, police officers do not carry the array of weaponry available to the standard infantry soldier. They may have a stun or smoke device, but no fragmentation grenades. They are unlikely to have a “machine gun” although they may have an AR15 or other semi-automatic rifle that fires only one round per trigger pull.

Police officers generally work alone or with a limited number of team members. They operate in areas that are not labeled “enemy territory”, but from which an enemy may suddenly appear. A most striking difference is the acceptability of collateral damage. American civilian police are expected to operate with no unintentional casualties and are frequently prosecuted for their use of deadly force even when justified.

Military gear.

Misconceptions also abound when critics accuse law enforcement of “militarization” and possession of “military-grade” weaponry and “weapons of war”. Rescue vehicles, frequently the affordable military surplus armored vehicles are not used for mowing down aggressors. The transport officers into areas where firearms are actively being used or threatened. The rumble toward school shootings and other areas that may be under assault. They offer protection for people who need to be evacuated from a dangerous area. The vehicles can operate in swift water and high winds, getting rescuers in and victims out of areas that a standard patrol vehicle could not navigate. There are zero mounted machine guns on any armored civilian police vehicles.

Camo-themed tactical uniforms are essential for a number of agencies whose environments pose a risk of exposure. Helmets with ballistics protection and other protective gear are designed to keep an officer in service and protected from disabling or deadly injuries in a threat environment.

Let’s concede that police agencies operate, in many ways, as paramilitary organizations. Let’s also agree that is not inherently a bad thing.

Agency Partnerships Yield Results

Murders were rare in the city where I first began working. The agency whose uniform I wore had just one full-time detective. When a murder or other major criminal event occurred that required intense investigative effort, the solution was our regional Major Case Squad. Each agency in a multi-county region offered up one or two officers, creating a pop-up detective cadre that could process dozens of leads within a critical time period.

Interagency rivalry is real, but mostly comprised of good-natured ribbing and stereotyping. Conservation officers are 'possum cops. State Troopers are tail light chasers. Deputies are cowboys. Campus cops aren't "real" cops, and on it went. But when it came down to having coffee at the Country Kitchen after bar closing time or dealing with a threat to the community, everyone ignored the shape of their badge and shoulder patches and sang from the same sheet of music.

One of the historic interagency conflicts has been jurisdictional disputes between local and federal law enforcement. The stereotype of the "Feds" is of them horning in on a case and not only taking over with an air of superiority but taking all the credit as well. While this makes for good television scriptwriting, the reality is that multi-jurisdictional operations involving federal and local officers are common and fruitful.

My personal experience is illustrative. When running a small agency investigating a suspected child sex offender in the early days of the internet, I requested assistance from the FBI for digital evidence collection. A squad of technicians arrived and collected computer and paper evidence from the suspect's home. The same pros that had worked

on major cases such as the explosion of TWA flight 800 in 1996 enthusiastically and methodically processed evidence at a suspect's trailer in a small town at my request.

When I was head of a campus police agency there was a series of thefts from the mailroom in the student center. A call to the U.S. Postal Inspectors launched an investigation that involved installing surveillance equipment and questioning a number of people. A search warrant was obtained and a suspect was arrested.

In another suspected case of academic fraud involving potential foreign abuse of student visas, I was able to refer the matter to the U.S. Immigration and Customs Enforcement for investigation as a potential matter of national security.

I've had great cooperation from state agencies as well. Crime scenes that were too big for my agency personnel resulted in a call to the state – in my case the Colorado Bureau of Investigation – and their van and technicians swiftly rolled into town. In another case involving suspected financial fraud, the CBI offered their forensic accounting investigators to nail down the case that involved banking transactions across several states. In yet another case CBI assisted in a sexual assault investigation with several suspects who had consented to a polygraph examination and the state's experts devoted their expertise, helping to clear the suspects.

Task forces involving multiple agencies and often funded largely by participants from federal law enforcement can address crimes that cross jurisdictional lines. Experience and research show that offenders are not always specialized in their crime of choice or by any geographic boundaries. Drug dealers often cross international borders and use both interstate highways and smaller state backroad routes. Scofflaws may be

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burglars who drive impaired with suspended driver's licenses and hunt wildlife illegally. Sharing information among various elements of law enforcement is critical in finding and prosecuting the small number of offenders who commit a large percentage of crimes.

Law enforcement trainers and emergency managers know the importance of training across multiple agencies for mass casualty events. The school shooting in Uvalde, Texas had a horrific result due in part to the failure to coordinate the nearly 400 officers who responded from dozens of law enforcement agencies.

I never cared what color uniform showed up to help me or my officers, and I didn't care who was calling for backup if my officers could help. We'll keep our trash talk about other agencies, but that won't keep any dedicated officer from hauling butt to help another.

Updates on Police Recruiting

A recent study makes the police recruiting crisis sound even bleaker. A sample headline reads “Recent college grads are ‘emotionally’ unprepared for 9 to 5 jobs, study shows”. The research cited was conducted by a team who conducted an online survey of over 1000 adults between the ages of 22 and 28 who had earned a four-year college degree. Among the culprits are social media, gaming, political and cultural divisiveness, pandemic disruptions, and other factors associated with a rise in suicidality, depression, anxiety, and substance abuse.

Other studies indicated that participation in the workforce by men ages 24-54 is matched only with the Great Depression Era, with the biggest drop in the 25- 34 age group of men. The obvious and distressing difference is that in 1940 workers were begging for jobs, whereas today jobs are begging for workers. While theoretically, women would make up half of the population of police officers to represent their presence in the population, young men still make up the majority of police recruits in most cadet classes. Their absence from the pool of candidates contributes greatly to the recruiting crisis.

The Army is also suffering from a dearth of qualified volunteers for enlistment. The last fiscal year saw recruiters missing their goal by 25% reducing the branch’s strength by 10,000 soldiers, with projections that will see that shortage double. Youth obesity rates have increased, test scores have declined, and interest in military service has decreased significantly.

When today’s police officers are asked if they would choose police work

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again or recommend it to others, their answers of “No!” are more frequent and emphatic today than ever before. The number of men and women who are physically and mentally fit, have no significant substance use issues, and have no significant criminality in their background is small enough. Finding those with a spirit for adventure, service, and sacrifice in the face of today’s hypercriticism of police and a general disdain for authority and traditional institutions is a challenge that seems insurmountable.

A host of strategies are being used across the country to address police recruiting. For example, a recent class of 39 Philadelphia police recruits includes several middle- aged graduates, ages 47, 55, and 44. These newly minted police officers, most of who are older than their academy instructors, bring a level of enthusiasm and maturity that can serve an agency well for many years.

In New Orleans, a strategy to replace some police officer roles with civilians to increase the number of officers on the streets netted only three hires out of fifty available positions. Meanwhile, the numbers in uniformed police ranks keep slipping as New Orleans’ murder rate is increasing.

In Seattle, a city in a state that has been notorious for kicking away support for law enforcement, 180 officers left the police department in 2020, and 66 more officers have left so far this year. “I have about 1,080 deployable officers. This is the lowest I’ve seen in our department,” said Police Chief Adrian Diaz. Meanwhile, in a poll that should make politicians shake, the great majority of Seattle voters want more cops and more money for public safety. State legislator Joe Schmick admits “We’re handcuffing (police) and our communities just aren’t as safe as they once were.” Whether recruiters can overcome the recent years’ anti-police sentiments remains to be seen.

LAPD Chief Michel Moore traveled to Glendale, Arizona to visit baseball's spring training facility. His purpose was not to catch some rising stars before they become famous but to catch the attention of some of those hopefuls who might turn to law enforcement with the famous law enforcement agency. With a personnel shortage of 300 officers, the Chief had hopes that some of the audience might join others from ex-athletes from the NFL and NBA. "Going into that sport, they have attributes like teamwork, athleticism, and emotional intelligence that if they hadn't thought of coming in and transitioning those into law enforcement, they should," Moore said.

With bigger cities competing for officers, smaller agencies are losing officers to the allure of higher pay and better benefits. In Michigan City, Indiana, for example, Chief Steve Forker says his agency has become a training ground where officers can gain experience to be hired at an immediate pay increase. "Currently at three years on LaPorte (Indiana 12 miles away) Police Department, they're at \$68,000. Three years at the Michigan City Police Department, currently \$54,631. That's a \$14,000 difference."

Incentives such as better assurance of disability benefits, housing allowances, child care, and hiring bonuses can help. But what the law enforcement profession needs the most is a restoration of public confidence and support to stir the hearts and minds of those who can step up to serve in a noble cause.

Precision Policing: The Next Law Enforcement Era

“The gun violence spikes seen in 2020 and again in 2021 in many cities show the crime reductions experienced over the last three decades are fragile (Major Cities Chiefs Association, 2021). Cities must have comprehensive strategies to create and maintain safe communities.” This is the thesis of a white paper published by www.publicsafetyresearch.org of the University of Cincinnati.

As crime rates, political power, and public attitudes rise and fall over time, the eternal question among academics and public officials is whether society can impact criminal activity while maintaining liberty. Numbers on graphs seem to correlate increased violent crime with reduced public trust, reduced criminal justice funding, and reduced numbers of police officers. Would a new philosophical or tactical approach push those violent crime numbers down? The premise of Precision Policing 2.0 is that a new era of policing can.

From the use of radios and automobiles that removed officers from neighborhood beats, to calls for training and education out of the tumult of the 1960s and 70s, to emphasis on professionalism and effective police response, to community-oriented policing, to intelligence-led policing, law enforcement may now move to Precision Policing.

Precision Policing is undergirded by 4 tenants:

Evidence-Based Crime & Disorder Prevention

Community Engagement & Protection

Transparency & Accountability

Officer Performance, Safety, and Wellness None of these seem

spectacularly new, but technology makes evidence-based crime fighting more precise. Crime mapping has been around since the invention of the pin map. Where there is an incident, stick a pin at its location on the corkboard with the map over it. Find a cluster, increase your patrol. Red pins might be homicides, blue burglaries, yellow sex assaults, white armed robberies. But other than increasing patrols or using manpower-intensive surveillance, what more could an agency do?

A sophisticated pin map is computer modeling such as Compstat. Criminal acts, or disorderly actions, were correlated with potential strategies and resourcing to respond to problems that were charted. Problem-oriented policing sought out root causes that may or may not have a law enforcement solution, but in the spirit of community policing, police agencies could cooperate with governmental and private entities to resolve crime and disorder problems.

All of these strategies and interventions were engaged during a period of lowering crime rates, but they all preceded today's rocketing violent crime rates. The deficit may lie in methods of community engagement and department transparency. With most current crime event tracking, neighborhoods and their population are targeted for more police intervention. In the attention given to proactive policing in an area, local residents may be caught up in law enforcement contacts that are counterproductive for the growth of trust. New York City's stop and frisk deployment, for example, was effective in reducing crime and increasing arrests but resulted in concerns about unequal treatment of citizens subjected to stops, questioning, and searches. Law enforcement thinks that crime suppression is welcomed, but the public is also concerned about liberty and equal treatment. Over-identifying a suspect population can be avoided if police focus on the actions of offenders that are known or discoverable.

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What police officers intuitively know is that a relatively small number of people are responsible for a disproportionate amount of criminal activity. Crime analysts reduce that intuition to numbers: 1% of the population is responsible for 25% of crime while 3% are responsible for 50% of crime. One percent of neighborhoods are responsible for 100% of shootings. Small geographic areas and relatively small numbers of victims are subject to repeated crimes. A principle of Precision Policing is to respond to these micro populations rather than subject larger populations to police sweeps hoping to catch these chronic, prolific offenders.

As surprising as it may be to some, 70% or more of shots fired are not reported to police. Technologies like ShotSpotter not only can illicit a real-time notification for immediate police response, but can “pin-map” locations of frequent firearms discharges whether a suspect or police response results or not. It also provides locations for investigators to collect spent brass or other firearms evidence that can be entered into a database to help solve past or future cases.

In addition to technology, such as ShotSpotter, engaging the community in intelligence gathering can focus law enforcement efforts. Often, offenders are known to residents of an area but will only be revealed where there are non-confrontational law enforcement contacts gleaning tips from personal interactions. The transparency component involves more than complaints, use of force, and policy issues, but revealing, as appropriate, the efforts and intentions of the agency to solve crime and engender trust.

These efforts require resources that allow dedicated officers to be untethered from their radios. The so-called “tyranny of 911” interferes with many prevention and collaboration efforts as urgent calls for service make it appear that officers taken off immediate response duty are not

being productive. Training for trust and engagement as an add-on to tactical response and officer safety has the opportunity cost of taking an officer from the patrol car to a chair in the training room.

The efforts of police leaders to restore order to disordered communities can lead to long-term strategies to maintain orderly communities. Investing in Precision Policing is a path to lower crime, healthier communities, and healthier officers.

Mission Creep in Policing

The term “mission creep” came into the American vocabulary in the early 1990s in the context of U.S. military intervention. The classic example, and perhaps among the first use of the term, is America’s involvement in Somalia where President Bush sent in 30,000 troops on a mission under the United Nations peacekeeping operations. After those troops were attacked by a powerful Somalian warlord, President Clinton expanded attacks. Post-911 engagements grew from punishing terrorists to nation-building in Iraq and Afghanistan. Regardless of the merits of any of those actions, they were not anticipated at the inception of the first troop employment.

In policing, mission creep began a long time ago, but two things happened in the last century that are likely causes. The first was a greater presence of police officers in cities around the country in the 1920s. The second was the availability of the telephone beginning around the same time. About a third of the households in the U.S. had telephones in 1920, nearly two-thirds by 1950, and nearly 100% today, with 911 access to law enforcement beginning in 1968.

The acceptability and availability of government help were just a phone call away and the police always answered the phone and were willing to help. Of course, from time to time officers would say there was nothing they could do, but they showed up and did the best they could to resolve whatever problem confronted them. Domestic violence shelters and laws didn’t appear until the 1970s. Child abuse hotlines are barely a decade old. Homeless shelters and mental health facilities weren’t ubiquitous and regulated until relatively recent years. The police had no massive social services network to pass problems to.

Police officers delivered groceries, babies, bad news, and lectures to juveniles. They taught safety and crime prevention to clubs and classes. They drove drunks home, herded errant livestock off of the streets, shook their finger at speedy drivers, and played referee to fights. They were open 24 hours a day, radio dispatched, and mobile. They did it all, and all of it was expected of them. Until 2020.

The disinformation movement, claiming mass murder of innocents by police officers, advocating for radical reform and defunding of law enforcement, wove the narrative that cops do not have the skills to handle all that they have taken on to do.

Paradoxically, just as social agencies were maturing in capacity, policing entered into the frenzied world of “community-oriented policing” with the encouragement of federal dollars and think tank theorists. Many of the community policing efforts were a throwback to the days of beat cops and problem solvers. Police agencies were encouraged to immerse themselves in any community effort that would improve relationships and have a trickle-down effect on reducing crime. A lot of good things came from the community policing era, which President Biden touts as essential to police reform. And yet its failure seems to be proven by the anti-police sentiment that should have been eradicated in the previous two decades.

As governments, local and federal, attempt to address social problems they often do so by passing laws with criminal penalties. The police are pulled into social control roles ever more deeply, expanding their mission beyond fighting traditional violent and property crimes.

The pendulum’s swing now seems to be the extraction of law enforcement from the multitude of expectations once thrust upon it. Some good results

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are showing up with co-responder programs or complete diversion of things like civil disputes and mental health calls from the police. This philosophy has not eliminated the police role in responding to dangerous situations in which unarmed civilians should be reluctant to engage.

To keep cops out of the drug war and the so-called “school to prison” pipeline, efforts to decriminalize drug possession and remove police from schools are happening while drug overdose deaths and school shootings command the headlines.

While politicians and interest groups conduct grand social experiments at the cost of dollars and lives, police dispatchers are still answering 911 calls and officers are still out there solving problems in the minefield of human dysfunction.

Schizophrenic Political Leadership

Schizophrenia is a disorder that affects a person's ability to think, feel, and behave clearly. It is a diagnosis assigned to an individual with the requisite symptoms and behavior. In a broader sense, the description can fit some leadership styles and group behavior. Can you imagine working under a leader who cannot make up their mind and travel in one logical direction? If you can, then you know what police officers are facing.

One example is the continued desperate state of affairs of the Portland Police Bureau. After 14 months of continuous civil disturbances, the 50 officer Rapid Response Team designed for addressing violence in unlawful assemblies, walked away from that assignment. In a schizophrenic protest of her own, Portland City Commissioner Jo Ann Hardesty sharply rebuked the officers for resigning. The irony of her constant demand that the unit be disbanded in the first place, then fussing about it being de facto disbanded by the officers that comprise it, seems to be lost to her.

The officers, who will keep their normal assignments since appointment to the response team was voluntary, walked away after one of its members was criminally charged with an assault on a reporter, based on her complaint and review of video of the disturbance. Hardesty is quoted as saying "I remain deeply concerned these RRT resignations are yet another example of a rogue paramilitary organization that is unaccountable to the elected officials and residents of Portland." When a member of the unit is being prosecuted for an act occurring under the most chaotic of conditions and other officers are being closely investigated for potential prosecution, Hardesty's claim of lack of accountability rings hollow if not downright nefarious.

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The reporter, who may or may not have a legitimate claim, is like many media members who expect to dance in the thunderstorm and not get wet. Media privilege does not mean that they can break the law just because they are covering law breakers, nor are they immune from obeying lawful orders to disperse.

Portland's Police Bureau has been forbidden from using video surveillance on protestors even in areas attacked during what the media typically refers to as "mostly peaceful" protests. They have also been restricted from using standard riot control munitions while being attacked by commercial grade pyrotechnics, bottles, and rocks. I am reminded of the Biblical account of the slaves of Egypt when the Pharaoh told the slave masters "You are no longer to supply the people with straw for making bricks; let them go and gather their own straw. But require them to make the same number of bricks as before; don't reduce the quota" (Exodus 5).

We see the same kind of hypocrisy in the nation's capitol after the January 6th attack. President Biden recently, again, used Capital Police Officer Sicknick's death as a weapon against his political foes. Sicknick's tragic death was possibly a result of the attack that day, but from a stroke to which he succumbed the day after the incursion. The narrative of his death varies depending its usefulness in a political agenda.

Media headlines proclaim that Colorado Congress- woman Lauren Boebert refuses to support the awarding of medals to the Capitol Police Officers who served during the attack. Boebert stated, however, in contrast to the implication that she is snubbing the officers that ""Once again Nancy Pelosi and House Democrats prove that there is no level they won't stoop to. Using the death of an officer in April to try and score

cheap political points is shameful.”

It is hypocritical for the House of Representatives to pass the George Floyd Justice in Policing Act (yet to reach the Senate) which eliminates qualified immunity protections, eliminates police from schools, and increases the ways that officers and agencies can be held under the thumb of Federal authorities, then ooze emotion about the officers that worked to protect them.

Police officers continue to be caught in the crossfire of conflicting sentiments and proposals from Washington, DC to their own capitol cities and local governments. No one is blaming those officers who walk away.

11. DE-ESCALATION MISINFORMATION

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Police Reliance on Compliance Outdated in the Current Era of Pre-escalation

Ask any police officer serving today whether people are as likely to comply now than when they first began. Not likely. The level of hostility and contempt for police contribute to the phenomena of pre-escalation, the predisposition of a citizen to be argumentative and resistive during contact with police. Officers conditioned to expect compliance can no longer relax in that mind set.

A social trend

Sociologists and historians will be able to look back in coming years to measure changes in social trends and cultural values. Now we rely on anecdotal evidence which reveals increasing levels of passive as well as aggressive resistance to police contacts.

There have always been disgruntled citizens upset by the inconvenience or cost of a police contact. Police have always been met with a level of fear and tension, even suspicion, so that isn't new. Police have always been vested with the authority to use coercion on behalf of government to maintain law and order.

Centuries before the founding of the United States, it was a well established understanding that the state should have the monopoly on violence. To prevent blood feuds, hasty lynchings, and duels to settle grievances and administer justice, a system of courts and government agents are instituted to ensure fair treatment of all, rendering individual efforts of revenge and recompense unnecessary.

This entrustment of power and authority to the government within the bounds of democracy was balanced by a high degree of accountability. Law officers could be unelected, dismissed, sued, and prosecuted for violating their lawful duties. This was part of the fabric the social contract between citizens and the government they created. That fabric is being torn by the antipolice movement demanding severe restrictions, defunding, or even abolition of the police.

Resisting as righteous

Like scolded teens rebelling against a parent's correction, the resistance to correction by persons arrested by police has been an expected reaction among offenders. Although physical resistance was unlawful and punishable, it was infrequent and anticipated. For those truly innocent (as opposed to those legally presumed innocent by the justice system), resistance to police was often in the form of being indignant. Suspicion of wrongdoing was beneath them and they submitted under protest. There were also those who resisted because they knew that prison awaited them and calculated that resisting was not an unreasonable risk.

In the prevailing mood of many in the nation, citizens who would ordinarily, however reluctantly, cooperate with police officers performing their lawful duties, now consider resistance to be a noble strike against systemic police abuse. The calls for de-escalation, while a worthy goal, ignore the antipolice movement's creation of pre-escalation – the increase in the number of citizens with a chip on their shoulder and willing to violate the old rules of cooperation with the police with the expectation of subsequent justification.

Consequences for police

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The great and potentially tragic irony in the call for a reduction in police use of force is the potential increase in the need for it. For most police officers, most of the time, even a custodial arrest is made with cooperation from the person being arrested. As with all habits the repeated success of a police contact with citizens complying with lawful police directives can lead officers to ignore the increased probability that a citizen will be argumentative and resistive. Words cannot hurt an officer but delaying compliance until a hostile crowd gathers can.

A gentle guiding hand or gesture such as grasping the upper arm to lead a person to the patrol car is usually accepted by the suspect. In today's environment the increased likelihood that an arrestee will twist, flee, or yell for help from the crowd makes these assumptions of compliance dangerous for the officer and the arrestee.

Critics will decry the claim that there is more frequent resistance. They will say that taking insults and navigating arguments are just part of the job and portend no danger to the officers. They will claim that everybody, everywhere, all the time, no matter what, can be de-escalated. They will claim that the kind of thinking articulated in this article only elevates officers' likelihood of using force and fictionalizing its justification. These are specious arguments to those in contact with reality.

New training?

It is not rational to argue against better training on de-escalation. A harder case to make to the public is that officers need better and more frequent training on arrest control. Only those contacts with arrestees that can be quickly and effectively converted into reliable control holds should be used by officers. Verbal commands should be clear, concise, and firm so

that an arrestee has no excuse for non-compliance.

Officers rely on compliance and they get it most of the time. Being ready for non-compliance is the safest tactic for everyone concerned, and more important than ever.

Excited Delirium – What Should Law Enforcement Do?

Nearly 8,000 people die in the U.S. every day. Sometimes that last breath happens while a person is in police custody, an average of fewer than 2 per day, not counting the average of 3 persons per day fatally shot by police on average. Given the total jail and prison population of over 2 million and over 27,000 arrests every day by America's 800,000 police officers, the numbers must be placed in perspective.

The subset of persons in a given population necessarily affects mortality. We would expect more people to die in a hospital emergency room than in a doctor's office. More people die in nursing homes than college dormitories. Suicide deaths vary by age group, as do murder victims. Are those who die in police custody a subset whose mortality risk is high?

Certainly, the citizens seeking assistance or information are representative of the population at large, but persons with whom police have contact are often in a state of agitation that developed from circumstances prior to the arrival of law enforcement. Stress, by definition, burdens the cardiovascular system and impedes decision making. The use of alcohol and other drugs strains the body, reduces responses to pain, muddles thinking, increases self-destructive thoughts and behaviors, but also can increase violent tendencies. Chemically induced behavior attracts the attention of bystanders resulting in a 911 call for the police to intervene.

Many others who are contacted by police, particularly those with histories of substance abuse and those with a history of criminal activity have made other poor decisions including lack of self-care. Poor nutrition, unhealthy physical activity, generally poor health, and other factors, including

poverty that may result in poor diet and less access to quality health care, all have their effect on populations in frequent contact with law enforcement.

One potentially lethal condition that police can encounter is the condition of “excited delirium”. The abstract from a medical journal reads “Excited (or agitated) delirium is characterized by agitation, aggression, acute distress and sudden death, often in the pre-hospital care setting. It is typically associated with the use of drugs that alter dopamine processing, hyperthermia, and, most notably, sometimes with the death of the affected person in the custody of law enforcement. Subjects typically die from cardio- pulmonary arrest, although the cause is debated. Unfortunately, an adequate treatment plan has yet to be established, in part due to the fact that most patients die before hospital arrival. While there is still much to be discovered about the pathophysiology and treatment, it is hoped that this extensive review will provide both police and medical personnel with the information necessary to recognize and respond appropriately to excited delirium.”

Translated, this means that excited delirium is hard to diagnose, occurs outside of medical care, and is associated with drug abuse. What it looks like to a police officer arriving to a call of a person causing a disturbance is a sweating, often naked (due to increased body heat) person, often overweight, and impervious to rational discussion, and feeling no pain. When a person feels no pain, their strength is multiplied because the normal sense of “this hurts, I’ve got to stop” does not exist. From a real world perspective that means that a single officer, no matter how skilled, is highly unlikely to successfully take custody of the person by themselves.

Complicating this interaction is that excited delirium is a potentially fatal

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condition. This means that first responders must act quickly to get a person to advance medical care. Therefore the fight to get control of an out of control person is not primarily for justice purposes, but for medical care to prevent death. Restraints needed to accomplish that are blamed for excited delirium deaths, rather than the medical emergency itself, leading critics to blame the police for those deaths that occur prior to hospitalization.

The American Medical Association has proposed that the diagnosis of excited delirium is a cover for the killing of black men in police custody. The State of Colorado has outlawed the use of one of the most effective drugs in calming the condition, which is Ketamine. This is yet another example of politicians removing vital life-saving tools from police and other first responders. In a yet unpublished bit of science and research, the American College of Emergency Physicians has taken the position that excited delirium is a valid medical condition that requires early medical intervention.

While the science of this situation is debated under the umbrella of politics and not the reality that police officers face on the street, first responders are being prohibited from using the very calmative and tactical measures necessary to get a person to advance medical care and save lives.

The Game of Policing

I recently watched my Denver Nuggets make an amazing effort to win some trophy or something like that. I am only a sports fan to the extent that I like having conversations with my sports-fanatic son, and as a social prompt to say “How ‘bout them (insert team name). I do get excited, as fair-weather fans do, when my home team is in some sort of play-off or finale, and I recognize that real sports fans detest lightweight fakers like me.

My blasé attitude for sports derives partly from being recognized at an early age as incompetent in team sports. Later I was able to prove myself incompetent in individual sports as well. It’s not that I didn’t try. I spent a couple of miserably hot Missouri summer afternoons playing auxiliary backup left field on some little league team organize by a supposedly benevolent youth organization that thought me and my ilk needed to build character.

I seldom got beyond first base, which was perfectly fine with me. Much less pressure. I wasn’t quite desperate enough to move in front of a pitch to take a base, but upon reflection, I may simply have not known that was a rule. In fact, the only rule I remember was “one base on an overthrow” which seemed to be announced to any runner I had the misfortune of trying to throw out. The highlight of my career was reaching third base which coincided with having downed two big sodas, wearing white uniform pants, and it being a dusty and windy day which created a clear outline of a pattern on my crotch that could not be explained away as my having spilled something. I don’t recall if I made it to home plate or not, being perpetually guilty of praying that my team would lose quickly and end the whole affair.

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What little I have learned about sports (and I did try – I once read a book called “How to Throw a Football”), has made me reflect how patently unfair police work is in comparison. The finest athletes in the country (or imported from Serbia in some cases – go Nuggets) are highly rewarded whether in dollars, scholarships, or general privilege, and are highly regarded. They play by clearly defined rules that are enforced by specially trained observers.

Granted, they suffer the momentary disappointment of their fans when they should have done a thing that they failed to do, or did a thing the armchair observer watching the replay exclaims they should not have done. But a missed pass, a strike-out, a botched free-throw (I’m exhausting my sports vocabulary) is quickly forgiven even if written up on the sports page or retweeted a half-million times. Interestingly, although team affiliations might suffer, when a quarterback gets sacked, no one – I mean no one – exclaims “Those damned quarterbacks, they always get sacked, you just can’t trust ‘em”. No one.

The real nail-biting moments in sports come down to amazing performances of physical skill under the pressure of time. We can groan when it doesn’t work out, and celebrate gleefully when it does, but nobody dies on either side. Olympic athletes win or lose their medals by margins we couldn’t even measure until the digital age, and this is one endeavor where a participation trophy really means something.

A quarterback has as much as 7 seconds to decide what to do with the ball as he is being attacked by a horde of other large people. In a confrontation in the law enforcement world, 7 seconds is a very long time. A batter has about a third of a second before a typical pitch gets in range while the brain under the helmet takes a quarter second to tell his arm to

move, leaving about a 10th of a second to make a decision about taking a chance on a swing. The average major league player is successful only one out of four times. In an armed confrontation, a police officer has a similar margin to make their life or death decision.

An armed adversary can easily pull their readied trigger and fire multiple shots before an officer can unholster and engage. That's a decision that must be made while considering what's downrange, often with poor lighting conditions and uneven surfaces, while trying to determine whether the object is a gun or cellphone and whether they will die or get sued as a result of that 10th of a second decision. The officer will fire fewer than three rounds on average, meaning that, except in the rare, protracted gun battle, the fateful event is over in less than the time that quarterback decides to throw or not.

And by the way, the adversary doesn't play fair in law enforcement. They cheat. They fake. They use innocent people as shields. They don't get called for foul moves or being out of bounds and there are no time-outs. We could use fewer Monday morning quarterbacks and a few more cheerleaders.

Calling For Backup Is No Guarantee of De-escalation

In 2016, Officer Joseph Mensah shot and killed Jay Anderson. Anderson was apparently asleep and possibly intoxicated in his vehicle at 3 a.m. in a park in Wauwatosa, a Milwaukee suburb when Mensah approached to investigate. Seeing a handgun near Anderson, Mensah drew his sidearm and attempted to make contact with Anderson. According to the officer, Anderson reached for the gun and Mensah fired.

After an investigation by an outside agency, Mensah was cleared of wrongdoing in the 2016 shooting. Although no charges were filed, relatives of Anderson used an obscure state law that allows judges to directly question witnesses in what's known as a John Doe proceeding in which a judge who finds sufficient evidence for charges can file them directly, leaving prosecutors out of the equation. Only a half dozen states have such a provision, and it is seldom used in Wisconsin.

Milwaukee County Judge Glenn Yamahiro ordered a special prosecutor to handle the case stating, "Mensah should have been aware that pulling his weapon on Anderson created an unreasonable risk of death" and the officer should have de-escalated the situation and waited for back up which was reportedly on the way.

Regardless of the merits of the case or the defense, the judge made a typical error in assuming that backup officers are the key to de-escalation. There are many reasons why this assumption by persons without sufficient knowledge of the real world of police operations creates problems. Once again, science and research are ignored.

First, backup is not always available. In larger police agencies, dispatchers

will hold a call that is likely to need more than one officer. In agencies with fewer officers available on duty that choice may not exist – they call, you go.

Secondly, response time may not be sufficient to intercede. The officer asking for assistance may have little time to hold a suspect at bay and give details to arriving officers. Ideally, backup officers will arrive with a good understanding of the situation and how to deploy on arrival. That kind of detailed briefing is seldom possible in a rapidly developing situation.

Officers who investigate routine matters can find themselves facing a critical incident within seconds or less. Calling for backup for routinely checking a parked car or contacting a sleeping or intoxicated person is great when possible, but the frequency of these kinds of activities simply doesn't allow pulling a second officer from other activities. Officer Mensah's statement was that Anderson's movements were swift and that he might even have been faking slumber in order to catch the officer off guard were discounted by the judge.

Thirdly, having more than one officer at a scene does not have a predictable effect on the outcome. Any officer is happy for any colleagues who can assist them. However, studies in Phoenix, Arizona show that over half of the officer-involved shootings had more than one officer on the scene. This is likely true across the country as well. While officers do a generally superb job of de-escalation, the reality is that they always have to overcome the initial adrenaline spike that a uniform invokes on most people. Multiple officers might inspire fear and compliance, but they might also inspire fear and defiance.

With an increasing number of courts accepting "provocation" claims, wherein police officers are accused of causing a violent reaction of a

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suspect, police are being put in a position to be fortune-tellers. Will more officers create peace or increase tensions? Critics, and sadly now courts, are moving to a dangerous assumption that police officers in tense situations can predict what an agitated, mentally ill, or drugged suspect will do.

This article does not attempt to defend the officer, absent a review of the entire investigation, nor does it assume that the judge is making a tragic mistake. Regardless of the outcome of the filing of charges against Officer Mensah, expert testimony must be allowed to explain that perceptions based on a life of watching TV and movie cops do not prepare a judge, prosecutor, or jury to evaluate officer-involved shootings.

Officer Intervention Can Compromise Officer Safety

After the arrest of Rodney King by the LAPD in 1991, many states enacted laws requiring police officers to report their colleagues if they feel that unnecessary force was used. Some states have gone beyond that requirement and are now requiring physical intervention. I understand, but let's think about the reality of violent street encounters with violent offenders.

My first point may not be well received because the King arrest is a no-brainer of brutality in the minds of most people who were around when the video hit the news, and the conclusion has become embedded as historical fact. We hardly ever see the word arrest in connection with the King incident, only the word beating. The Wikipedia page begins "Rodney Glen King (April 2, 1965 – June 17, 2012) was an African-American man who was a victim of police brutality". No headline is without the word, often accompanied by the word "brutally".

It is important to note that a major significance of the King arrest was that it was videotaped and broadcast in edited form on the local and subsequently national news. The average citizen, unaccustomed to seeing interactions involving real-life violence, responded viscerally against the officers.

It is rarely noted that two passengers were with King in his vehicle when it was finally stopped after an eight-mile pursuit. Both passengers got out of the car as lawfully ordered by LAPD officers. Their compliance was met with no further coercion by the officers at the scene. King, on parole for robbery, was intoxicated. He did exit his car but refused commands to lay on the ground, choosing to rest on his hands and knees instead.

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Officers testified that King continued to refuse to follow the officers' lawful orders. Uncontroverted testimony showed that the officers thought King's behavior was consistent with being under the influence of PCP, a hallucinogen common in the Los Angeles area at the time. PCP allows superhuman strength, not only from its influence on users to feel invulnerable, with a sense of impending doom, paranoia, and violent hostility. While later examination found no evidence of PCP use in King, the officers were reasonable in their caution given the experiences of other officers dealing with violent persons under its influence.

An electronic control weapon (i.e. TASER) was attempted on King twice, but he fought it off and continued refusing to lay prone and charged one of the officers. TASERS were at a different stage of development then, and only assigned to Sergeants, thus the deployment attempts were by Sgt. Koon. The officers had already attempted a swarm technique, which deploys several officers on cue to coordinate the takedown. But again, King fought the officers off and the swarm was ineffective. Per LAPD's use of force policy at the time, the next step was to use the baton before elevating to deadly force.

King was struck 31 times out of 56 baton swings. The bystander video showed that officers followed policy and attempted to determine after each strike if the subject was still resisting. During the initial trial against the officers, the video was used to point out that after every blow, King was shown attempting to get up – presumably to posture to flee or attack the officers again.

This sequence of events led to a not guilty verdict for all of the officers in a state trial. Not satisfied by that proceeding, federal prosecutors filed

charges in federal court against Sgt. Koon and Officer Powell for violating King's civil right to be seized reasonably. The outcome of that trial was that the judge found that one or possibly two of the baton blows were not necessary to subdue King. Those were Powell's blows and, for his guilt, Koon should have stopped those. Given today's increased knowledge of neuroscience and reaction time, I am confident that testimony about the ability to stop an action in progress would have been introduced and possibly prevailed in that case.

I have replayed to facts of this case to outline a potential danger of laws that demand physical intervention of one officer to another making an arrest. What would have been the outcome of King's ability to rise up and attack the officers successfully? Deadly force would have been legally and procedurally authorized. If one of the several officers at the scene had stepped in to prevent the use of the TASER or the swarm technique or the baton blows, would King have been shot or officers seriously injured?

An officer dealing directly with a suspect is the only one who truly knows what force is being used to unlawfully resist an arrest and assault the arresting officer. I'm reminded of a case where an officer slammed a handcuffed arrestee against the hood of his patrol car and was accused of brutality. Fortunately, there was a video of that arrest, and the officer could point to the fact that the arrestee, with his hands handcuffed behind his back, was viciously squeezing the officer's testicles. The officer's actions were necessary to get the suspect to release his debilitating grip.

The recent video of a young officer grabbing her supervisor by the belt to pull him away from dealing with an arrestee has yet to be fully investigated so I will render no opinion on the appropriate outcome. I will say that if I'm in a confrontation up close and personal with a person who is actively

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trying to harm me, destroy evidence, or access a weapon, I am the one and only person who knows what is appropriate force in that moment. Let's not put our officers in more danger than they already are by making adversaries out of our colleagues.

Defining De-escalation

The word of the decade for law enforcement is “de-escalation”. But what does that really mean? If it means that police are expected to have a conversation with every violent offender or irate citizen until they start smiling and invite the officer in for iced tea. Sure, that can happen, but moving a person from imminent attack to complying with an arrest is dependent on innumerable factors.

A more accurate view of de-escalation is to start the definition from the level of tension at the time of the arrival of police, rather than expecting a totally peaceful outcome regardless of what the officer finds at a scene. If a suspect is displaying a weapon and the officers can do something with relative safety without using deadly force, that is successful de-escalation. That may mean that law enforcement was able to use a Taser or a bean bag, or were able to keep themselves and everyone else behind cover while communicating with the suspect.

A consideration often ignored by police critics when accusing officers of using force out of fear is that a threat of violence against a police officer is a threat that the officer might become disabled and unable to protect the public. The officer must also protect. By using persuasion or force to preserve their own life and health, an officer can prevent the threat to the public from the escape of a violent offender as well as prevent becoming a liability who needs rescue themselves. An officer protecting themselves is an officer protecting the public.

De-escalation may be accomplished with a number of tools in addition to the officer’s persuasive skills. The first responding officer may have more flexibility to negotiate if there are other officers present. In a situation

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where lethal force is a lawful and justifiable option, having another officer can be ready to use that force while the officer relating to the suspect can be somewhat more relaxed and not presenting their weapon as a threat to the offender.

This is a common question of civilians: “why didn’t they just Taser him?”. The answer is often that the officer is faced with a deadly force situation where failure is not an option. While Tasers are a great advance in force options, they are not intended to counter deadly assaults. Only when at least one other officer is ready with a deadly force option should a Taser be used to immobilize a person in possession of a deadly weapon. Critics must keep in mind that the Taser is useful only at relatively close distances between the aggressor and the officer. Should an aggressor decide to move in closer rapidly with a deadly weapon, or flee with a deadly weapon, the reaction time necessary for a single officer to transition from a Taser to a firearm.

Other tools at an officer’s tool belt or patrol car trunk are also tools to de-escalate violent force. When used – especially when posted by an anti-police Youtuber, edited, and provided with an inaccurate narrative – can look brutal, but are designed to bring an end to an unlawful resistance or assault. That includes a baton, chemical spray, a variety of munitions to distract and disable suspects, along with other options depending on what their agency provides. Not all of those tools are immediately accessible when time is of the essence. Many of these tools work by temporarily disabling nerve connections or muscle function and require powerful strikes to the body. Doesn’t look pleasant, probably causes pain (if the suspect can feel pain in their enraged or intoxicated state), and are hard to watch. Nevertheless, if they accomplish compliance at a lesser level than the highest force legally permissible, then de-escalation happened.

Law enforcement leaders and influencers can help the public understand use of force and de-escalation. If they don't, the story will be told in the worst possible light.

De-escalation: Internal and External

Why didn't they de-escalate? That's the question posed after police use of force events asked by citizens of goodwill and skeptics alike. It is a valid question and one that deserves an answer. The answer is that the officer did de-escalate if they kept a situation from getting to its worst potential outcome.

Although the term (an unfortunate one, in this writer's opinion) has been applied to police tactics for less than a decade, police officers, teachers, medical professionals, parents, and retail clerks have been doing it since the first argument. I prefer the concept of neural braking which is an interruption in the decision-making process that keeps us from hitting "send" on a mean email or doing our own PIT maneuver on the knucklehead that cut us off in traffic.

Reviewing a little brain science is a good place to begin. Humans engage in behavior with some purpose, consciously or subconsciously in mind. Behavior achieves movement toward some goal from some source of need or motivation. The need may be hunger, the need for attention, or the need for dominance. When that need is frustrated, a person may react in a positive way or a negative way. Positive behavior might be to give up, to establish a new way to meet the need. Or to mentally reframe the conflict to resolve it. Negative behavior in reaction to the frustration is often some type of aggression that might be internalized as withdrawal or

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even suicide, or aggression against a person or persons perceived to be the blame. So, while external events can trigger aggression, the origin of the behavior is in the mind.

What happens in the mind generates chemical changes in the brain and the body. When a police officer is dealing with a person in a behavioral state of aggression they are faced with only two choices. One is to attempt to get the person to undergo an internal change of thought to gain control over the person's behavior. We all know from our own experience that the decision to change our behavior in the middle of a conflict is very difficult and that the decision to overcome our aggressive impulses takes time. We are told to calm down, but our body chemistry has already been activated. Changing that chemistry, generically referred to as adrenalin, takes time, just like slowing the speed of an automobile. That is why I like the label of neural breaking.

When an officer has time to communicate effectively with a person behaving dangerously, they can help the person alter their internal decision-making. This is internal de-escalation. If time is not available and the behavior is creating an imminent threat, then external de-escalation becomes necessary. The officer may be able to "buy time" by using distance or some barrier between the aggressive person and themselves or others in harm's way. If that is not practical, based on all the factors known to the officer, then force may be needed to externally de-escalate.

This is why we should consider reasonable force to be part of de-escalation. If a person is charging another with a knife, for example, an officer may need to use deadly force to stop the aggression. The officer had de-escalated the dangerous behavior by physically stopping it. That is not a failure of de-escalation, but a successful de-escalation. So when critics cry "Why didn't they de-escalate the situation?", the answer is that

they did.

The mythology around so-called de-escalation is that every situation provides an opportunity to create in the mind of the aggressor a reason to stop their dangerous behavior. This simply isn't true when the circumstances do not provide the safety of time and distance. Fortunately, officers have a variety of tools for both internal neural braking and external de-escalation. These tools range from negotiation to less lethal means of disabling an attacker. They also include a variety of weapons available on the officer's tool belt to stop the threat, whether that be a baton, pepper spray, or their duty weapon. It is why they are armed, but also why deadly force is statistically rarely used. But that final option must remain as the ultimate de-escalation.

Less Lethal Options Can Save Lives

Amid the cries for de-escalation and the protests of police shootings, technology has stepped in to give police officers options other than their handguns when confronting a resistive subject. The term “less lethal” survived as the term of choice even though it is a bit of an oxymoron. Lethality is the quality of being capable of causing death. The intent in using less lethal means is specifically to avoid killing someone, therefore “less than lethal” was a competing term for a while in the profession. However, the application of the technologies discussed in this article are not gentle on the human body and, in fact, in rare cases, their use has been concurrent with a subject’s death, therefore we cannot say that they are always non-lethal.

When deaths of suspects occur in association with less lethal efforts of control, it is important to know that these technologies are used on highly agitated persons who often have underlying drug use or health problems. Sometimes these methods occur after a lengthy physical struggle or pursuit. A death associated with custody cannot be assumed to be the fault of those making the contact.

It is also important that the citizenry understands that less lethal means of apprehension and other de-escalation strategies are not appropriate in rapidly evolving situations where an aggressive or threatening person has a deadly weapon and poses an imminent threat to others. An edged weapon or blunt instrument can be as deadly as a firearm and as swiftly employed to injure or kill. Studies on human capacity and reaction time prove that attacks at distances typical of deadly force encounters can be executed before an officer can fully respond, much less make a choice of multiple force options.

The Los Angeles Police Department is now among the list of agencies deploying the Bolawrap, a technology whose brand name is its description. Mimicking the bolo from Latin American gauchos who used them to subdue cattle. The device fires lines that spin through the air until they reach the suspect, then wrap around them with hooks that are designed to attach to clothing, immobilizing them. The use of the device requires some distance between the officer and the suspect and a wide span in between as the device's "ropes" twirl through the air.

Now a part of the American lexicon, the TASER has been the most widely used and successful less lethal tool since the nightstick. Although there are other makers of ECWs (Electronic Control Weapons) TASER has the bulk of the market and a history of credibility and research behind it. TASERs work by discharging a set of prongs attached to lines that carry an electrical charge from the unit. The device doesn't "electrocute" anyone, but sends a charge that locks up the nervous system and immobilizes a person.

The TASER is different from a "stun gun" in that such a device delivers a painful shock on direct contact with a person. It relies on pain and disorientation rather than immobilization. The TASER can be used in that manner in close contact, but then it becomes a pain compliance tool rather than immobilizing a suspect. ECWs are limited to certain distances, can be foiled by heavy clothing, and the prongs must both set into the suspect in a pattern that allows the electric charge to carry across the body. An officer facing an imminent deadly threat should not use an ECW unless another officer is present and prepared to use their firearm.

Other less lethal options are comprised of various impact weapons. These are projectiles fired from designated devices or modified conventional

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guns that are designed to stun but not penetrate the skin. Due to the velocity and sometimes their construction, sometimes serious injuries occur, but obviously, and by design, far less serious than a bullet would impose.

Law enforcement is always seeking ways to stop attacks and save lives. No technology, including firearms themselves, can solve every problem or in every situation. As always those split-second decisions belong to the humans behind the badge.

Putting the Brakes on De-escalation Expectations

I have to begin this article by saying I am 100% in favor of helping people calm themselves and voluntarily cooperate with law enforcement investigations and avoid more coercive methods involving the use of force. Most cops most of the time are good at calming and controlling and knowing the difference between the two. The clamoring for de-escalation is loud, and many of those voices belong to people who have a significant lack of knowledge about what that means.

After seeing yet another civilian bystander proclaiming that police should have de-escalated a situation involving a knife-wielding man, it is clear that police leaders and trainers must help the public and policymakers understand the reality and mythology of de-escalation.

Only the individual owns their behavior

I cannot slow down the car you are driving. You have the steering wheel, the brakes, and the accelerator under your control. If you drive very slowly, or way too fast, or zig-zag crazily, or crash into a tree, that will be a result of your choices in the way you manipulate your controls based on the conditions around you and how you perceive them. A police officer can signal you to pull over, or direct you into another lane, or even put a tire deflator in your path, but they can't drive your car.

The same is true with a person's body. If they can choose to make the decision to resist, can they not also make the decision to comply? And, continuing the automobile analogy, even if I could take over your car or your mind, how long would it take to get the dangerous behavior to stop?

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Compliance is the law

There may be a few states that permit resisting arrest if the citizen knows it to be a false arrest. But even where those laws existed, the resisting citizen had to be absolutely correct and could never know what information the officer had that lead to their attempting an arrest. Everyone can find themselves in a position of fitting the description of a wanted person or vehicle near the scene of a crime. The police do not have to be correct, but they do have to be reasonable. If you're wearing a red shirt driving a blue Subaru leaving the area where a robbery just occurred and the suspect was described as wearing a red shirt and driving a blue Subaru, you're going to get contacted by law enforcement and with some degree of urgency. It is reasonable and required by law, to comply with their instructions.

Reasonableness is the law

Police officers are Constitutionally duty-bound to be reasonable in their searches and seizures, including arrests. Reasonableness is always contextual and subjective to some degree. The legal question of reasonableness is what a reasonable person with the same knowledge and training would do in a given situation. No bystander or commentator knows what the officer making their decision knows.

Timing is everything

Even police officers are often stunned by how quickly events unfold and decisions have to be made and implemented. A friend once questioned how an officer could decide to use deadly force in less than a second. He seemed shocked when I told him all decisions to use deadly force are made in less than a second. Research shows that even an unskilled person in the driver's seat of a car can bring a weapon from out of sight and fire

in less than one-quarter of a second.

Science

Human behavior is seldom a completely rational decision. Most of our behavior is automatic and habitual. If we behave without consciously thinking, it follows that changing that behavior requires a highly rational thought process. Our decisions depend on what we perceive and how those sensory perceptions are filtered through our memory and learned responses. Both the citizen and the officer are limited by anatomy, biology, and physics in their actions and reactions.

No third person can determine what another person has perceived, how they are interpreting a situation, what their past patterns of behavior are, much less the actual facts of a particular chaotic event. When the fight or flight chemistry kicks in, the primitive survival brain will flood the body with biochemicals that can rule behavior for 20 minutes or more. When an officer has the time and distance to safely allow neural braking to take place, they are more likely to have success gaining compliance without significant use of force. If a person is fleeing or fighting, their chemistry will prevent them from deciding to comply with the officer for a period of time.

Concurrence is not causation

Saying that police officers cause shootings is like saying surgeons cause appendicitis. The human mind is exposed to videos of police officers in deadly force situations. They see a person fleeing from or struggling with police and, along with the inevitable shocking narrative, learn to associate cops and shootings. Many believe that the mere presents of police can cause a person to fight or flee. This is often true, not because of the actions of law enforcement, but because of the perception of the subject.

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Disruptive persons are not likely to begin behaving lawfully if the police just promise to leave or never show up at all.

Police are criticized when a lot of them are on the scene or when they fail to call for back up. There is no statistical correlation between officer injury and suspect injury related to how many officers are present. When officers are wearing protective gear (helmets, etc) they are often accused of provocation, but the risk of injury is real and when police in so-called “riot gear” show up, that doesn’t cause a riot.

Cops are very good at minimizing force

The reality is that the police are generally very good at avoiding the use of force, including deadly force. Studies show that police officers avoid deadly force the vast majority of the times when it would be lawfully justified, and complete citizen contacts with rare uses of force.

Cops are already accountable

Claims that police are not held accountable for use of force are not supportable in an age where nearly every police interaction is recorded on video. In addition to department discipline, officers face state lawsuits and criminal prosecution, and federal civil suits and criminal prosecution. Records of internal complaints and investigations are increasingly made public, and many law enforcement agencies track complaints and use of force using reporting software that alerts when potential misconduct patterns emerge.

Conclusion

A police officer (or social worker or counselor) cannot control another person’s perception or body chemistry, which are the sine qua non of

behavior, whether compliant or non-compliant. As one of my professors said, the assumption of rationality is, itself, irrational. So, the best we can do is to help the other person to put the brakes on their nervous system that is communicating danger from the brain to the muscles. Given the intensity of situations already in progress when the police arrive, the overwhelming prevalence of chemical influence among subjects attracting law enforcement calls and attention, and the frequent presence of bystanders creating additional tension, the public we serve deserves to know how well we are really doing.

Hands Up, Don't Shoot! The Peril of Fake Surrender

The chant of "Hands up, don't shoot" echoed in the streets of protests across the country after the shooting of Michael Brown in Ferguson, Missouri in 2014. In the immediate aftermath of the false narrative that caught fire on social media faster than the torched convenience store in town. No official voice outperformed Twitter in the hours after the shooting, and the hours and months of multiple investigations that determined the shooting was lawful and justified have never outperformed to the false narrative that still lives in rhetoric today.

Even though the fable that Brown had his hands up in surrender has been soundly refuted, the idea that an officer is safe at any point during an apprehension is also untrue. FBI studies on officers assaulted reveal that the moment of surrender or handcuffing is one of the most dangerous activities for officers.

According to television and movies, three things happen with an offender who is being arrested. One is that they are shot, the other is that they submit to arrest and get handcuffed and escorted away, and thirdly they

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engage in a brief struggle until the officers get them under control. A fourth thing that can happen, seldom portrayed, is that the suspect can initially appear to comply but then resist and assault or attempt to assault the officer.

There are several reasons why this is a flash point for assault. One is that the officer may be so relieved that the suspect has given up, that they let their vigilance lapse and are psychologically and tactically unprepared for a fresh wave of resistance. Secondly, any time an officer gets within arm's reach of a suspect they bring their weapons systems with them which are vulnerable to attack. A tricky suspect, calculating the risk of prison relative to the risk of escape, is tempted to go for the officer's gun, pepper spray, baton, or Taser, or to apply a kick or punch to a vulnerable body part. Thirdly, many suspects are under the influence of mind-altering chemicals that can incite erratic behavior and sudden mood changes from submission to attack.

A fourth reality is that apparent submission or even successful application of handcuffs is no guarantee that the danger is over. Prison surveillance video shows inmates practicing escape and attack tactics. They have plenty of time to practice and plenty of incentive to use those skills when they get back on the street and resume their criminal lifestyle. Head-butting, kicking, and grabbing can all still be accomplished while handcuffed. Those who practice, don't mind the pain, or have unusual bone structure, can manage to get out of restraints and wait for a moment of distraction to attack the officer. Having one handcuff free makes a formidable weapon itself.

While the average citizen can't fathom why a suspect would assault an officer and face certain capture and more severe punishment, the reality is

that assaulting an officer is often free of consequences for an offender. Assaults on officers are among the first charges pled or dropped where other felonies are pending. Some officers don't even spend much time reporting assaults on themselves since their hope of prosecution or restitution seems dim. Criminals facing serious charges are looking at prison time regardless, and can easily figure that an attempted escape or hurting a cop won't make that much difference.

Finally, what is seen on video by critics and Monday morning couch coaches that might look like unnecessary force after an arrest, may not reflect what the officer sees. The flick of movement toward a weapon, the glance of the eyes toward an escape route or confederate, or the refusal to show their hands can be danger warnings that escape the civilian eye. In one notable case, an officer was criticized for shoving a handcuffed suspect against the hood of a patrol car. A close examination of the video, however, showed that the suspect handcuffed behind his back, had grabbed the crotch of the officer and was squeezing the officer's testicles painfully until the suspect was shoved forward.

A suspect doesn't cease to be a threat to the arresting officer and the public at large until they are safely behind bars. As Yogi Berra famously said: "It ain't over till it's over."

12. FEDERAL INFLUENCE IN POLICING

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The New McCarthyism: A Domestic Terrorist Behind Every Badge?

President Biden advocates a federal domestic terrorism law. Given that the Constitution guarantees not only free speech but free association, even the ACLU is skeptical that the government can keep from repeating past mistakes in criminalizing political and religious activity. Although concerns about radicalization through social media and hate speech raise caution flags, criminal acts must be the guide rather than mere oratory. Representative Jackie Speier, D-California has formally urged Biden to expand screening for military member by surveying their social media specifically for “white supremacy” groups. Little attention was given to another alarming [report](#) cited at Military.com citing concern about street gangs associated with Army personnel. Potential misconduct crosses racial lines.

During hearings on Biden’s pick for Attorney General, the specter of ideological persecution was in the air. “I would not have taken this job if I thought the politics would have any influence over prosecutions and investigations,” he said. Yet Judge Merrick Garland, President Biden’s pick for attorney general, promised to combat the rising threat of domestic extremism. Few would disagree that violence should be stopped, but what if watchdogs are defining extremism as any opposition to their beliefs and policies?

As a February 22nd USA Today editorial states “there’s also little doubt that targeting perceived ideological threats contributed to our nation’s most shameful episodes of civil rights abuse and governmental spying on citizens.” With grants proposed for state and local law enforcement as well as schools for violence prevention programs, leaders in these

institutions must be watchful for ideological indoctrinations that go beyond data and common-sense tools. The shifting sands from the Trump era to the Biden/Harris era are soaked with presuppositions and broad classifications of people whose thoughts are deemed to be dangerous. It bears noting that Biden's Attorney General nominee oversaw the prosecution of Timothy McVeigh's murderous bombing of the federal building in Oklahoma City without any special terrorism laws.

Guiding [documents](#) on U.S. laws define terrorism as any crime that appears to be intended to intimidate a civilian population, influence government policy, or affect government conduct by assassination, kidnapping, or mass destruction. Based on those criteria it would seem that the actions of rioters in Seattle, Washington and Aurora, Colorado where police officers were trapped inside buildings should be examined through the lens of domestic terror. This past August in Seattle, rioters went about setting a fire outside a door to a police building which they had jammed with rebar and boards and attempted to seal with quick-dry cement. SPD officers managed to kick their way out of the exit. Three fire bombs were tossed at a Seattle Police Guild building. These kidnappings, arsons, and attempted murders were given little attention by city leaders.

In Aurora, Colorado, police were trapped for seven hours in a precinct station, chaining the doors shut. In the aftermath, police found makeshift weapons and gas cans nearby. While other officers attempted to enter the area, including access to patrol cars that had also been blocked, rioters used mortar type fireworks and other means to assault responders. The lack of political outrage at these horrific actions is an indication that political messages will be projected through the search for domestic terrorists. As law enforcement comes under the suspicious eyes along with our military, it is no wonder that the anti-police crowd will gladly support undermining the police and further impugning their credibility.

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Some of Biden's concerns arise from the participation of military veterans and police officers in the January 6th assault on the U.S. Capitol, despite the heroic actions of thousands of police and military members responding to the melee. One analysis showed that 20% of persons criminally charged in that debacle were veterans or active-duty persons, while 7% of the population have a military service connection. Comparing those figures is not an accurate reflection of widespread and radical ideological corruption in the military, nor is the number of persons involved in the capitol attack who have law enforcement connections. One could argue that those who have had the most intimate interactions with government, having borne arms for it, would have a higher sensitivity and awareness of concern for liberty, even if misguided.

For the weight of government surveillance to be pressed against the men and women in uniform is not merely an insult, but a real danger. Along with the goal of rooting out extremists (currently almost always referring to white, right wing extremists) there is, necessarily, a grand re-education effort to vilify them. The line between those who are all talk and those who commit real violence against our democracy shouldn't be all that difficult to determine. Even conspiracy requires some overt act in furtherance. Without behavior, there is no crime but one's thoughts and attitudes, which, however ugly, must never be criminalized.

Biden: “Antifa is an idea not an organization”. So who threw that brick?

We can't pick on Joe Biden for quoting FBI Director Chris Wray, but we can look for some context.

Ask the business owner whose building and livelihood was burned out by arson, or the police officer struck by a brick, whether antifa is “a thing” or not.

Director Wray wasn't brushing off the dangers of extremist groups when he testified before Congress in September. Saying that antifa was an ideology and not an organization Wray went on to clarify that the FBI considers antifa a real thing and has investigated violent extremism involving individuals identifying with antifa.

It is exactly the murky nature of antifa and other extremist ideologies that makes them dangerous. Law enforcement agencies in riot torn areas of the country have special challenges gathering intelligence to prevent violent attacks. Because there is no formal organization or hierarchy, monitoring for threats and conspiracies to engage in violence is difficult. Many plans for disruption of lawful protests by antifa and other amorphous ideological groups are spontaneously produced on social media as well as hard to find sites on the dark web.

Although neither candidate was able to finish very many of their statements during the recently televised debate, Biden's statement and Trump's hesitance will likely be construed as tacit endorsement by extremists associated with the left and right of American political thought. When individuals have a bent towards extremism, they can be easily

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triggered by statements left to interpretation. The candidates did little to distance themselves from radical groups that are identified with the parties.

America's history of dissent and protest began with the ultimately violent protest against the infringement of liberties imposed by King George. The criminal justice system has struggled with the balance of Constitutional rights to free speech and assembly while keeping lives and property safe. The line that must be drawn ultimately is drawn by police officers.

Speech and assembly are freedoms that are bounded by the same rationale used for centuries: your right to swing your fist ends at the other person's nose. Protests can be regulated by time and place, although the content of speech can not generally be proscribed in advance. Protests that allow assembly of like-minded citizens, and perhaps those who oppose whatever statement is being made by organizers, can progress outside of the boundaries of the safety of the permission given. Most policing strategies allow for a great deal of latitude for gatherings and protests.

Protests, whether by intention or spontaneously, can evolve into small acts of defiance, angry and threatening language, assaultive behavior, vandalism, and rioting.

Civil disobedience also has a significant place in history. The idealism of the civil rights era involved an intentional expectation of arrest. Today's protestors seem to have forgotten this sacrificial effort and expect complete accommodation by law enforcement. They are often aided by weak-willed politicians and judges who refuse to give peace keeping tools to police officers on the front lines.

Protests, marches, and agitation have proven to be a catalyst for important social changes. Admittedly, even violence and threats have had desired political effect. Armchair observers can bicker over labels, but ideologies like antifa (anti-fascists) can and do spark violence. Certainly, the same can be said about extremist groups from any political bent. People who chose to harm people deserve no protection from criticism and censure regardless of their affiliation.

Law enforcement is not designed to be used to oppose ideology or choose political affiliations. But it is designed to preserve peace, intervene in criminal enterprise and activity, and to protect life and property. If a minority of activists choose to ignore the bounds of the law and expect no accountability for their choices, they cannot be considered courageous promoters of cause, but mere agitators and lawbreakers who must reckon for their actions.

Feds Take the Supremacy Clause Personally

A Constitutional Republic is what Ben Franklin is said to have remarked was produced by the first Constitutional Convention, adding, according to history “if you can keep it”. Whether those words were actually uttered or not is the subject of conjecture, but Franklin’s wit and vision ring true. We are still trying to keep it. Without a history book in front of us, we may have the vague impression that the Constitution and the Declaration of Independence sort of evolved out of the same set of meetings. A quick history review reminds us that the battle for a workable government was not easy or quick.

The Continental Congress, a rather rebellious group dissatisfied with British oppression, did indeed pass the Declaration of Independence. They also passed the first constitution which was the Articles of Confederation, passed in 1777 and subsequently ratified in 1781 under which the country operated until 1789. This document established states as the primary centers of government and provided little authority to the national government. The Continental Congress gave way to the more official Confederation Congress, although made up of mostly the same membership. When the Revolutionary War was won in 1783, the weakness of the Articles of Confederation was of such concern to such luminaries as Alexander Hamilton, who, along with others, proposed a convention in Philadelphia to amend the Articles. They ended up proposing a whole new document in 1788 it went into effect and established the government structure we now know as the Constitution. This document was not ratified by the states until the addition of the Bill of Rights in 1791.

The intense debates, exemplified by the set of documents written by

certain Founding Fathers and known as the Federalist Papers, continue into our present day. What is the role of the federal government? What is the relationship between the federal and state governments? The fear of an overpowering national government led to those amendments we know of as the Bill of Rights, which clarify what natural rights the citizens have that were not to be trampled by government. This included the Tenth Amendment: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people”.

With that background, let’s consider a recent court decision from Texas. Travis County Judge Jan Soifer ruled that a trespassing arrest by Texas law enforcement was unconstitutional. Let’s quickly tell that story.

Governor Abbott developed a program called “Operation Lone Star” whose purpose was to do what the Biden administration refuses to do in dealing with criminal violations of the law by those entering the US at the Mexican border contrary to US Law. An Ecuadorian seeking asylum was found on railroad property and charged with trespass. Judge Soifer ruled that because of the supremacy clause of the Constitution, the state’s enforcement action interfered with the federal task of immigration enforcement.

Travis County District Attorney José Garza, who took office last year under a reform platform, capitulated on the charges, agreeing with the ACLU and the judge that the enforcement action “represents an impermissible attempt to intrude on federal immigration policy”. Garza is known for immediate action to reduce bail requirements including presumptive release even for some felonies and failure to appear at previous court dates.

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Governor Abbott expects the ruling to be overturned. He has been faced with floods of unlawful crossings into his state after the Biden administration failed to take a decisive stance on any real engagement with the border crisis. Texas Attorney General tweeted “Lib Austin judge lets a Soros Travis County DA represent State of TX, then declares Op Lone Star unconstitutional. Ridiculous. Biden has FAILED to secure the border. Texas stepped in. We have the right to defend our border if the feds refuse. I’ll fight this nonsense on appeal”.

It doesn’t take an attorney to question a ruling that essentially says that lawlessness must persist if the federal government decides, itself, to ignore the law. The supremacy clause certainly reigns if there is a conflict between a state law and a federal law. It can’t mean that if there is federal jurisdiction there can be no state enforcement. Because bank deposits are federally insured, bank robbery is a federal offense. Does Judge Soifer think Texas law enforcement is prohibited from arresting bank robbers if the FBI decides not to?

Constitutional law is complicated, state and federal interagency cooperation can be complicated, and immigration policy is desperately complicated. What isn’t so complicated is the right of states to enforce the law.

Will Biden's New DOJ Encumber Local Law Enforcers?

No advocate of quality policing objects to accountability of police officers or police agencies. The honest question is how to achieve that without gutting the essentials of policing. So far, many of the voices calling for police reform range from the abolition of policing to thinly veiled changes that undermine the police function. New US Attorney General Merrick Garland has vowed to “police the police”. This will mean an acceleration of popular reform actions. It will also mean an increase in civil rights investigations of police agencies and federal prosecution of police officers for use of force. “Pattern and practice” investigations seldom see the light of day. They most often result in an agency surrendering to expensive federal oversight.

In addition to more federal manhandling of local law enforcement are what appear on the surface to be acceptable proposals but can involve hidden harms to law enforcement. Three of the most popular and palatable are increasing non-law enforcement (NLE) response to some calls, body-worn cameras, and increased training. What could go wrong?

Harm # 1

Funding non-law enforcement responses have the potential of directly diverting policing funds or indirectly diverting funds that could be used for upgrading police staffing. Law enforcement personnel numbers have not kept pace with population increases, while funding has remained at consistent levels as a percentage of government budgets.

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Harm # 2

Non-law enforcement responses are showing successes, but the evaluation is not complete. NLE calls are carefully screened. NLE personnel will not respond to calls of violence or weapons, and if the situation is dangerous when they arrive, their protocol will be to call law enforcement. This means that when an NLE unit can claim no one was harmed on their calls, they are dealing with cherry-picked services, leaving the dangerous calls, appropriately, for law enforcement. But it is the weapon and violence calls that result in violent confrontations with police officers. The rosy statistics of NLE success miss this selectivity.

Harm # 3

NLE response success relies on the trust of their clientele. This means that there is a disincentive to report criminal activity discovered during their calls. A pile of stolen property, narcotics, or other evidence of a crime will go undetected or unreported by NLE. Many troubled individuals engage in criminal behavior and need to be entered into the criminal justice system. Diversion from the complexities of the courts and corrections is, indeed, often appropriate. But not always. Criminal activity and victimization can be perpetuated.

Harm # 4

Body-worn cameras are of great benefit to police officers. They justify the officer's behavior the vast majority of the time and can refute spurious claims of misconduct and lawsuits against agencies. They are so effective in gathering evidence of criminal conduct of actual criminals, that many civil liberty advocates are now turning against body cameras as an invasion of privacy!

Laws like Colorado's that assume officer misconduct if a body cam was off during an encounter, those that mandate the huge expense of data storage and retrieval, and the reluctance of citizens to approach an officer because the conversation will be on record, are all harms that can impede effective law enforcement and divert needed funds from patrol staffing.

Harm # 5

Officers embrace training opportunities, but legislative training mandates can be counterproductive in two ways. One is the strain on basic academy training. Any extension of basic training requirements will require either an extension of the academy time or the dropping of some other training component. The proposed curriculum is often repetitive of what is already part of the training but unknown to the lawmakers (a very common occurrence), or is based on emotion and public misperception rather than data. As such, many of these mandates, whether well-intended or not, are of little value.

Harm # 6

Training costs money. Money is what is used to put uniformed officers on the street. Taking an officer off of the street reduces staffing for emergency response. Staffing shortages means taking officers and detectives away from investigations. Reduced resources for response and investigation means a rise in crime. Watch the crime data and correlate it with the most oppressed police agencies and you will find a major spike in violent crime and a reduced rate of solved crimes.

No training mandate should be passed without data showing it is necessary, consultation with police professionals on unintended

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consequences, and funding for more police officers so that no one is being told by dispatch that there are no officers available to respond to their call while police officers are tied up in a classroom to learn something they already know.

Politicians Shed Crocodile Tears for Capitol Police Officer

It would be fitting to properly honor the life, service, and sacrifice of Capitol Police Officer Brian Sicknick. Given so many of the Biden administrations' disdain for law enforcement, it was hard to get past the hypocrisy as so many supporters of the anti-police movement somberly lamented Brian's death with sound bytes and photo ops.

As questions still linger over what happened on that January day when the capitol building security was breached by dozens of persons ostensibly protesting the Electoral College count, the narrative has been seized by the new administration. With all due respect to the gravity of the Capitol invasion and the tragedy of all of the deaths and injuries that are connected to it, the contrast between the cheerleading of rioters across the country during 2020 and the declarations of outrage for disturbances in their own neighborhood is noteworthy.

As President Biden includes the elimination of offering surplus safety equipment from the military, improving federal prison conditions, and enjoying the celebrity of his Vice President who has praised defunding the police, it is no surprise that no sorrow has been extended to the hundreds of police officers who die in the line of duty yearly or to the thousands of police injured in riots across the country. That he has now made time to add Officer Sicknick to George Floyd as a funeral guest smacks of pandering to law enforcement whom he alienated during the presential campaign.

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A Biden Justice Department is poised to begin an aggressive hunt for police agencies to accuse of racially biased practices in order to continue for the federalization of law enforcement along with federal oversight of local police and national policies to impose on local entities. Biden has also attacked the discretion of local elected prosecutors, although many politicized prosecutors have declined to prosecute criminal behavior of rioters including assaults on officers, the goal of Biden's policy is to ensure that police officers are prosecuted.

Biden has repudiated his involvement in the 1994 crime bill that he once took great pride in and credit for. Despite crime's significant decline partially due to the bill, the fact that it ended up putting people in prison merited his apology for it. He has also begun aggressive efforts to reduce immigration enforcement, deflating the brave men and women that work to interdict those who engage in smuggling, human trafficking, and drug importation.

Biden and Obama had urged fellow Democrats to walk back harsh talk about defunding the police, recognizing that it could alienate independent conservatives and many centrist Democrat voters. A member of the police reform task force that served Biden and Bernie Sanders described the anti-police protests as a great liberation movement. Jalina Porter has been named deputy spokesperson for the U.S. State Department under President Biden, once wrote that the largest threat to U.S. national security is law enforcement, not Russian hackers or ISIS. These pervasive influences may not reflect Biden's public pronouncements of supporting the police but are components of his administration.

The narrative of the capitol riots has been leveraged to imply support for law enforcement. During President Trump's tenure, he was a vocal supporter of policing which meant that to be an anti-trump politician had

to include being anti-police. Since supporters of law and order come in all stripes and party affiliations, the opportunity provided by rioters waving Trump logos struggling against police officers was not to be overlooked by strategists. Praising the heroes of the Capitol police (while, of course, later blaming police leaders for failure) has all of the appearances of political leverage. We can only hope that the death of Officer Sicknick is being honestly mourned.

Autopsy results may or may not verify the sketchy reports that Sicknick was beaten with a fire extinguisher as a cause of death. Investigators have yet to confirm exactly what happened during the melee. The best narrative that would serve the generally anti-police, anti-Trump narrative would be this brutal death, so any contrary investigative results may be difficult to find and not likely to be widely reported. Meanwhile, the suicides of two officers, Officers Jeffrey Smith and Howard Liebengood, who served on the Capitol grounds that day have evoked no widespread action on behalf of officer well-being. The three medical emergencies that resulted in three other deaths in the crowd have been headlined as deaths directly resulting from the incursion.

Add to the public's skepticism is Congresswoman Ocasio-Cortez' (AOC) claim of trauma from the riots may be a dramatized version since recent reports indicate she was not even in the building at the time of the attack. If the reports are confirmed, it is just one more example of false narratives foisted on the American public.

Thank you to all the officers who brought order to the chaos, including the 65 officers hurt during the event. Rest in peace, Officer Brian SnickNick, and Officers Smith and Liebengood.

Presidents and Police Officers

Local law enforcement hasn't garnered much attention from the White House for most of America's history. Things are very different now and not necessarily for the better.

The affairs of local policing were in the hands of elected sheriffs and marshals in the early days. Municipal police departments proliferated after the Civil War, with state agencies following in the first quarter of the 20th century with the advance of highways and an increasing population of the motoring public crossing jurisdictional lines in their newfangled horseless carriages.

Although federal law enforcement advanced in prominence after the Mann Act made kidnapping a federal crime and later the enforcement of Prohibition and the resulting gangster era of interstate crime, little thought was given to regulating crime and justice within individual states.

It took nearly a hundred years for state and local law enforcement to be held to federal Constitutional standards after the passage of the 14th amendment. It took a short time after the advent of televisions in most homes in America for the federal government to see local policing as an issue affecting national politics. Newsreel footage of police ignoring the protection of children attempting to attend newly integrated public schools and colleges, prompted a reluctant President Eisenhower to send federal troops and U.S. Marshals to Little Rock, Arkansas in 1957. President Kennedy dispatched U.S. Marshals to move Governor George Wallace from the doorway of the University of Alabama where he was blocking the entrance of the university's first black student. News footage of officers dealing harshly with civil rights marchers in Selma, Alabama in 1965, and

protestors in Chicago at the Democratic convention of 1968 all led to more intense national scrutiny.

Law and order became a theme with President Nixon shortly after the release of *The Challenge of Crime in a Free Society* in February of 1967. The report of President Johnson's Commission on Law Enforcement and Administration of Justice touted, to no one's surprise, better education and training for local law enforcement. It was followed by The Omnibus Crime Control and Safe Streets Act that poured millions of dollars to state and local governments to better equip, train, and educate their police officers. Nixon's war on drugs was another financial infusion of funding local law enforcement. While civil unrest still percolated from the civil rights struggle and opposition to the Vietnam War, Nixon strategically appealed to the "silent majority" whom he perceived to be tired of the disorder.

President Carter was a contrast to the Nixon era emphasis on law and order. His policies emphasized rehabilitation over punishment, the abolition of the death penalty, more emphasis on white collar crime instead of crimes committed by the poor, and the view that crime was a social disorder best addressed by a good economy and greater national unity and respect for the law. His successor, Ronald Reagan, adopted a more Nixonian approach to criminal justice.

The rising concern about drugs and gangs among the voting public was recognized by Bill Clinton in his 1992 campaign for President. The issue was given little attention by rival George H.W. Bush, the incumbent at the time. Clinton's proposals, most of which became law, involved increasing the number of police officers by 100,000 and emphasizing community oriented policing.

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The Violent Crime Control and Law Enforcement Act of 1994 was another major federal effort to infuse money to address the problem of crime. The political importance was the effort by Clinton and Democratic legislators to remove the reputation that the party was soft on crime as a Carter era legacy. Current presidential hopeful Joe Biden was a major supporter of the legislation. While Clinton has publicly apologized for the law because it resulted in increases in prisons and prisoners (while still acknowledging that crime rates went down as a result), Biden has recently reiterated his support for community oriented policing with promises of more funding.

George W. Bush famously stood with first responders in the aftermath of the September 11th, 2001 terrorist attack. In reshuffling federal law enforcement, the importance of local policing in combatting terrorism was attached to funding and equipping state and local agencies. A new wave of respect for first responders lasted until the Obama White House.

It is no mere editorial commentary or partisan quibble to say that Obama set the cause of respect for law enforcement back decades. His support for the mythology of Michael Brown as a victim of racist police violence, despite the multiple investigations that wipe out any such claims in the interaction between Brown and Officer Wilson, was as disheartening as the premature reactions to the cases we see celebrated by police antagonists today. Famously calling out police for doing a routine burglary investigation that involved questioning the owner of the house, who happened to be a friend of Obama's and Harvard professor, he described the Cambridge, Massachusetts officers as "acting stupidly".

In an insult befitting Obama's perception of law enforcement, the President invited, Cambridge police Sgt. James Crowley, to have a low brow beer and peanuts with the professor and, as a last-minute guest, Vice-President Joe Biden. In other statements, Obama had claimed that

America needs strong policing, but his damning with faint praise was always louder.

We have a current President who has appeared unequivocally supportive of law enforcement and for that most police officers are grateful. Police officers as a profession are not monolithic in their politics, so the field includes those who fear that the vociferous objection to Trump's presidency and his pugnacious persona makes his support of police an incentive for more anti-police sentiment and opposition. Biden is more moderate on police reform than he is given credit by his critics, but those who may be brought into policy making in a Biden White House may not be.

American Policing Unique in the World

American policing is unique in the world primarily because of our national historic interest in liberty and self-determination.

We are not a branch of the military. Even though law enforcement is often described as paramilitary, American policing is decidedly civilian. Many of the founders didn't even want a standing military, much less have the military in charge of keeping the peace on the streets of our country. Granted, there are situations where a military presence is deemed necessary in times of great chaos and disorder, but, as proscribed in the Posse Comitatus Act of 1878, the use of the U.S. Armed Forces is expressly forbidden.

As articulated in an article by the Brennan Center for Justice "The Posse Comitatus Act bars federal troops from participating in civilian law enforcement except when expressly authorized by law. This 143-year-old law embodies an American tradition that sees military interference in civilian affairs as a threat to both democracy and personal liberty." State militias (National Guard) may be called up by a state's governor, but unless federalized, are acting as law enforcement under state statute in limited ways.

Critics of "military grade" tools such as armored vehicles and other gear may fear militarization, but these are tools used and equipped in ways that are not consistent with invading armies. They may be military surplus or have a military appearance but are used for rescue or insertion of police officers for intervention in highly dangerous criminal activity. This writer once issued a challenge, along with a cash incentive, to produce any

instance of a functioning machine gun mounted on an armored police vehicle. The challenge went unanswered.

We do not have a centralized national police force. While countries with national law enforcement with broad powers over local crime often have constables or other township officers, their major organization is federal rather than local. The U.S. law enforcement community is comprised of about 18,000 separate entities ranging from state police, county sheriffs, local police departments, and specialty agencies such as campus or transit police.

There are, indeed, nearly 100 different federal agencies with armed personnel with arrest authority, but these are designed with special crimes defined by federal law over which they have limited jurisdiction. The FBI has authority over bank robberies, for example, because a loss of bank funds is a loss to the Federal Deposit Insurance Corporation and therefore a federal matter, but that same FBI agent has no more authority over the armed robbery of a 7-11 convenience store than a passing citizen. To be sure, federal policing has expanded and there are ongoing efforts to federalize law enforcement through federal mandates and financial incentives, but policing in America is local.

That means that accountability is local. The voters control those who appoint law enforcement leaders, devise funding for law enforcement, and make the laws that the police enforce. In the case of elected sheriffs, and in some jurisdictions elected chiefs, marshals, or constables, the choice of policing is directly democratic.

We have a Constitution that holds all government actors to a basic standard of conduct to ensure the liberty of its citizens. In some countries, the police are very independent of judicial oversight and enjoy virtual

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immunity from what we would label misconduct. While state and local governments were held only to their state's constitutions until after the Civil War, the 14th Amendment slowly gained traction in applying to all law enforcement and continues to be defined in the courts. The 14th Amendment got teeth from accompanying federal law that made violation of civil rights subject to criminal and civil penalties. This makes law enforcement at every level (as well as other government actors) subject to many layers of accountability. Law enforcement officers face federal civil action, federal criminal action, lawsuits, and criminal prosecution in state courts, and the regulations and sanctions of their employing agencies, all of which can end their careers as the least of their punishments.

The voices of police reform continue to rise and continue to be heard as the police community refines the profession, but American policing remains a unique, effective, and accountable force in protecting the public.

Cops Are Overcoming the Efforts of the Department of Justice to Discredit Them

The National Institute of Justice just released a document entitled “A Landscape Report on Measuring Community Sentiment and Perceptions of Safety and Law Enforcement Performance”. By coincidence, just before I saw the announcement of this report in my email, I was doing an internet search for “police officer hug” to find a photo for a social media post. With its usual efficiency, Google promised forty million hits, most of them actually positive. If you need a lift to your day, hit that search phrase for images and you’ll find page after page of kids hugging cops, cops hugging cops, survivors hugging cops, and lots of smiles and tears.

I am writing this commentary on the study in real-time while I read it over. As someone who has engaged in academic research, I am always interested in how results are obtained. Who got questioned? Who wrote the questions? Who interpreted the results? The watchwords “trust the science” have been echoed since COVID, and we all know how confusing that was. I trust my car but I check the tires and watch the gauges.

A hallmark study from the Obama era (hardly a President whose statue will be in the Law Enforcement Supporter Hall of Fame) was his Task Force on 21st- Century Policing. The report I’m reading as I write begins with a quote from that study: “Law enforcement agencies should track the level of trust in police by their communities just as they measure changes in crime. Annual community surveys, ideally standardized across jurisdictions and with accepted sampling protocols, can measure how policing in that community affects public trust.”

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That is a statement with which I heartily agree. The challenge in my mind is trusting a report from an administration that sent multiple White House officials to attend Michael Brown's funeral, famously referred to police as "acting stupidly", opened a record number of civil rights investigations of police departments resulting in a near-takeover and federalization of more than a dozen local agencies, and moved to stop agencies from obtaining essential protective equipment from military surplus so that they can stop this "warrior" nonsense and become mere "guardians."

Now comes this report from a Justice Department agency when the Justice Department is, itself, under investigation for political favoritism and weaponization, under a President who has apologized for supporting successful crime control legislation under the Clinton administration, and whose faint praise and continued goading for reform belies his public face of support for law enforcement.

Feel free to listen to the Jeopardy theme or smooth jazz while I read the report..... O.K., done. Well, it turns out that the report is just about how to measure citizen perceptions, how to get samples, and how to analyze data — just the things that I started the article with that I was going to use while reading the document. So where do we find the results of research already done on public perceptions?

Statistics measured after nationally broadcast tragedies like the Floyd case in Minneapolis and the Nichols case in Memphis have shown a dip in public trust, but the ebb and flow of media attention and political rhetoric must be averaged out over time. Another factor, as I mentioned earlier, is who is doing the research and writing the report. Read carefully for reports that use vague language like "too many" and "all too often", and make assumptions about the frequency of alleged police misconduct and

racism. There is a significant difference in the measure of law enforcement trust between those who identify as Democrat and those who identify as Republican, as well as Black respondents to surveys compared to white respondents. It appears that facts are not evenly distributed or digested, otherwise, the conclusion of any rational observer would be the same regardless of the ideological bent.

In trust-building efforts, law enforcement has flocked to body-worn cameras (BWC) on its officers. An extensive study with the Washington, D.C. police shows no significant difference in officer behavior before and after BWCs were mandated. A study by Arizona State University of the Phoenix PD deployment of BWCs showed officer productivity increased and citizen complaints decreased. A National Institute of Justice report also showed no difference in the use of force by officers with or without the BWC, did not improve suspect conduct, and made no statistically significant difference in officer-initiated activity. In other words, the AHA! GOTCHA! moment never came for the anti- police folks waiting for video to justify their hostilities.

A Psychology Today article from April of this year cites a 74% confidence rate toward police from a 2022 study. A 2022 posting of Gallup Poll results showed law enforcement ranked 6th in trustworthiness and above judges, politicians, and reporters. A Quinnipiac University poll published early this year showed 62 percent of respondents said they trust police to do what is right all or most of the time. By race, the figures were lower for Blacks but still 2/3 of that demographic. By partisan affinity 85% of Republicans were trusting of police, 63% of independent voters, and 49% of Democrat voters. A 2021 USA Today (not fans of law enforcement) poll showed 69% trusted law enforcement to “promote justice and equal treatment for people of all races”, a result that was on the rise from

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previous polling.

Even though the new report told me nothing, it did prompt me to review the issue of trust in police and, as a bonus, led me to a few hundred pictures of cops getting well-deserved hugs.

Biden's first year in office saw more officers murdered than any year since 1995

The increase has largely been attributed to ambush attacks against police officers. We can't say that the deaths were a direct result of anything that the President did, but his proclaimed support of law enforcement rings hollow because of the basic misunderstanding of violence in policing shared by much of the public that has been indoctrinated to believe that most uses of force, including deadly force by police are excessive and unnecessary.

Discerning what is unlawful conduct during a violent encounter is, in fact, often more complex than first appearances convey. The shooting death of Michael Brown in Ferguson, Missouri in 2014 and the beating death of Tyre Nichols in Memphis in 2023 are not the same. Yet President Biden invited the parents of both of these men to hold seats of honor during the State of the Union address. Treating these two cases as holding the same meaning for society is a tragic torture of perception with far-reaching consequences.

Brown's day started with a quest to steal cigars for mixing with marijuana. Entering a convenience store where a lone, older Asian man staffed the counter, Brown picked up a box of cigars and began to leave the store without paying for them. When the clerk attempted to stop him, Brown — described routinely as a teenager but with an imposing stature — shoved the man and left the store, turning the theft into a strong-arm robbery.

Sulking along the roadway, Brown was told by a passing police officer to step out of the street. The forensic evidence examined ad nauseam, verified the officer's statement that Brown violently assaulted the officer

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and attempted to disarm him, then fled. The officer, having been the subject of a felonious attack, pursued Brown on foot in order to take him into custody rather than let the violent attacker remain loose in the neighborhood. Brown continued to resist the lawful arrest of the officer to the extent that the officer resorted to deadly force.

The narrative that erupted after the shooting was patently false. The story that Brown was callously executed with his hands up in surrender has been thoroughly crushed but persists in the minds of many. The physical evidence, including multiple autopsies, was investigated by multiple agencies which included a grand jury, and at no point was the officer found to have used unlawful, unjustifiable deadly force.

Even in the face of microscopic examination, the lie of “hands up don’t shoot’ and the mythology of a victimized teen on the cusp of learning a trade shot for being a black jaywalker has kept Brown and his family on a pedestal of heroic and tragic victimization.

The Nichols case in Memphis still has many unknowns, such as the basis for the reckless driving stop claimed by the officers, but Nichols apparently unfortunately fled after a pursuit. In the best assessment of every police expert I know, the final takedown and subsequently brutal attack on Nichols bore no signs of justification or rudimentary sound tactics for even resistive subjects. It is likely that the assault and murder charges against the officers will be sustained at trial.

Mr. Nichols and Mr. Brown are not in the same club. While in no way a defense of the handful of Memphis officers, we have to find our President’s statement inflammatory, that the beating was “yet another painful reminder of the profound fear and trauma, the pain, and the exhaustion that Black and brown Americans experience every single day.”

What they and all Americans fear is crime, Mr. President, and you have indicted all police officers as criminal co-conspirators. America needed soothing words, perhaps understandable outrage and grief, but not a splash of hyperbolic gasoline on all police officers. Let's fix what is broken, not break what we're fixing.

Why Biden's Funding Advocacy Scares Me

For the record, Joe Biden has not vociferously advocated defunding. He has not been able to dodge those accusations because of the [many around him](#) who have celebrated the idea, including the Vice President. He also lives under the shadow of his own Vice Presidency under one of the most anti-law enforcement presidents in my lifetime.

My concern with the President's proclamation during the State of the Union address to "Fund them (the police) with resources and training they need to protect our communities" (which Nancy Pelosi has said has no place in the Democrat position), is that there will be strings attached. Make that chains attached. Make that federal control attached.

Biden clearly does not trust police leaders and local government leaders with the task of policing their communities. Law enforcement agencies will find it hard to turn down federal dollars, perhaps with gritted teeth. I haven't seen the grant applications. The applications for the old COPS programs under the Clinton administration were very simple. Some are not and the cost of personnel or grant specialists to get them can be considerable. There are also typically reporting requirements, creating more work for the agency.

Most grants forbid supplanting, which means that the new dollars cannot replace old dollars. If the previous budget allotted \$50,000 for a new patrol car, most grants will not let the receiver use the money for that already budgeted item. Many, if not most, agencies — especially the smaller ones that represent most police departments in the country — need essential funding.

If these federal dollars create future costs, they may need to be turned down. The old COPS grants that I dealt with would add police officers with declining percentages of support over a few years at which point my agency had to bear the cost of the added officers. We were not able to do so and suffered no sanctions from the grantors, but grants are always subject to audits and repayments.

Another requirement may be that agencies engage in programs prescribed by the grant which may not meet the urgent needs of the police department. Creative grant writers and administrators may be able to contort the funds to their real needs at the risk of losing their award. When drug enforcement was a federal priority, I asked for manpower and equipment. When community policing was a federal priority, I asked for manpower and equipment. When fighting terrorism was a federal priority, I asked for manpower and equipment.

With Biden's pride in supporting the COPS program in his Senate days under President Clinton, he continues that theme. As an expert in community policing, having written my doctoral dissertation on the topic, the continued push for it has some deep flaws. I am an advocate of community engagement, partnerships with governmental and non-governmental, and innovative problem-solving. Specific definitions and modeling of what community policing is have been a controversy since old-fashioned police work was re-labeled as community policing.

Aside from the disparity of what community policing looks like, we have to ask the question of whether the concept has made a significant difference relative to the investment in it. No doubt there are success stories all across the country of better public relations, more effective problem solving, and crime reduction, but these activities seldom need a ton of federal money to accomplish. Further, let's look at the current condition of

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the relationship with the public. Although most citizens still trust and respect the police, there hasn't been a time in history when that trust and respect has been lower or had a greater impact in derailing police morale and effectiveness. So, either community policing wasn't done enough, was done wrong, or didn't make a difference its practice for over thirty years hasn't brought us to a good place in policing. My purpose is not to criticize community policing, but to say that if this is the basket a lot of the Biden money is going into, the results are uncertain.

The Biden administration will also be funding "gun crime" initiatives which, while some may have merit, are bundled with clear hostility to American's 2nd Amendment freedoms. As has been argued for decades, the enforcement of current state and federal laws regarding firearms use would be a sufficient crime deterrent if only applied before adding reams of new laws and regulations with no scientific evaluation of their potential reward in lowering violent crime.

The government, in its typical rush to respond to headlines rather than real systemic problems, has already entangled many manhours in the business of red tape, regulatory reporting to bureaucracies, and threats of the Justice Department to take over their police departments. So-called national standards for training and policy are always a specter just as are all of the federal agencies operating on their own with little accountability. If one were a conspiracy-oriented thinker, one could make a credible case that the end goal is to federalize law enforcement. Federal partnerships can be great, but we must retain the control of policing to local communities' voters

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The Transition from Ignorance to Stupidity

I know we aren't supposed to call names or label, but sometimes the shoe just fits too well to ignore. The protests of the use of lethal force against 25-year-old Jayland Walker in Akron, Ohio have tipped from reasonable concern developed after the event for lack of facts to outrageous and malicious violence victimizing innocent residents and business owners.

Within less than 60 seconds after Akron police attempted to stop Walker for traffic and vehicle equipment violations, gunfire came from Walker's vehicle. What appears to be a muzzle flash was captured on a traffic camera, and the sound of a gunshot is heard on an officer's body-worn camera. With an armed and fleeing suspect, police engaged in a pursuit of the car. After several minutes, Walker slowed the vehicle, and he got out and ran. Officers pursued him on foot and attempted the use of a Taser to stop him. Walker suddenly turned toward the officers and they believed he made a move consistent with drawing a weapon. Several officers fired.

Let's look at the critic's arguments. Many will say that police should not be stopping vehicles for minor traffic violations. We can agree that examining traffic stop patterns for racial bias and ticketing to raise municipal revenue are reasonable accountability audits. But to say that broken taillights, speeding, not using turn signals, and expired license plates, etc should be left alone is to ignore some very real consequences of non-enforcement. The same violators that we curse for causing our near-collisions are the ones we hope were seen by the police, but who the critics think should be left alone.

One of those consequences is more traffic deaths and injuries. While

violent crime seizes headlines, the carnage and cost of traffic crashes are also increasing. Navigating in traffic is a complex effort despite our comfort level with it. We rely on obedience to traffic laws and vehicle equipment and licensing regulations to ensure the generally safe travel of ourselves, our loved ones, and our commodities. Those of us who have driven in third-world countries in the absence of these commonly accepted rules of the road can testify to the degradation of safety suffered where laws may not exist or may go unenforced.

Another consequence of fewer traffic contacts is that drunk drivers and armed offenders like Walker can travel about endangering the public with little fear of consequences.

As always, the critics wonder why the situation wasn't de-escalated. This is one area where ignorance often meets stupidity. Drivers are required by law to stop and comply with the police, not speed away and fire gunshots. Citizens are required to comply with lawful arrests rather than run. They cannot expect officers to open their arms for a hug when an offender runs toward them and makes threatening gestures. Those who flee and see that a Taser has been deployed should reasonably understand that the officers are giving them a chance to submit without being faced with deadly force. The timeline of Walker's actions and the officers' responses are measured out in seconds with no discernable room for anything other than what the officers did to protect the public from Walker's behavior. To the question of why didn't the officers de-escalate, the response is that they did.

Another critique in this case is what appears to be an excessive number of shots fired by police. We can understand the questions that civilians have about why there are so many wounds. First, if deadly force is legally and ethically appropriate, as appears in this case, then the means and extent of its delivery is a moot point. We are conditioned to the fair fights of TV

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and movies and naturally recoil at what reality reveals. Walker's autopsy results may or may not reveal which of the wounds inflicted were from bullet entry, bullet exits, or bullet fragments. The initial reports of 60 wounds don't mean that 60 shots were fired.

Police officers must make their own, independent decisions to fire their weapons or not. When multiple officers are present, as would be expected in this case after a pursuit and reports of shots fired, each makes their own determination based on their point of view and observations. Critics will say that after one officer fires, the others join in as a result of a contagion effect. Indeed, the fact that one officer saw a deadly threat and fired is one of many considerations that other officers at the scene may use, but they know that they will have to justify every trigger pull from their own judgment.

Finally, police officers are often trained to fire more than once after determining there is a deadly threat. Once again, the entertainment industry has injected toxic distortions about the reality of the effects of bullets on the human body. The reality that many offenders are using body armor gives rise to purposeful multiple shots beyond the center mass (shooting to the center of the torso) exercises that officers practice on the target range. Advancing aggressors have shown a remarkable ability to continue their attacks when wounded. Therefore, it is not unreasonable for an officer to fire two to five rounds at a threat to end it.

Finally, the argument that Walker was unarmed when shot is a distraction from reality. Officers, who are trained humans but humans still, had knowledge that he had been armed, that he was actively resisting efforts to apprehend him to end his dangerous behavior, and turned to charge what he knew was a phalanx of armed police while displaying behavior inconsistent with merely running but, rather, behavior consistent with

drawing a weapon.

The outraged want the eight officers fired and jailed, the police department reviewed, training changed, and probably have Chief Stephen Mylett tarred and feathered. The sole person responsible has already been held accountable for the whole affair: Jayland Walker. Weep for him if you will, but burning buildings and hating the police over his death is without excuse.

Understaffed Police Agencies Means Danger for Citizens

Rising rates of violent crime have been blamed on all of the politically acceptable reasons except the truth: law enforcement has not been allowed to do its job.

The question of what causes crime has never been fully answered. The easy, but often inaccurate conclusion, is that when Event B happens after Event A, then Event A caused Event B. The errors that can happen with this assumption are twofold. One is that Event A may simply be the most obvious, loudest, or most visible but other factors are not seen or known. The second is that there may be intervening causes that happen between Events A and B, shifting the course of history.

Any social research will be called into question because all of the factors are out of the researcher's control. In physical sciences, researchers control all elements and introduce only one variable. The outcome of the experiment can then be contributed to only one thing. Anyone who repeats the experiment the same way will get the same result. Not so in social research. Therefore, commentators are free to toss around theories that may not be provable.

Theory 1 is that COVID restrictions have caused stress that resulted in outbursts of violence. It's natural to blame COVID for just about any ill that has happened since the beginning of 2020. It's also natural to imagine that stress leads to violence. Science tells us that stress inhibits judgment, can cause aggression with surges of adrenaline, and can cause physical illness. Connecting violent crime and stress has been a theory for a long time, but the ultimate weakness in the theory is that if COVID causes

stress, and stress causes violence, wouldn't there be even more violence than we've seen since virtually every person in the country is stressed out?

In addition, it seems that if COVID isolation provoked violence, a greater percentage of homicides would be domestic violence. Data are not clear about any significant increase in domestic violence-related homicides, although it is likely to have risen, but the ratio of other types of homicides in relation to total murders doesn't prove this theory yet.

Theory 2 is that because so many firearms were purchased that they were more available and used in more violent crime. There is no question that violent crime involving firearms are frequent, but the population was already saturated with firearms long before 2020. In the US there are enough guns for everyone to have one, and guns are present in at least 40% of households. Gun sales have hit historic highs for reasons that likely include fear of civil disturbances and fear of gun ownership restrictions that may follow from a change in Presidents. More guns means more crimes, in the minds of analysts who want this to be a fact.

The reality is that even though the increase in gun sales may mean more first-time gun owners, that isn't likely. It also isn't likely that the criminal element is the population buying up guns and ammo. If there were some known ratio of firearm ownership to violent crime, we could predict a certain rise in crime based on gun sales, but no such predictive ratio exists.

There are other theories but, like everything else in 2020, opinions and data are scrambled and hard to compare to a baseline.

There are reasons to believe the anti-police political rhetoric is the root of the increased violence. Legislators across the country are on a campaign

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to get and keep more criminals on the street. Prosecution of police officers, release of offenders without bail, increasing liability exposure of police officers, prohibition on enforcing traffic laws, removal of necessary weapons and arrest control techniques, discouraging lawful suspicious person contacts, and excusing criminal behavior in a twisted version of acceptable protest. Police funding is at risk. Recruiting is more challenging. Retirement is more appealing. Why would observers be shocked to see rising violent crime?

Good citizens make rational decisions. They report crime because they trust the police. They buy guns because they know that police are restrained and overburdened. These indicators point to the suppression of policing. Lawbreakers make calculations. They make rational decisions. They figure out risks and rewards. They know that the police are being discouraged and restrained from doing what they were hired to do. They make the calculation that maybe now, criminal activity is worth it.

And maybe it is.

What Gets Lost When Police Budgets Get Cut

Somewhere there may be a bloated law enforcement budget. Too many officers with nothing to do. Too much fancy equipment with no usefulness. Cobwebs growing on desk-bound paper-pushers kept around while they wait for their pension. If such a place exists it's no place I've ever worked. The more likely scene is dispatchers pushing non-emergency calls to the bottom of the list, patrol officers trying to find a time for a meal break, and detectives trying not to break the department's over-time budget.

As populations and demands for services grow, police agencies eventually find that their patrol officers have too many and diverse responsibilities to have expertise and efficiency in all areas. This requires police leaders to examine the community's needs for specialized units. The goal of specialized units is to allow patrol response to remain robust by relieving them of some demands that can be time-consuming and require specialized knowledge.

Investigations

When funding is cut, the essential service of responding to 911 calls must be preserved. Police administrators often redeploy officers from investigative responsibilities back to uniformed patrol. While this may sound to the public like those non-patrol staff are not essential, investigations will necessarily suffer.

Following up on criminal investigations is more time consuming than ever. Physical evidence, including DNA, must be collected, preserved, and analyzed to meet not only legal standards but the unrealistic expectations

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of juries primed by fictional stories from television and movies. Tedious documentation must be flawless. If a lead is not followed up, the defense will claim that police failed to consider other theories or suspects and unfairly focused on their defendant.

Victim services will suffer because cases will fall through the cracks with insufficient attention and resources. The flow of cases that are referred for further investigation will not stop just because a detective's desk is empty while she is back in uniform. If patrol officers are required to handle more of their own cases past the initial report, they could be out of service for 911 response and contributing to the problem of reduced staffing that began the cycle of shortage in the first place.

Traffic

Many departments are being forced to reduce their traffic violations enforcement. This may mean fewer traffic contacts or the elimination of traffic units designed to investigate crashes and proactively get drunk and drugged drivers off the roadways. As part of the \$150,000,000 cut to LAPD's budget, patrol officers will not be responding to minor crashes with no serious injury. A minor crash on paper doesn't seem like a minor crash to those involved. Injuries that seem minor at the scene can mask serious conditions to arise later. Insurance companies and attorneys will be without objective police documentation to hold careless drivers accountable. More drunk drivers and road ragers will escape attention and continue to pose a threat to the public.

Special Teams

Air support, explosive response, special weapons and tactics units,

undercover investigations, computer crime units, K9 officers, human trafficking, fraud and white-collar crime investigations all potentially suffer from budget cuts. Air support, for example, is an expensive line item that is ripe for redlining but is very productive in ways that belie the expense.

Administrative tasks that require police experience often seem redundant, but the officers who are overseeing research, budgets, training, grants, intelligence analysis, and a host of other things that grease the wheels of the department's mission are essential. Without their work, the efficiency of the officers on the street can be diminished.

Community Relations

The public will always expect a response to their call for service. They will expect that crimes against them will be solved. They will not remember that the budget was cut while they stood by and allowed it to happen. There's very little expert opinion that denies that crime will increase. The experiment of having non-law enforcement responses to mental health, civil disputes, and "minor" offense will not justify taking money from the police budget to pay for civilian personnel to handle these "non-essential" police functions.

Police budgets aren't like business and family budgets. If there is fat to be trimmed, that's fiscally responsible to the taxpayer. More likely, agencies will be cutting into the meat of their mission to satisfy the activists demanding fewer resources. If the police department suffers, the public will suffer.

The Backpedaling Continues

It seems that the rush to push through laws, policies, and budget restraints on law enforcement is hitting some snags.

In Minnesota where a city ballot issue is scheduled to go to voters in November to dismantle the Minneapolis Police Department, the state Supreme Court invalidated a portion of the ballot language. The court's opinion did not deal with the substance of the issue but did say that some of the wording was misleading. It may simply be that the impatient police defunding contingent were so anxious to begin the deconstruction of Minneapolis law enforcement that they overlooked the laws requiring fair ballot language.

In a separate matter, another Minnesota court prohibited a new, restrictive use of force law from going into effect until an appeal can be heard from law enforcement organizations.

Meanwhile, the Minnesota Supreme Court has overturned a 3rd degree murder conviction of former Minneapolis police officer Mohamed Noor because an element of the charge requires a "depraved mind" that the court said didn't apply in the Noor case. He still faces sentencing on a lesser charge of manslaughter. The ruling is likely to affect the Chauvin case in the death of George Floyd. Though the legal analysis can be complicated, the ruling may indicate the trend of overcharging police officers faced with prosecution in use of force cases.

In New York a grand jury refused to indict an officer who used what

appeared to be a banned “chokehold” while arresting a resisting suspect in June of 2020. The grand jury proceedings are secret, but the officer’s attorney stated that the officer’s testimony was believed by the panel that the force was necessary and ceased immediately when the arrestee was safely handcuffed. There exists, then, hope that when the realities of a police officer’s necessary actions are heard by objective citizens the truth can prevail.

Chicago and Philadelphia are two major police agencies that have negotiated significant wage increases after long discussions. Other agencies have been adding COVID related bonuses, while still others are offering hefty bonuses in recruiting efforts. Many agencies have reinstated money to police budgets after hasty cuts in concession to defunding advocates.

In another development that should provide some relief to police agencies burdened by federal oversight, US Attorney General Garland has issued new rules for federal monitoring. When the federal government has reason to believe that a police agency is operating in a discriminatory manner, the agency faces costly and lengthy litigation. To avoid that, an agency may enter into an agreement in which federal monitors have tremendous power over the agency’s operation. The resulting effect can be onerous to the agency which suffers a loss of autonomy.

These consent decrees have had mixed results and big expenses. The effect on department morale can be harmful, and taxpayers can be billed millions in costs for the oversight, with no guarantee of when the process will end. Garland’s plan is to require training for monitors, reduce opportunistic billing, provide clearer end dates for the process. Federal oversight operations have lasted over a decade in some cities.

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Police leaders have argued for these policies for many years. Interventions decreased under the Trump administration with Attorney General Sessions concern that the efforts are evidence of federal overreach. With the expectation that the number of federal interventions will increase under the Biden administration, the new constraints are welcomed.

These small victories provide a glimpse of encouragement to those who hold hope that the tide of anti-police sentiment will turn in the face of increased crime and disorder. For observers and practitioners of law enforcement – or anyone with a lick of common sense – predicted that the drastic and reactionary anti-police measures that swept the country would have disastrous consequences for ordinary citizens. As these predictions continue to come true, the political impact is being felt by the short-sighted proponents of weakening American law enforcement.

Hopefully, the voters will make elected officials who have damaged the rule of law by crippling its enforcement become unemployed or make better decisions for public safety.

Colorado's Police Reform Law Imperils Its Officers

The hypocrisy of politicians who switch from condemning to praising police officers is dizzying. The same Colorado Governor who gleefully signed new punitive laws against police officers in 2020 is distraught over the death of Officer Eric Talley who was among those killed in the supermarket mass shooting in Boulder, Monday, March 22nd. High publicity affairs such as this tragedy never fail to tickle the public relations trigger. Surely the grief expressed by lawmakers is genuine in the moment, but will not last when it comes to voting on anti-police legislation.

Hopefully, the Talley family can withstand the politicization of the debates that will surround his heroic death. But if laws matter, citizens must take action when bad laws put public safety at risk. The Colorado legislature recently passed new measures under the ironic title of Enhance Law Enforcement Integrity. How might those laws have impacted our fallen officer?

If Talley had failed to activate his body-worn camera while under fire and dealing with a mass killer, the law would have made a presumption that Talley was doing something inappropriate. The statute states "THERE IS A PERMISSIVE INFERENCE IN ANY INVESTIGATION OR LEGAL PROCEEDING, EXCLUDING CRIMINAL PROCEEDINGS AGAINST THE PEACE OFFICER, THAT THE MISSING FOOTAGE WOULD HAVE REFLECTED MISCONDUCT BY THE PEACE OFFICER. IF A PEACE OFFICER FAILS TO ACTIVATE OR REACTIVATE HIS OR HER BODY-WORN CAMERA AS REQUIRED BY THIS SECTION OR TAMPERS WITH BODY-WORN OR DASH CAMERA FOOTAGE OR OPERATION WHEN REQUIRED TO ACTIVATE THE CAMERA, ANY STATEMENTS SOUGHT TO BE INTRODUCED IN A PROSECUTION THROUGH THE PEACE OFFICER

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RELATED TO THE INCIDENT THAT WERE NOT RECORDED DUE TO THE PEACE OFFICER'S FAILURE TO ACTIVATE OR REACTIVATE THE BODY-WORN CAMERA AS REQUIRED BY THIS SECTION OR IF THE STATEMENT WAS NOT RECORDED BY OTHER MEANS CREATES A REBUTTABLE PRESUMPTION OF INADMISSIBILITY”.

So not only has the Colorado legislature deemed that any failure to turn on a camera (no exceptions for dealing with an active mass killer) is presumptively a sign of misconduct, a criminal case where such an oversight occurred can be put at risk for inadmissibility of evidence. And, by the way, if an administrative hearing determines that the officer violated the camera edict, the officer will be stripped of their state certification which means an end to their career.

What if Officer Talley, in dealing with the chaos of this event, had harmed an innocent person? Would he have been protected by qualified immunity from lawsuit? The development of qualified immunity was a direct result of the understanding that when the law requires a government actor to engage in their duty, and the circumstances are unique enough that there is no clearly established guideline for dealing with the situation, the officer's judgment will be given the benefit of the doubt. No more in Colorado. They were the first state in the nation to eliminate qualified immunity — but only for law enforcement officers of course. Other government actors, legislators, judges, and prosecutors kept their immunities.

In addition to laws that already require officers to report fellow officers for excessive force, the law requires an officer to intervene or face penalties. A reasonable idea on paper, but not reasonable to the officer in a life or death struggle who knows facts even a fellow officer may not know. An event filmed years ago caused an officer to be brought up on charges for

unnecessary force until the officer was able to prove that while placing a suspect against the hood of a car that the suspect grabbed the officer's testicles and did not let go until the officer forced the suspect harder against the car. Only the officer knew the facts at the time and, had another officer intervened, the suspect could have continued his attempt to escape.

And what if Officer Talley had, in the fog of combat and quest to save lives, injured an innocent person and a judgment was made against him in civil court? Would he have had protection from financial ruin by insurance from his agency? Not in Colorado. The lawmakers decided that officers must pay out of their own pockets even for duty-related judgments if the agency believes the officer did not act in good faith. Good idea – letting the person who has an obligation to pay a bill decide if they should pay the bill or not. I wish the legislature would allow me that decision on my financial obligations.

Colorado is not finished punishing its peace officers. There are proposals to bar police from arresting teenaged students while at school or using handcuffs on some juveniles. A ban on encrypting police radios would keep criminals aware of law enforcement actions, even though monitoring unencrypted police radio traffic was directly implicated in the death of a Colorado officer in 2017. And, of course, legislators will turn from applauding the tactical response to the Boulder shooting which deployed military tactics, gear, and armored vehicles to voting to ban those very tools from law enforcement. Politicians who throttle law enforcement's legitimate needs for protection should be given no license to shed a tear one day and vote against public safety the next.

Police Aren't a Cost, They Are an Investment

The only thing more expensive to a community than funding a police department is not having an adequately funded police department.

September's hurricane Sally hit Alabama with an estimated destruction cost of 3 billion dollars. Like an unexpected storm, estimates from rioting related to the George Floyd in-custody death are estimated at 2 billion dollars. Those numbers are for tangible, insurable damage. Lost opportunities and lost futures are not so easily tallied on a spreadsheet.

Collateral damage

Along with the collateral damage of actual damage from arson and vandalism, the ripple effect of the Floyd protests may incur even more tragic losses, including law enforcement effectiveness. Businesses considering beginning, expanding, or relocating their operations will necessarily look at the quality of public safety infrastructure. One researcher " reports nearly uniformly positive and often statistically significant coefficients on police and fire spending" as it relates to economic development. These measures are more concerned with the quality of service rather than merely dollars spent as a ratio of total government expenses.

What happens when those who are interested in investing in a community see police numbers going down and crime rates going up? What happens when those with capitol to invest see that the prevailing political philosophy is anti-capitalist? What happens when insurance companies pull out of a high-risk community or dramatically raise rates? What happens when property values go down and take tax revenue out of the

local economy?

Enterprises vary but crime rates, insurance costs, risk management, and threat assessments are bottom line considerations for any business. New businesses know that their taxes will be funding public safety and, therefore, have a very real interest in the quality of emergency response capacity. Overall quality of life for their workers and management is measured partly by the level of safety and security.

Costs of quality law enforcement

Providing excellent policing services is an expensive endeavor. Even so, government entity spending on police as a percent of their total budget is not as high as often presumed, ranging from 4% to over 40% at the extreme high end. Staffing and equipment amid increasing demands on law enforcement have, in many cities, resulted in significant increases in expenses over the past decades. Yes, police officers have demanded more in terms of salary and benefits, but challenges in finding qualified candidates have created a supply and demand equation that favors higher compensation. But there are a lot of reasons for higher costs of operation.

The old rule of thumb for police staffing was to have one police officer for every one thousand residents. If anyone is still calculating budgets using this measure, they could not be more out of touch with modern policing. Staffing depends on the public's expectations for service, response time, and visibility. Dense populations tend to have higher demands for services, and more sparsely populated areas cover more geography that may slow police response.

Even in the face of stable or decreasing crime rates, the time and detail

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that must be invested in crime response is much greater in modern policing. Processing of crime scenes, given the availability and expectation of DNA tests and scientific instrumentation, takes many hours. Jurors, conditioned to the high expectations of television cops, are reluctant to trust investigations without exhaustive DNA testing and body camera video. Time on task per officer has multiplied to avoid dropped cases and civil liability.

Contingency planning

Most citizens would be shocked at how few police officers are on shift at any given time. For officer safety and to protect the citizens and their government, multiple officers are often required at a scene. In addition, unusual events such as disturbances, major crimes, major fires, natural disaster can occur at any time. Injury and illness can strike a number of officers. Regional events can limit mutual aid assistance from other agencies. Just like in sports, police departments need a bench with enough reserve staffing to maintain high levels of service in extreme circumstances.

With every officer comes service and support staff, protective gear, special event equipment, and expensively equipped patrol and specialty vehicles, none of which are cheap.

Cost of crime

Underfunded police departments can not only discourage economic development and healthy property values. An increase in crime that will follow a reduction in the capacity of law enforcement to prevent, respond

to, and effectively investigate criminal activity had direct costs. A Rand research group study in 2010 estimated that every murder inflicts a total cost of over eight million dollars when all losses and expenditures are calculated. Rape inflicts a cost of over \$200,000.00, robbery \$67,000.00, car theft over \$9,000 as examples.

Feelings of safety, confidence in getting a 911 response, and avoiding the costs of crime are all good reasons to continue to invest in policing.

The Real Cost of Defunding

The fast-talking video pitchman pounding on the variety of vehicles available to viewers and flashing the number to call now wasn't a car dealer but a Ft. Worth, Texas police officer [recruiting for applicants](#). While other recruitment efforts are not as clever, similar tactics are being used to convince officers and potential recruits to choose one department over the other. Just like discounts and cash rebates from car dealers, agencies urgently seeking applicants are offering cash bonuses and incentives to get results.

While worker shortages are a challenge across the country and in nearly every enterprise, police jobs used to be the first option for job seekers. The pension plans, job security, and interesting work attracted more applicants than any agency could handle. Today's job market for police officers is wide open to eligible applicants, but not attractive enough to overcome the critiques, hostility, and violence that has been generated against America's police officers.

While violent crime is spiking, cities deal with record-breaking murder rates, and ambush murders of police up 100% in the latest officer fatality statistics cities like Minneapolis, MN where millions had to be added back

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to the police budget and a judge ordered the hiring of more police officers to Portland, Oregon where defunding was short-lived and 82% of the citizens want more police, communities now waking up to the need for police are doing everything but apologizing to keep up staffing.

Especially valuable to law enforcement agencies needing more cops on duty right away are trained, experienced officers already working for other agencies. These hires, called lateral officers, shorten the agency's training time as well as make the hiring process, including background checks, much simpler.

In times past when there were multiple applicants for every open position, the selection process was tedious and could spread out over many months. Initial testing, then physical performance testing, then psychological testing, a formal physical, and a background investigation were all separate phases requiring an applicant to make multiple visits over several months to complete the process. Many agencies had policies that eliminated anyone with an arrest record and without some college credit. Law enforcement agencies now often have a one or two-day testing process, allow more categories of arrest or drug use history, and are eliminating the college requirement.

Recognizing that many areas have a high cost of living and prohibitive housing costs, some financial incentives are being offered to lure the highly desired lateral candidates. A quick survey of ads for police officers in law enforcement publications shows what appear to be some pretty generous offers. Vancouver, Washington offers are \$25,000 lateral incentive and a \$10,000 entry-level officer bonus. Washington, DC is offering a \$20,000 recruit bonus and a \$6,000 available housing bonus on top of a \$60,000 entry-level salary. Seattle and New Orleans are both

offering up to \$30,000.

Tukwilla, Washington, a community of about 22,000 people just south of embattled Seattle, begins its job description with all capital letters addressing what they know is causing officers from many cities to flee to the suburbs: ARE YOU TIRED OF A LACK OF SUPPORT, LACK OF EQUIPMENT, LACK OF CAREER OPPORTUNITIES AND A LACK TIME OFF TO HAVE A LIFE OUTSIDE OF WORK? Addressing other quality of life issues, the agency recruiting material emphasizes health and time off. "We operate in an environment where officer's mental health and wellness comes first. Having happy and healthy officers benefits them, the department and the community we serve. Officers are encouraged to workout on-duty and participate in a variety of benefits and resources to assist them and to maintain a high level of mental and physical fitness. Our officers also enjoy ample time off to enjoy life outside of work with a bank of 236 hours of paid time off in addition to the 96 hours of vacation and 144 hours of sick leave that they accrue annually." With a \$25,000 hiring bonus, the department seems to get to the heart of the recruitment challenge.

Even small agencies such as the 25 officer Pelham, New Hampshire Police are in the competition. Pelham is offering \$15,000 more up-front cash.

Early retirements, disinterest in the profession, and officers just plain quitting are all the result of oppressive legislation against law enforcement, reducing the accountability of criminals, unsupportive police administrators fearing for their own jobs, and prosecutors more interested in charging police officers than charging criminals. The cost has been high in increased crime, increased fear of crime, property damage, and now the need to dig into the treasury in order to make police work seem

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attractive again.

Putting the Criminal-Friendly Genie Back in the Bottle

For ease of debate, opinions are cast in two categories whether left or right, progressives or conservatives, donkey or elephant. Without playing those cards, the real cultural enemy is across these divides: the permissives – the philosophy to just let things go and excuse destructive behavior. Whether it is prosecutors, lawmakers, or parents, the age-old question of freedom versus accountability remains as the pendulum of natural consequences swings.

One consequence of permissiveness is violence. “Boston police officers have experienced an increased level of physical and verbal assaults as they respond to emergency calls and patrol our neighborhoods”, says City Council President Ed Flynn. Murders in the population and assaults on officers have grown alarmingly, but it’s just another day at the office too abstract and removed from ivory towers. But violence, like cancer, has a tendency to spread beyond its origins. Now that assaults on politicians and other public officials have increased, the cancer of violence is getting closer.

The Director of National Intelligence recently issued a security advisory that states “Over the last five years, there has been an uptick in threats to public officials— to include those at the state and local level to a degree unseen in the past—showcasing the need for first responder awareness, particularly during community- focused special or political events.”

Recent headlines read: “Violent threats against public officials are rising”, “U.S. grapples with rising threats of political violence as 2024 election looms” and “Harassment, Threats, and Violence Directed at Local Elected Officials Rising at an Alarming Rate”. The National Center for Education

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Statistics show an increase in assaults and threats to elementary and secondary teachers. Doctors and nurses haven't escaped the trend either. The Bureau of Labor Statistics reports that the rate of injuries from violent attacks against medical professionals grew by 63%

A National League of Cities report states that "87% of local officials surveyed observed an increase in attacks on public officials in recent years, while 81% reported having experienced harassment, threats, and violence". These realities are associated with an increasing reluctance to engage in public service positions from city council to teaching and policing. The number of people fleeing those jobs is creating an unprecedented degree of anxiety among the citizenry.

If one doesn't see the connection between the assault on our nation's peacekeepers and caregivers from the defund rhetoric, don't waste your time on those connect-the-dot puzzles.

Criminologists can chart, graph, and theorize all day but the average citizen with open eyes seeing the problem. We've concentrated so much on holding teachers and police officers accountable we've collectively lost focus on the front end of bad behavior. We went from zero tolerance for disruption in schools to zero limits on tolerance. It seems an offender merely has to cite one category of deprivation by racism, mental illness, trauma, economic deprivation, addiction, or other social plague to escape their own choices.

Should authority figures be held accountable for inappropriate acts? Certainly. Should we provide compassion and solutions to offenders who hold hope for change? Certainly. Must we give a pass and green light to anyone with such a claim to continue their patterns of destructive behavior? Clearly not.

Permissiveness can only be balanced by fed-upness. When the citizenry is fed up with living in fear, their voices will be heard at the ballot box. Prosecutors whose utopian idealism for a peaceful society means failure to enforce the law because it might be unfair or cause hardship on an arrestee. No need to make narcotics illegal. No need to make shoplifters hauling hundreds of dollars of merchandise out the door into criminals. The poor mother stealing bread is ideologically the same as the theft of big-screen TVs, racks of clothing. The customer must simply suffer the inconvenience of having everyday items under lock and key, and the store employees who try to stop a thief's escape may be the ones prosecuted. People are being fed up with the envisioned utopia turning bloody and expensive.

Punitive and restrictive laws created by those with no understanding of what it is like to be in today's classrooms or what it means to patrol today's streets while decriminalizing almost everything get passed and forgotten. The only time they look back to see what they have accomplished is when the headlines scream that their citizens are fed up.

The permissive days of the hall pass, the golden ticket, and the get-out-of-jail card will come to an end as real people suffer the real consequences. When offenders start seeing their criminal peers being jailed instead of their community's caretakers being flogged, society's message will become clear. The law-abiding folks got fed up.

Should Law Enforcement Continue to Have Valuable Tools Taken Away?

In their rush to claim credit for police reform, many states have banned the “choke hold” , tear gas on rioters, and “military” grade equipment. These measures are more likely to get more citizens hurt as well as police officers, because the equipment and techniques are valuable assets in maintaining law and order. The primary problem with many of these measures is that they are not based on knowledge of their use and the circumstances which resulted in their use.

Danger to the resisting subject

The public should know that active resistance is a very dangerous condition for a suspect, not just the officers involved. Conditions of drug influence and intense psychotic behavior can result in violent and unpredictable behavior that is a life-threatening condition. This requires immediate emergency medical intervention that can not be accomplished until the violent person is restrained.

In cases where in custody deaths have occurred, the vast majority have involved polydrug use in which the subject has been exposed to multiple attempts at restraint. These emergency conditions render the body unresponsive to pain, meaning that the officer cannot rely on techniques that cause pain and can be relaxed after compliance.

Officers are often called to these persons due to erratic behavior and disturbances. The person must be taken into custody for their own protection and emergency medical care, as well as for protection of the

public. Persons in this condition are typically not rational, and are not amenable to being “talked down” with de-escalation techniques. They may have committed a series of minor offenses in the course of their behavior. Because of the ability to persons in this condition to have no feeling of pain or exhaustion, it can take a great deal of effort and as many officers as are available to get the person restrained. The headline will read that a minor offender was brutalized by police when, in fact, the restraint was a life-saving rescue.

Choke holds

Choking or strangling a person is deadly whether it is done by a police officer or a civilian. Choking and strangling, despite the media’s crediting some police arrest control techniques labeled choke holds or strangle holds, are not part of policing except in life and death struggles where deadly force is required to save a life.

Some legislation and rule making also refers generically to all neck restraints. What has been taught to police for many years as an effective way to cause a violently resisting subject to be momentarily rendered incapacitated is the type of maneuver that very deliberately protects the trachea and front of the neck and, instead, compresses blood flow to the brain causing momentary loss of consciousness. This is generally harmless and is intended for use on persons whose resistance would otherwise have to be met with other less lethal means, or even deadly force. Removing this technique from the array of tools an officer may use forces officers to use other techniques that may carry more risk to the offender and the officer.

Military Grade Weapons

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The continued mythology that police departments are getting military assault vehicles is damaging agency's ability to gain valuable rescue equipment. There are no tanks being given by the military to civilian policing. There are no police departments rolling through their towns with automatic weapons mounted to an assault vehicle.

What does exist are vehicles that are armored to resist gunfire. They are able to enter an active threat zone in order to place officers nearer to an attacker. They are also able to move into an active threat zone to rescue injured civilians or hostages. Most police cars are little defense to even small arms fire. In an active shooter situation, patrol cars are of little value to do the mission of an armored vehicle. Specialized vehicles can safely move in high water and areas otherwise devastated in natural disasters.

Some small police departments have been criticized for obtaining armored vehicles. If there is one thing we've learned about mass casualty attacks and natural disasters, it is that they can happen anywhere.

Law enforcement agencies are best served by vehicles made for civilian law enforcement. The cost of purchasing a specialized vehicle is prohibitive for many agencies. This is why military surplus vehicles, such as the MRAP, are often obtained at little cost. The MRAP is not ideal for civilian police work, but it has great utility and value when custom tactical vehicles are not a possibility.

Just a Sample

The elimination of just these two assets can leave vulnerable citizens at risk as well as the officers entrusted to protect and serve. Legislators and activists must learn that facts about policing before making rules that harm

rather than help their public.

Is Character Assassination Part of Police Reform?

If you're like me, you might miss the day when you could read something in the newspaper and have to wait a few days to see if anyone wrote a letter to the editor about it. Now with immediate reactions affixed to online articles, it takes little effort and little thought to throw out an insult, a threat, or an affirmation.

A tweet from the New York City Police Benevolence Association referred to an article about assaults on police officers, including photos of an injured officer and statistics showing injuries to NYPD officers are up 32% this year, a commentator felt compelled to say "cops have been harassing young people forever". A tweet by a police supporter decrying attacks on officers yielded commentary about "the corrupt weaponizing of police" and "using trained pitbulls against law abiding citizens". When I wrote about police officers having to be alert while off-duty, one Twitter commentator snarked that it means cops can kill whenever they want to.

It is not unusual for me, since I am not difficult to find on social media, to get harassed, threatened, and slandered after an article or radio or television appearance. From depicting me as a farm animal defecating in a pigsty to being described as an ignoramus out of touch with reality (uhm, they didn't read my biography) the particularized, personalized hate due to my defense of the policing profession has been a constant drumbeat since I began writing for online publications a long time ago. I'm not complaining. It is the cost of standing up for something.

What grieves me is not the criticism, but the irrational venomous hate. And it's not a personal grievance because I don't mind being David to any Goliath out there. What hurts is the embedded broad-brush disrespect that

can be found among those clamoring for police reform. Let me be clear that I'm not, in turn, painting reformers with that same broad brush. Where policing needs to improve I'm all in. If we can ease racial tensions, we must. If we can improve performance, let's do it. If we need to refocus, then refocus.

But if we need to cease to exist, as some would desire, that we cannot allow. If we are asked to do more and train more while being robbed of the resources to do so, no reform will come to pass. If we need to stop enforcing the laws that are established by democratic processes by the legislature, it is the legislature that must act. Unfortunately, legislatures have responded not based on crime data and a recognition of law and order, but to the loud and often hateful and violent voices that want policing to simply go away and let people behave themselves. And I'd consent to that if the history of humanity showed hope of that happening. Police-free zones have been tried to tragic result.

The celebrations of criminality and wholesale criticism of law enforcement are literally costing lives and livelihoods as those bent toward crime find favor over those whose task is to prevent and control it. The continued lie of "hands up, don't shoot" remains a common mantra to those with no interest in Truth with a capital "T". When a sitting President chooses to armchair quarterback police activity against a powerful friend of his and labels officers as "behaving stupidly", then further insults the profession with a non-apology invitation for beer and nuts, the snarling anti-police crowd salivates and grins. When political figures invite survivors of justifiable police intervention to be treated as heroes, the police become, by default, the arch-enemy. When legislatures make stupid decisions (I'm talking to you, west coast) that penalize police officers for being police officers, this is not reform, it's spite and persecution. Those interested in real change must reject the violent and extreme as allies in order to make

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progress where progress is needed.

If the profession of law enforcement, and the underpinning social contract for orderly co-existence need revision, there is no place for hate and disrespect on either side of an honest debate. In the words of one unlikely philosopher, "Can't we all just get along?"

14. THE POLICE OFFICER'S PRIVATE LIFE

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[Police Families Sacrifice for the Profession](#)

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[Conversations About Cops With Friends](#)

The Police Family at Risk

In August of 2020, Officer Joseph Mensah of the Wauwatosa, WI, police was attacked by a mob at his home who were enraged over a police shooting. What reporters described as “protestors” vandalized Mensah’s home while he and his girlfriend were present. As the off-duty officer attempted to talk with the mob, a shotgun was fired at his back door, barely missing him.

While attempts to murder officers at their homes are not usual, law officers and their families must be aware of the potential danger. A survey conducted by the National Center for Police Advocacy revealed that 80% of responding police officers had been threatened with assault if the suspect encountered them out of uniform. Nearly 20% have been threatened while off duty by someone they encountered on duty. Threats of job loss and lawsuits are common at 77% and 88%, respectively. Vandalism to personal property was suffered by 32% of officers responding to the survey.

Police officers have other domestic challenges in protecting their families. Well-documented job stress, added to the normal challenges of managing finances, relationships, and raising children (often in blended families) can take a toll on the police family. Officers must be intentional about their family’s safety and also their emotional well-being. Being well-informed and prepared addresses both aspects,

Officers must inform their family what steps to take if the officer feels it necessary to take action off-duty.

Code words and hand signals should be pre-arranged for possible

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occasions where a threat is nearby. Codes for "get out!", "get down", or "call 911", or "something is up" should be simple and easily recalled under stress. The family members should know that this is not a time for questions or for discussion, but for immediate obedience.

As tempting as it is, officers should avoid looking like cops when off duty and with the family. Flying the thin blue line on a t-shirt, wearing comfy tactical pants, and poor concealment of their off-duty firearm can signal malcontents, offenders, and self-righteous justice warriors to cause trouble.

Without seeming paranoid or training the family for combat, an officer should get their loved ones in the habit of knowing where safe refuge and escape areas are, and to call 911 as soon as a situation has arisen, and it is safe to do so. The officer also must recognize the importance of carrying a weapon off duty but also realize that not having a protective vest, a radio, and backup. The officer should also know that intervening is not always necessary and that being a good witness is likely to be the best they can do.

If a family member needs to call 911 while their officer is dealing with a situation, it is critical that they communicate to dispatch that there is an off-duty officer involved and to describe the officer so that responding officers know who the good guy with a gun is. They should also understand that they will not likely be treated special if on-duty officers arrive without knowing fully what's happening and who the suspects and witnesses are. The officer should be aware that they are at risk of being mistaken for an adversary by police or well-intentioned armed citizen and have law enforcement identification out and on display.

Officers should consider whether members of their family could obtain

and use the firearm if the officer is incapacitated but the threat is still immediate.

It is tragic that family members must also bear the burden of their police officer. But law officers do make enemies, especially in recent years when anyone in uniform is considered an enemy by so many. It is just one of the many sacrifices our police officers bear in serving.

Children of the Fallen

Little Riley Cottongim faced his first day of kindergarten without his father, Zachary Cottongim. An officer with the Louisville, KY police department, Cottongim was investigating an abandoned vehicle on Interstate 64 in December of 2021 when he was struck and killed by a vehicle whose driver had lost control on the highway. When Riley arrived for his first class this year, he was greeted by a contingent of over 20 Louisville police officers lining the sidewalk.

Last year another kindergarten student got a police escort as well. Anna Stolinsky ran up and down high-fiving and hugging the La Vergne, TN Police Department members who lined up outside her school. Anna's father, Police Lieutenant Kevin Jay Stolinsky died on duty in November of 2021.

Tarpon Springs, FL Police Officer Charlie Kondek was shot and killed as he responded to a noise complaint call in 2014, leaving six children, including a teenage daughter who was to attend her 2016 prom. Members of the department stepped in for a fallen colleague, taking his place to escort his daughter to prom Saturday night. Major Jeff Young stated that he was "sad because we have to be here, honored because we can be here." Daughter Aleena had not been forgotten.

A dozen Austin, TX police officers attended the 2017 graduation of Mikayla Hunter, daughter of Austin Police Officer Clinton Warren Hunter, who was killed when struck by a vehicle driven by a fleeing felon in 2001 when his daughter was just three years old. "It was so great that they would all come to do this for me, Mikayla said.

Savannah Harris could not hold back the tears when she stepped out of her house on her way to her high school graduation to see a parade of Arizona Department of Public Safety Officers ready to escort her to the event. Savannah's father, Officer Christopher Russell Marano was killed in a pursuit crash in December of 2009 when she was just seven years old.

These are just a few of the many examples of how the cohesiveness of the law enforcement community extends to the families of fallen officers. Another example is the organization Concerns of Police Survivors (COPS) which, according to its website "Was organized in 1984 with 110 individual members. Today, C.O.P.S. membership is over 75,000 survivors. Survivors include spouses, children, parents, siblings, significant others, and co-workers of officers who have died in the line of duty."

C.O.P.S. Kids Camp is a special program for children of fallen officers "that provides families the opportunity to interact in a relaxed setting that is removed from everyday life. Oftentimes, young children who lose a parent do not have a safe, comfortable place to share their struggles with their peers. C.O.P.S. Kids Camp offers that, as well as a place for parents/guardians to do the same. Campers will have the opportunity to attend age appropriate grief counseling sessions that will address their needs. Licensed mental health professionals will support all campers, adult and child alike, by facilitating these sessions and presenting tools for families to implement at home in the future. Attending C.O.P.S. Kids Camp will also give campers the chance to participate in fun, challenging activities while providing a camp-like structure that encourages relationship building. We hope that all campers leave the week with an increased sense of personal growth, and a strong support system made up of peers who can truly understand."

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To be honest, not all families find such support. Most people who deal with the loss of a loved one know the experience of getting sympathy and ministry. Friends and colleagues attend memorial services. Flowers and cards express sympathy. There may be an old-fashioned meal train to provide food for a time. But as the intensity of the moment passes and people necessarily move on with their lives, those left to deal with the loss may feel a sense of abandonment. The ethos of fraternity and never forgetting is shown in law enforcement by the acts of brother and sister officers caring for surviving family members so that no one feels left alone.

To be honest, this doesn't always happen. Personnel change and a legacy depicted by a photo on the wall of the squad room that is no replacement for the active memory of those who worked with them and knew them. This is especially true with wounded officers who must leave the agency due to their injury and can easily be forgotten with no ceremony, no grieving, and no photo on the walls.

Nevertheless, with whatever faults they bring, the blue family often sticks together, especially if it brings a smile to a child's face to know that there are those who still remember and still care.

Sleep Deprivation – A Public Safety Threat

Picture this. A young police officer works a combination of night shifts rotating between straight midnights and a “power shift” from 7P-3A. He is scheduled for days off to coincide with his Army National Guard drills one weekend of every month. He was working on his master’s degree, taking classes during the day. To supplement his income for his young family he takes occasional off-duty security work and takes overtime shifts in addition to his other side job running a propane truck delivery route in the early morning. That didn’t count those days when a manhunt or other major event required working multiple shifts without relief. His eyelids scratched over his reddened eyes like sand- paper and a cup of 7-11 coffee is a constant presence on patrol.

That was me. It was not a permanent condition of my professional life, but it wasn’t rare either. Being the young stud that I once was I just calculated that it was a cost of being a small town midnight cop trying to get ahead and a test of my resilience as a first responder. In retrospect, not that I could have done much differently, my younger self didn’t know how harmful sleep deprivation is, and neither did my peers or leadership.

“Sleep deficiency can lead to physical and mental health problems, injuries, loss of productivity, and even a greater likelihood of death” according to a publication of the U.S. National Institute of Health, and “is linked to many chronic health problems, including heart disease, kidney disease, high blood pressure, diabetes, stroke, obesity, and depression. Sleep deficiency is also linked to a higher chance of injury.”

With current staffing shortages across the nation, more officers are

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working extra shifts and overtime. If poor or inadequate sleep just affected the officer, we could chalk it up to the cost of doing business along with stress and other factors that are reported to be life-shortening consequences of law enforcement. These factors may explain why the Public Safety Cardiac Foundation reports that while the average age for the onset of a cardiac event is 67, it is age 49 for first responders. The Office of Justice Programs reports that the life expectancy of a police officer is twelve years fewer than the average for the civilian population, dying an average of five years after retirement.

Such dire consequences pose a substantial risk to sleep-deprived officers and the public they serve. Decision-making while fatigued is compromised, making stress-filled, complex decisions slower and less accurate. Tired brains reduce spatial perception and the ability to put stimuli in context, and motor skills needed to react swiftly are reduced while increasing anxiety and irritability. Forty percent of police officers report falling asleep while driving. The National Institute of Justice cites studies that show "not sleeping for 17 hours impaired a person's motor skills to an extent equivalent to having an alcohol toxicity of 0.05 percent. Not sleeping for 24 hours was equivalent to a toxicity level of 0.10 percent."

There are solutions in addition to humane scheduling practices. Proper nutrition (also a victim of lack of sleep as my Hostess Cupcake diet and 7-11 Coffee attest) improves sleep, as does healthy physical activity, regular sleep routines, and support from friends and family. Before I was married, I shared an apartment with a roommate who very kindly knocked on my sleeping room door at noon asking if I wanted to share lunch. Having gone to bed around 8 that morning, "lunch" lost its meaning. I cured him of the habit by stopping by at 3 a.m. to wake him asking if he wanted breakfast. Officers might need to keep their phones on for

emergency calls, but calls and visits during sleep time should be avoided without guilt. Strategies to measure optimum sleep time, which varies from person to person, can help calculate healthier sleep habits.

In the scheme of overall officer wellness, adequate rest is essential to maximum performance in serving the public. Leaders must make it a priority.

Never Off Duty

People may ask "Do you always carry a gun?" For many, if not most officers, the answer is yes.

An off-duty New Hanover County, North Carolina Deputy was shopping at Food Lion. Kenneth Alan Stout, age 63, was being sought by the U.S. Marshals Service as a dangerous fugitive wanted for a West Virginia murder. The deputy's sharp eye recognized Stout as looking like the wanted poster photograph of the murder suspect and called 911. He assisted arriving deputies in capturing Stout.

John Hetland, an officer with the Racine, Wisconsin Police Department was off duty at Teezer's Bar and Grill grabbing a bite to eat with a friend when he confronted a masked, armed man who was robbing the establishment. Hetland struggled with the gunman and was shot and killed by the robber, who then fled.

Off-duty officers are just as vulnerable to a random criminal attack as any citizen. In July 2020 a Colorado Springs officer was in his personal vehicle when a man unknown to the officer entered the vehicle claiming he had a gun. The officer was able to shoot the invader who was later found to have been under the influence of methamphetamines and amphetamines.

A 26-year-old New York City Police Officer Adeed Fayaz was off-duty with his brother-in-law and meeting a person ostensibly to purchase a car that had been advertised on the Facebook marketplace. The officer was shot and killed in what turned out to be a robbery. The brother-in-law used

Fayaz's weapon to fire shots at the suspect, who fled and was not injured. A 38-year-old suspect was subsequently arrested for robbery and murder.

Areannah Preston, a Chicago Police Officer was killed during an apparent robbery outside of her home in the South Side area. Five suspects have been arrested. Preston had been an officer for five years and was a few weeks from graduating from Loyola University with her master's degree.

In rural areas where officers are known by many residents, an off-duty officer may be a target of revenge by those whom they may have encountered on duty. This can happen even in metropolitan areas, too, but a trip to Walmart or the park can result in confrontations with malcontents or wanted persons in smaller jurisdictions. These officers may also be recognized by citizens who need help and call on the officer to take action on a complaint or in an emergency when they are recognized.

This reality requires officers to be vigilant even while enjoying the normal daily activities of life and even in their own homes. Officers' homes and even families have been attacked. Even retired officers often continue to carry their weapon to ensure their safety.

Federal legislation allows retired officers in good standing to carry their sidearms throughout the U.S. with proper ID and regular firearms qualification. Many officers also obtain concealed carry permits, but are subject to reciprocity agreements when traveling out of their home state just like any other concealed carry permit holders.

Some law enforcement agencies require officers to carry their weapon off-duty and be available to intercede even out of uniform and off shift. Fewer agencies have this requirement since it carries their liability to each officer 24/7, but the mandate isn't required for most officers who are

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conditioned to be prepared to act. The general rule is that officers best serve by being a good witness. Having no backup nor the resources normally available in their patrol vehicles, acting alone and off-duty has extra perils attached. The decision to take no immediate action can be the wisest course.

One of those is being sure to be able to identify themselves when on-duty officers arrive on the scene so that they are not mistaken for an adversary. In January of this year, an off-duty officer who engaged a robbery suspect was shot by an arriving deputy who mistook the officer for the suspect. The deputy was cleared of charges and considered to have acted in good faith given the totality of the circumstances in the tragic death.

When a person takes on the role of a law enforcement officer it can be truly said that they are never really off-duty.

The Unexpired Oath

To all the rookies, all the mid-career officers, and all the twilight officers watching the calendar for their retirement eligibility, know that there are a thousand eyes watching and rooting for you. They are the ones who finally aged out, made it to retirement, or had to leave with a disability. You can say that they don't know what it's like to be a cop these days, but they do. They haven't forgotten.

Sure, there are some who left the job with a great sigh of relief to be done with cop life. They pay little attention to the news. They are in their wood shops or fishing holes or part-time jobs recovering from the law enforcement life. Many have had their fill and they are done thinking about it. But some would have stayed longer if they could, or regret pulling the plug on their career as early as they did. Even more are still carrying a firearm, still keeping their head on a swivel, and they still slow down when they see an officer on a traffic stop to see if they are OK.

Many retired officers carry firearms under the federal Law Enforcement Officers Safety Act which grants police officers authority to carry concealed weapons anywhere in the U.S. and extends that authority to qualified retired law enforcement officers. Others carry under their state laws with or without a concealed carry permit, depending on state regulations.

Retired police officers who continue to carry do so for a variety of reasons. One of those reasons is that they have learned that threats can appear anywhere at any time. Another is that they still have a sense of calling to protect others and want to be ready to do so. In addition,

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officers may have made a few enemies over their years of service who may not hesitate to confront them out of uniform.

Some former police officers can give up the habits of watching everyone who enters a public place for suspicious behavior, keeping their gun hands empty, and sitting with their backs to the wall. Many think they have left those habits behind, but their intuition never leaves them.

A common observation of retired or even still working but older cops is the lack of due respect from their young counterparts. Maybe that's a two-way street, but there's no doubt that a lot of knowledge and perspective remains in those old bones. If all of the old guard would write down their wisdom, it's not likely that anybody would read it. Experience can only be learned by experience and nothing can replace that first fight, first weapon call, first dead body, or that first death notification.

One thing that officers still working the streets can know about their retired colleagues is that they see you. They remember the sandpaper feeling in their eyelids from working midnights plus that second job or college classes. They remember the enthusiasm for wanting to help people that never goes away but gets punched in the gut almost daily. They see your missed dinners, family get-togethers, birthdays, and anniversaries.

They see you reading the latest policy that comes from above and doesn't seem to work in the real world. They feel the sprains and strains and bruises that you should report on a workers comp claim because someday those cumulative injuries will catch up to you but you walk it off and work through it because that's what you do. They remember the weight of the ballistics vest and the equipment belt packed with tools of the trade that make your back ache. They remember the weight of the calls where you

wish you could do more for the victim, the kid, or the vagrant.

They know the close friendship and fellowship of your fellow officers and miss that most of all. They know the extremes of heat and cold you endure, the hours on your feet at a crash scene, or crouched on the perimeter of a barricaded suspect. They know what it feels like to wonder if you're going to win that fight, duck that bullet, catch that burglar.

These are the graying heroes that aren't too old to fight, they're just too old to want to. But they see you. They will be your silent back up. They took an oath a long time ago, and it had no expiration date.

Police Families Sacrifice for the Profession

Holistic wellness for police officers is finally coming of age. With new understanding of brain science and the effects of stress and trauma, more law enforcement agencies and even state legislatures are making laws and policies to strengthen first responders mental, physical, and career health.

A critical component of overall wellness is the strength of relationships in a person's life and policing is no exception. The most important relationships are not found at police headquarters, but in the homes to which police officers hope to return at the end of their shifts. How can individuals and their employers maintain those strong family ties in an era that may be the most challenging in our nation's history for law enforcement?

First, there must be an awareness of the shared experience of loved ones in the police mission. For most officers, and certainly, through the earliest stages of their law enforcement careers, shift work, long hours, fatigue, and danger are hallmarks of the police experience. While many officers do what they can to shield their families and not take their work home with them, it isn't entirely possible.

One of the questions that an officer must face is what to share with their family. Avoiding in-depth conversations about a particularly challenging day may or may not be the best strategy, but even if the officer doesn't want to talk about the dead body, injured children, assaultive intoxicated arrestee, or being written up for a policy violation, the voice and body language will tell part of the story. The tension between what an officer holds back and what their loved ones want and need to know is a matter

for negotiation and boundaries.

One strategy for reducing stress at home is exercising good personal management. Typical stressors of child-rearing, finances, and schedule conflicts occur in all families. Being intentional about managing these issues can reduce the overall stress level in the home and provide some space for work-related burdens.

Recovery time is a biological imperative for dealing with stress. Some downtime before engaging with the family can be helpful. As the chemistry related to stress has been at high levels during the day or the constant stress of alertness even when nothing major happens circulates in the body, it takes a minimum of twenty minutes for that protective brain chemistry to dissipate after being away from the source. A relaxing commute, a physical workout, or a quiet time of breathing and relaxing can help. This is a challenge for the officer who is greeted at the door by family members who are also anxious to share about their day, so some negotiation and patience about the officer's homecoming routine is in order.

Positive physical touch, deep breathing, laughter, and social interactions are good stress reducers, so planning time for those things – and being open to spontaneity as well – is as important as eating well (which is another often neglected aspect of wellness for police officers). An officer should be open, complete with honest conversations at an appropriate time, to actively listen to the families' concerns about the effect of the job.

The "police personality" is a real thing. A police officer may grow more cynical, and emotionally distant over time. Asking the people who know the officer the best how they think they are doing and how the work may be affecting the person and the relationship is a brave step toward

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navigating the law enforcement family. It might be best to unload on a therapist or peer, but never exclude sharing your feelings with the family. Honest with children will depend on their maturity level, but they almost always know more than you think.

When police officers and other first responders share about their shift they must recognize that their non- police family members have had good and bad experiences also. It may be tempting to disregard the spouse's work trials and tribulations at the office since they can't compare to the fiery crash, but the point of sharing is to be heard and valued, not to compete for who had it worse.

Police officers will not totally relax when off duty. They should brief their family on what to do in the case of an emergency, accept the possibility of an off-duty encounter, and be ready to evacuate or find a safe place if the officer is called into action to intervene. The officer must also be willing to be a good witness and use good judgment when deciding whether or not to get involved in an incident when off-duty.

Supporting America's law enforcement officers means supporting their families as well.

What Keeps a Police Marriage Working?

An Atlanta divorce attorney, Katie K. Leonard, communicated in a recent TikTok video that police officers are among the top five professions that women should avoid as marriage partners. Leonard does not rank the top five in order but includes firemen, military men, surgeons, and pilots along with police officers. Leonard only addresses women whose men are among these professions, so the question of other gender mixes remains unexamined.

The challenges of a police marriage are no mystery in the profession, nor are they necessarily unique to law enforcement. The combination of shift work, the physical toll of being on constant alert, the learned behavior of being suspicious and distrustful, and the strong professional bonds that can alienate wives from the officer's social milieu can be a soul-killing acid that slowly dissolves marriage partnerships.

Leonard described these five categories as gods in their professions, taking a 'scorched earth' attitude in divorce litigation, with a tendency to narcissism. Her observations are subjective and based on her perceptions as a divorce lawyer, but her thoughts are a caution for police marriages. Leonard also states that the most vulnerable and frustrated women in divorce cases are stay-at-home moms, for economic and social reasons.

The most common advice in marriage counseling is to develop healthy communication skills. For the police officer, this is a challenge because communication in a family setting is a significant contrast to their typically highly developed professional communication skills.

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Communication on duty for police officers typically involves one-way communications. They are receivers of one-way communication in orders, policies, and memos. They give orders and directions on the job with no room or time for feedback or discussion. The officer is the gatherer of facts and interpreter of facts at rapidly evolving events and makes immediate decisions based on their experience and training. Nothing is more frustrating to a police officer than for his directions to be questioned or altered. This is obviously not a model for marital communication.

That is not to say that law officers are not good listeners. They listen for facts, processing all the while, make notes, verify information, alert for inconsistencies and lies. They listen while there is chaos in the background, necessarily distracted by the squawking radio. They know eye contact is important, but they also know they have to keep aware of their environment to stay safe and protect others. They can be genuinely sympathetic, but never give over to emotion. These listening skills are different than those their spouse needs at home.

Any spouse, but especially the police officer, must incorporate different listening skills for their children and marriage partner than they practice on duty. This requires an intentional shift in the brain that many find best accomplished with a private ceremony before walking into the door of their home. For some, it is a symbolic touching of the mailbox or porch rail to ground them to their family and release their work. For some, it is a prayer, a pause, a pledge, or a hand over their badge to make the transition from cop to loved one.

The officer should make their expectations known early in their career and marriage about what those first few moments through the door will look like. Some need a hug, some need to sit in silence for a few moments. Some will want to talk about their day – most probably will not. Listening

to the spouse's day is sometimes a challenge. It is here that the police officer must resist the temptation to compare the injury crash they worked to the banality of the other spouse's complaints that Betty in Accounting sent an insulting memo or little Bobby broke the toilet paper dispenser.

Making eye contact and physical contact to focus on the spouse's words will help avoid mental distractions. Hearing the feelings rather than just the facts and accepting them as valid and truthful uses a domestic skill, not a professional one. Whether an officer decides to be completely honest about what happened during the day and how they feel about it will vary from relationship to relationship. Most officers will want to shield their loved ones from the harsh reality of the world they face. Most probably shield themselves by not processing the depth of their emotional exhaustion and trauma, much less pour it out on their family.

Having a strong family is an immeasurable benefit to an officer's success personally and professionally. It takes as much attention to developing skills at the officer's house as it does at the station house.

Injuries Reported as Non-Life Threatening can be Life Altering

I'm always skeptical of the description of a law enforcement officer's injury in a duty-related incident as "non-life threatening". In addition to the lingering physical and mental injuries that may result, these injuries are often life-shortening.

There are also those injuries that are reported immediately after a crash, shooting, or assault where the officer remains in serious condition. Sadly, these officers are often forgotten as the news cycle refreshes to the latest headlines.

The most startling roster of delayed mortality is the list of 426 police officers who have died after the 2001 World Trade Center attacks who were not among the 72 officers killed in the immediate aftermath of the 9/11 terrorist event. Even in 2023, the toll continues with the passing of Lieutenant Robert Daniel Rice of the New York City Police Department who was among the many involved in the toxic environment surrounding the rescue and recovery process after the attacks.

NYPD officers and Port Authority police were assisted by many other agencies during the rescue efforts as many volunteered for the assignment. Officers who were eventually felled by disease and illness from the effort include a District Attorney Investigator, a campus police officer from New Jersey, Nassau County officers, New York State Police Troopers, FBI agents, ICE enforcement officers, a Peekskill, NY detective, Suffolk County, NY officers, New York State conservation officers, U.S. Marshals, ATF agents, a Newton, Connecticut officer, an Arlington County

Police Department, VA officer, an investigator for the American Society for the Prevention of Cruelty to Animals Humane Law Enforcement of New York, a Deputy Chief from City University of New York Department of Public Safety, NY, officers from the New Jersey State Police, a Harrison Police Department, NY officer, Connecticut State Police officers, A New Rochelle, NY officer, a Harrison Police Department, NY officer, a Harrison Police Department, NY officer, a Harrison Police Department, NY officer, and an officer from Yonkers Police Department, NY.

Some officers succumb to the effects of their injuries years and even decades after their fatal encounters. Deputy Dale Wyman of Tennessee died in October of 2021 from a 2012 crash while responding to a vehicle accident call. Oregon State Trooper Sgt. John Burrighit died 20 years after being struck by a vehicle while assisting a motorist. Two other officers died at that scene. Det. Stephen Arnold of Jefferson Parish, Louisiana was shot in 2016 while attempting to serve an arrest warrant. He died as a result of that attack in May of 2021. Deputy Stanley Burdick of Douglas County, Oregon was shot in 1980 and one bullet grazed his spine. His family said he suffered extreme pain for much of his life, never fully recovered from the incident, and died prematurely in 2021.

Los Angeles County Deputy Steven Belanger died in 2018 from injuries he suffered when he was shot in the head during a traffic stop in December of 1994. The bullet was lodged in his brain and could not be removed, causing ongoing medical issues. Bernard Domagala, a former Chicago police officer who was left with brain damage after he was shot in the line of duty 29 years ago, died in 2017 as a result of his injuries. An autopsy showed Domagala died of complications from a bullet wound to his head, and his death was ruled a homicide.

These are just a sampling of deaths from chronic damage that can last for

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months or years. On reflection, most officers will concede that they know that death is a possibility in their duties. Harder to contemplate is the reality that they may live, but with life-long pain or disability and premature mortality. We must never forget the sacrifice of those who have faded from the headlines.

That Thin Blue Line – What Does It Really Mean?

The story dates from the middle ages that a particular blue clothing dye from the town of Coventry, England was of such high quality that it remained true blue and did not fade. Blue has since come to represent loyalty and fidelity.

Another British phrase is associated with colors that have meaning comes from the red-coated regiment of Scottish soldiers bravely trying to hold ground from the enemy during the Crimean war. Their tenacity and willingness to sacrifice became known as the thin red line.

Symbols are important to cultures and classes. The imagery of American policing has come to be represented by the thin blue line. A flag created around that theme is black and white with a blue line as the center horizontal stripe. The blue line represents the men and women of law enforcement who stand in the gap between the lawless and the innocent. The background to the flag is stark, representing the men and women who have died defending that line, all embracing the American flag and the unity it symbolizes.

The thin blue line is sometimes mistaken for what some have called the blue wall of silence. That wall, which has indeed existed in some times and places, refers to the shielding of police officers by their colleagues from responsibility for misconduct. The representation of the blue wall of silence is not a revered value to police officers, but a vestige of the past that leaders must still work to overcome.

The rich and deep symbolism of the thin blue line, and the flag on which

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it appears, is not a flag of defiance. It is not part of a battle cry by police officers of aggression toward the public or those who oppose law and order. It is not a flag pronouncing superiority of class or privilege. It is a symbol to the citizenry that the thin blue line will not be broken. When it appears it says of the bearer that they support the concept of justice and reason, as well as the strength of the law as enforced by those entrusted to do so. For a police officer, it says they are a part of something bigger than themselves. For the civilian, it says they are willing to stand with those who join in everyone's responsibility to maintain peace and those whose vocation is dedicated to maintaining peace.

The blue line and blue line flag have perversely been labeled offensive by those who oppose the mission of law enforcement, and who have been deceived by the narrative of violence and racism as an epidemic among the hundreds of thousands of police officers that serve our communities and are accountable to them. This is no more accurate than believing that the medical symbol of the caduceus represents malpractice. The symbol has been banned by some homeowner associations, has been removed from patrol vehicles, and forbidden as a part of the uniform, including COVID-19 masks.

The American flag has been burned and trampled. The rainbow flag has been torn down. The sacred symbol of life and prosperity used by several indigenous tribes on the continent has been raped of its beauty by Nazi appropriation of the swastika. The symbolism of the thin blue line is uniquely American, symbolizing an American ideal — that the police are the public and the public are the police, and that local law enforcement is accountable to the community, in partnership with the community, and not part of the military or the federal government.

The beauty of the thin blue line and the flag in which it is embedded

should stand as a unifying force among people of good faith and peaceful intention. It must not be relegated to the ever-increasing waste bin of political correctness where the slightest offense to any tender soul defines hate speech. We are not asked to pledge allegiance to the blue line flag, only to the republic for which it stands.

Flying the flag or sporting a blue line decal requires courage these days. There are those willing to commit violence to those who subscribe to the ideals which the blue line announces. Vandalism and violence against free expression have always been the great enemy of our Constitutional rights. When the lawless become brave and the law-abiding become fearful, it is truly only the thin blue line that can protect us.

Conversations About Cops With Friends

I knew when one of my most supportive friends, a former combat pilot and conservative, asked what was going on in law enforcement after hearing so much controversy in the wake of the Michael Brown case in Ferguson, Missouri in 2014, that the assumption of support from the silent majority was in peril.

No one can blame the average citizen, inundated with negative news, to wonder if there is trouble behind the smoke and mirrors. Solidifying those concerns are police leaders who quickly capitulate to political demands without establishing a truthful narrative about the realities of enforcing the law. In the absence of balance, truthful narratives about law enforcement, many politicians have been empowered to promote, often successfully, highly damaging legislation and policy. When police supporters encounter these false narratives, there are answers to common questions that often surprise the honest skeptic.

Q. Why is there so much racism in law enforcement?

A. Police agencies were among the quickest employers to diversify their ranks. 34% of officers are non-white, and 15% of officers are female, with those categories increasing. The great majority of black residents do not favor reducing police presence in their neighborhoods and are willing to call police to report crime. The numbers that purport to support claims of disparate treatment are improving. Realize that officers operate in high crime and violence areas, and there is no racism in citing the disproportionate numbers in black on black crime, which is not traceable to police conduct. If a black person is subject to a life of different

treatment, from pre-natal care, to education, to employment, to housing, to exposure to violence and fractured family structure, an encounter with law enforcement is not the first exposure to the result of racism remnants of our history and certainly not the blaming point for high imprisonment rates.

Q. Why aren't officers held accountable?

No profession is held more accountable. Body cams record their daily activities and bystanders record more. Officers are subject to lawsuit on both the state and federal level, criminal prosecution on the state and federal level, and internal discipline including loss of career. The claims that it is hard to prosecute police may be true simply because most officers act within the law, which recognizes the complex and rapidly changing decisions the profession requires.

Q. Why do police get inadequate training?

Law enforcement training has improved immensely over the past generation of officers. Background checks and police academies are well regulated. Ongoing training is required throughout the officers' career on a multitude of critical areas and changing laws. Officers encounter an incredibly wide variety of situations which require critical decisions in areas that are unique and have no easy answers. Officers are well trained over their careers. The calls for more de-escalation training are redundant because officers develop those skills in existing training as well as on the job. Brain science tells us that the fight/flight chemistry at work in the brain can take over 20 minutes to recede so that a person can make a rational decision during a police encounter. Add to that time the mental problems that interfere with good decisions and the fact that a significant number of encounters are with people that are impaired by alcohol or

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other drugs and it is clear that an officer facing a deadly weapon cannot control the decisions of a person under duress when seconds count.

Q. Why aren't college degrees required for law enforcement?

Over half of police officers have college degrees. The research shows that there are only minor differences in the performance of degreed officers over non-degreed.

Q. Shouldn't social workers do a lot of what police are doing?

Probably, but social workers won't be dispatched to high hazard calls where violence or weapons are present, nor are they always available. Police officers have done a remarkable job in dealing with persons in various conditions of distress. Nationwide, officers make literally millions of citizen contacts resulting in a very small percentage of use of force and an even smaller use of lethal force. Studies show that officers are frequently confronted with situations where deadly force is legally justified but act with restraint to avoid it, often at their own risk.

Q. Shouldn't we be spending less money on policing and more on prevention?

Recent analysis shows that law enforcement has remained consistently at an average of less than 4% of government budgets over many years, while staffing of police has not kept up with population growth. It is clear that when policing is not supported, communities suffer in higher crime rates, slower response time, and fewer resources to engage in crime prevention and suppression. Look at any major city where anti-police politics have gained strength and see how their violent crime rate is rising.

Whether more tax dollars should be allocated to other social concerns is a separate issue than reducing resources for law enforcement. Law enforcement budgets are not the source of funding for other social concerns.

Many of the reforms that have been proposed have been part of police leaders' agendas for years and are already in place. It is no mere opinion that police officers do a good job, nor is it argued that there is no need for continued research and improvement.

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Moral Injury and PTSD

Moral injury is a relatively newly recognized distress that can affect first responders and combat veterans. It is short of Post Traumatic Stress Disorder (PTSD) but can have long-term effects on emotional well-being. PTSD has entered the common vernacular so much that it is often self-diagnosed or labeled by others without a full understanding.

An important aspect of PTSD is that the condition is a distinctly biological process. This is why many prefer the term Psychological Traumatic Stress Injury, to emphasize the biochemical changes that result from the sensory processing of a traumatic event or cumulative trauma. When PTSD is considered to be a merely emotional reaction by someone who can't "handle" it, treatment and support are stymied. People don't choose PTSD nor suffer due to some character flaw. Trauma can create changes to the brain that just having a strong attitude does not repair.

A PTSD diagnosis is made based on standardized criteria after assessment by a qualified and licensed mental health practitioner. Not every trauma results in PTSD and lesser levels of impairment from anxiety disorders can be serious but not rise to the level of a PTSD diagnosis.

A recent poll of top concerns of police officers revealed that mental and physical wellness is in the top five, alongside surviving ambushes! Research indicates that a police officer will be exposed to an average of 178 critical incidents over a career (a conservative number), compared to the average person's experience of two to three such incidents in a lifetime. Law enforcement leaders and citizen supporters need to understand the range of services that our officers should have non-judgmental access to manage a career filled with threatening experiences.

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While some cynics might say if a person can't handle the job, then they shouldn't be doing it, smart leadership recognizes that better health, better job performance, and better retention of good officers make building and restoring resilience an economic necessity aside from the human decency of such efforts.

One of the mysteries of PTSD is that several officers can be at the same incident and not have the same negative effects. Each individual's background and experience determine how their brain processes the threat and stores it. While anywhere from 5-20% of police officers could qualify for a PTSD diagnosis, there are many more who don't consider themselves impaired by stress-related conditions. There are also many, and perhaps most, who experience an uneasiness or distress that has been less easily defined.

Their distress may be what is being recognized as moral injury. This can occur when the moral guides of an individual come into conflict with the reality of what they experience and even in some of the actions and decisions they are called upon to make. Loosely defined, moral injury can occur when one's experiences conflict with expectations and ethics. Examples might be seeing an injustice done during the criminal justice process, exposure to innocent victims, having to make an unpleasant decision like arresting someone for whom there is great compassion, and especially being unable to achieve an outcome like reducing crime or failing in a rescue or resuscitation attempt. Being bothered by what one sees, what one had to do, or what one didn't do can be unsettling to one's identity.

The sense of helplessness, guilt, frustration, or failure can torment first responders and other helping professions where idealism and sense of

purpose are high. Sometimes guilt or self-doubt can come when one seems to be unaffected by senseless tragedy and violence that should disturb an ordinary person. The idea that stuff just happens and you can only do what you can do is not sustainable protection against moral injury.

Especially in this era of hypercritical cynics, negative media narratives, and political cowardice, providing support and encouragement for our law enforcement officers has never been more critical to efficient policing and public safety.

Emotional Challenges for Humans that Happen to be Cops

Dealing with other humans is often stressful. That fact isn't unique to police officers. Anyone in retail, medicine, teaching or a host of other public contact jobs will have a story to tell. Police officers are almost always dealing with people who are not in their happiest moments. Nobody calls 911 to invite the precinct over for little Johnny's 12th birthday party, but they will invite the police when little Johnny didn't get the pony he wanted and is now on the roof shooting out windows with his BB gun.

Most police officers begin their careers with excitement about being able to help people in need. This idealism never dies, but it does take a beating. How do police officers survive emotionally under the constant barrage of other people's problems?

One way is to be aware of the God Syndrome. This is the feeling that one must solve everyone's problems and bear everyone's burdens. It is an ethos associated with all helping professions and many religious inclinations. It is also not possible and not healthy. Giving someone advice, resources, and allowing them to accept consequences for their own choices are things that helpers can do.

Police officers also have to be careful not to take things personally. Many police officers have used the "not in my town" lecture. Responsibility for a shift, geographic boundary, and maintaining peace rests on the officers' shoulders, but ownership does not. A driver racing through the streets can be personally offensive to a police officer who cares about the safety of the community, but it is not an insult to the individual officer. Accepting stewardship of the grave responsibility of enforcing the law is different

than accepting ownership of the law. Staying objective is a stabilizing influence

A challenge for police officers is dealing with stress. It would not be wise for a police officer to eliminate stress. It is essential for survival. The alertness required to be aware of threats protects officers. Short of paranoia, an officer realizes that they are always a potential target and that things can go from calm to chaos in a matter of seconds. Complacency is not acceptable even in the most mundane activities. This creates a set of biochemicals in the body that keep an officer in a state of readiness, but that chemistry must be diffused to reactivate at the appropriate time. That means rest, recreation, quiet reflection, and healthy relationships. Preventing stress is different than being resilient in a stressful world.

Officers also have to be able to accept failure and loss. The public expects a perfect ending to every situation, and so do the officers making critical decisions. But sometimes things simply don't work out. Officers may be gifted with intuition born of experience, but they are not gifted with the ability to foretell the future. A decision made based on facts known at a given moment is a good decision, even if the outcome is not a good one. Accepting that sometimes the bad guy gets away, an innocent person gets arrested, or not taking action ends up leaving a person in a dangerous situation. Compare it to the medical field where not every patient gets the right treatment or survives the surgery. One can only do the best one can do.

Officers must delay emotional responses. Empathy has its place, but citizens expect their police to be compassionate without being overcome by their feelings. First responders are the ones who stay calm and stoic. Extreme sadness must wait. Anger must be suppressed. Frustration must be muted. Too often, these feelings don't merely wait to be expressed in a

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safe place but are simply pushed aside to collect for another day. Even worse, the officer may forget how to have many feelings at all.

Law enforcement officers must be diligent and intentional in maintaining their emotional equilibrium. The public can help by showing their support and appreciation. Hearing “thank you for your service” may sound trite, but it is a little ray of sunshine in an officer’s day.

I need help! pssst - don't tell anybody! The police officer's choice - secrets or the job.

After [my article on recognizing signs of distress in a colleague](#) I received several emails, two of which made an impact on me.

A Tale of Two Officers

One officer related how his supervisor and friend began to recognize signs of depression in his behavior, speech, and work. His colleagues called him on it and offered support. After engaging in some therapy this officer was able to recover and remains a productive detective on his department.

Another officer, by contrast, wrote to tell of his struggle with prescription drug dependence. After a surgery, the officer discovered that he had become dependent on the pain killers. Although there was no effect on his work performance, he recognized his need to address the problem and sought help. He was able to get into a rehabilitation program which successfully got him back to his pre-surgery mental and physical fitness. Other than his time off for treatment, there was never any performance concerns from his department regarding his work.

Based on medical records from his department's medical providers, the department filed charges on some technical violations of failing to disclose his

prescription use. The case may result in the loss of his career.

Don't Ask Don't Tell

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The officer who recognized his problem and solved it is being punished for his honesty. The obvious irony is that by confronting a health problem that could have affected his career in the long term may have short circuited it in the short term. The worst outcome of such a case is not just for this officer, but for the profession as a whole. The lesson may be to keep your struggles to yourself and hope you can avoid disaster since you can't trust your employer's health providers with confidentiality.

The law enforcement and corrections professions cannot afford to encourage its members to keep their problems secret. Mental health issues such as depression and substance dependency rarely resolve on their own – especially in the pressure cooker of this kind of work. Agencies and legislatures must protect these professionals from job loss for seeking care where no permanent threat to public safety exists.

Stress and Survival

Stress and other health and fitness issues must be elevated to more than a short block of instruction in the police academy. Along with Constitutional Law, EVOG, arrest control, and firearms, holistic health should be the fifth pillar of knowledge for every law enforcement officer.

Health stresses, whether originating in the brain or the rest of the body, always ultimately impact the health of a department and, by extension, the community it serves. Prevention and treatment are the keys to preserving an agency's most vital asset – the well trained officer. Punishing the sick and losing decades of potential service by failing to preserve an employee is wasteful and cruel.

Rookies and Administrators

One of the ways that these issues slip through the cracks is that mid-career officers are the most vulnerable, both in health risk and to the risk of losing a career. Rookies tend to be healthier (not yet worn out), and less self-aware of the subtle corrosive effects of job related stress. They frequently lack the far sightedness to maintain self-care, including reporting and attending to injuries on the job.

Administrators may tend to forget what patrol and shift work does to a human body. They may also be so focused on liability and short term costs that they find it easier to rid the department of a “problem” than to address it and preserve a valuable asset.

Dollars and Sense

For an agency that hopes to retain an employee for 20 years, the cost of extended leave compared to a new hire is simple math. It costs money to recruit, train, and equip a new officer, in addition to the liability, supervision costs, and low productivity of two or three rookie years. It makes much more sense to make efforts to restore an existing officer to health and productivity.

Sadly, the common presumption about things we classify as mental health issues is that they are chronic and permanent. With professional attention and peer support the things we worry about the most – PTSD, drug dependence, and depression – are all treatable with success. Members who have addressed and resolved these kinds of health issues must not bear the label of “defective”, but as valuable overcomers.

Everything is Not Code 4

Radio codes vary from agency to agency, but most I've been around use Code 4 as "everything is OK". That doesn't really mean that everything is ok, it just means that for the moment, as far as the officer on the scene can tell, nobody is trying to kill anybody. For the men and women behind the radio consoles, seldom is everything Code 4.

I was slow getting educated on the effects of constant trauma exposure in emergency services. Maybe I was cold-hearted, maybe I have a strong constitution, maybe I didn't expect anything but trauma and therefore wasn't surprised by anything. Years ago I was knocked unconscious on a traffic stop. After leaving that agency I ran into the dispatcher that was on the night my partner radioed in "officer down". In the course of reminiscing, she mentioned that night, describing it as one of the worst nights of her career. I am ashamed to say I had never considered the effect of that event on my dispatcher.

There are several reasons why dispatchers have unique stresses. One reason is that they do not have the balance of vision to perceive what's going on at the other end of the telephone or microphone. They must interpret the scene with only the cues of noise, silence, and the tone of overheard conversation. Over time, their skills at understanding what their officers are or will be facing by the variance heard in voices is nothing short of amazing. This is especially true when it comes to knowing officers that they work with regularly. Some officers' voices reach a high pitch under stress, others actually speak more slowly under stress. A dispatcher may know the officer needs assistance before the officer knows.

Another reason is the vicarious stress that dispatchers hear constantly. Whether their calm voice reveals it or not, pulse and blood pressure rises in sympathy with an officer in hot pursuit, calling for help, or describing injuries for arriving medical units. They are not emotionally disengaged no matter how hard they try. They are often monitoring several agencies over several radio channels in order to maintain awareness about the availability of responders and what scenes might spill over to others. Each urgent piece of radio traffic signals their brains to get ready for trouble.

A third reason that stress is unique to the dispatcher is that they have limited control over their calls. While anticipating needs at the scene and following requests by officers present, the ultimate outcome is out of the dispatchers' hands. Dispatchers recognize their critical and life-saving role but realize that they will be miles from the event and rely on information relayed to them. A feeling of helplessness can be present during an event, even with the knowledge that they are being very active in the situation.

A fourth reason the dispatcher's stress is unique derives from their superpower of multi-tasking. This writer was cross-trained as a dispatcher and can testify to the barrage of responsibility facing each shift. I never mastered the speed and automatic reactions that dispatchers develop because I only sat behind the radio rarely to fill in for absences. On one of my first nights, one of my fellow officers was in pursuit of a motorcycle that ended in the cyclist's crash. This required an EMS response, a supervisor, and running the operator and motorcycle through multiple computer databases. At the same time, I got a call of a fire under the jurisdiction of our rural volunteer fire department. This meant setting off pager tones and answering multiple radio inquiries from volunteers not particularly skilled in radio discipline. At the same time, a call came over the CB (we were monitoring Citizen Band radio during that era) reporting

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a burglary in progress that the CB operator was narrating play-by-play to me. Please, God, put me back on patrol!

Another stressor to be noted is the sedentary nature of the job. While other first responders can burn off their adrenaline by working a scene and being very physical, the stress experienced by the dispatcher has no outlet and no on-duty opportunity to regain normal blood chemistry. Working long shifts with limited break time (if they're lucky) is not conducive to a healthy diet either.

There are plenty of other risks to dispatchers in terms of their mental and physical health. They are often left out of services that are afforded to other emergency workers after a traumatic event. If a dispatcher works a call with a death involved, they feel the loss but are sometimes left out of the inner circle of care that the other men and women in uniform are provided even though they may have listened to a dying person's last breath.

Dispatchers are truly the lifeline between a frantic caller and help that is on the way. They deserve all of the professional respect, compensation, training, and care that they can get.

Cops Under the Specter of PTSD

Among the tragic after-effects of the anti-police movement is an increase in PTSD in police officers. The number of Minnesota police officers applying for PTSD disability had tripled over the past fiscal year. Observers will cite changes in the state's laws as a cause, but there can be no denying that hostile working conditions are a major ingredient.

The typical understanding of post traumatic stress disorder, known as PTSD, is that it derives from a single overwhelming event. The diagnostic manual used by mental health professionals to diagnose PTSD requires some kind of exposure to trauma (an event that shakes one's sense of order, identity, or personal safety), intrusive symptoms such as nightmares and flashbacks, avoidance behavior, negative thinking or moods, and heightened arousal. This is a simplified description with many additional factors.

Traumatic events touch the lives of 50%-85% of Americans in their lifetime. Some will experience multiple traumatic events, whether being the victim of a violent crime, a car crash, or natural disaster. Ninety percent of police officers report trauma exposure and witness or are directly involved in multiple traumatic events over their career, and often within any given shift.

Among the effects of PTSD, including lesser stress-induced diagnoses, are impaired cognitive function, suicidal thoughts, and declining health. If these untreated and unmanaged symptoms are left to the officer alone, their ability to perform can become so impaired that they must leave their jobs.

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It is important to fully understand that PTSD is not merely an emotional state. Words that describe emotion are usually part of how we discuss the issue, but the basis of this injury is as real as a visible injury. In simple terms, when the body experiences, through its senses, a life-threatening event, there are neurological and physiological changes that occur. In normal threats to our safety, we experience blood chemistry changes that are often expressed as the fight or flight response. The way our body operates under stress moves away from our normal state and prepares us for battle. The way we breathe, the way the body uses nutrition, and the way our blood circulates shift into high gear that is sustainable only for a little window of time for us to deal with the threat. It takes time for the body to re-set itself and return to normal.

Some threats are so intense that the danger-sensing part of the brain can't forget. It says to the body "I'll never let this happen to you again!" and keeps up the emergency mode that the brain and the rest of the body cannot sustain over time. It's like a car with a stuck accelerator. Of course, not everyone experiencing trauma, or even repeated trauma, will develop PTSD. Research is ongoing to determine why several persons can survive the same trauma and respond differently.

A partial answer to that is what kind of support an individual gets before, during, and after the trauma. Police leaders bear a responsibility to educate themselves and their officers on stress symptoms and strategies. With cumulative stress, the symptoms may appear slowly and escape notice until severe. Many police agencies have a debriefing protocol after high-profile events but many others do not. Most have the availability of employee assistance programs, but these are often not trusted by officers who fear a lack of confidentiality could subject them to mistrust by peers and potential loss of promotion and special assignments. Leaders must

understand the barriers to mental health support which may include their own attitude. Positive affirmation of mental health care is important for ongoing support.

In Minnesota, particularly the Minneapolis area, the mixed messages from political leaders about the value of police officers, the constant barrage of criticism, and the growing resistance to routine police contacts are enemies of police officers' health and ability to continue to serve well long term. Personnel shortages, shift changes, and long overtime hours have created not only a gap in the safety of Minneapolis citizens but to the health and productivity of its police officers.

Respect and trust of our first responders are still high across the country but often overshadowed by the loud voices of critics. Support for police officers is not a mere sentiment, it is a necessary component of public safety and high performance of law enforcement officers.

Mindfulness for First Responders: Not a Magic Pill

Perhaps it is the ultimate irony that at a time when law enforcement officers are facing more stressors than ever before, the profession is finally recognizing that mental wellness is an essential component of managing a police force.

We can safely say that policing is more stressful today than ever, and it was always stressful. The types of calls that police officers deal with have not changed, so why more stress in today's environment? For one thing, the ambiguity of support or outright hostility from both the public and the judicial and political systems at large is palpable to officers on the street. One aspect of coping is having a supportive community. When that support and validation are absent, the toll of stress increases. A classic example is the difference between the soldier returning as a hero from WWII combat, and the soldier returning from Vietnam to hostility and derision.

Another factor is the increasing lack of recovery time. Because stress is a matter of body chemistry changes, it takes time for the body to return to a restful state. Shift work, mandatory overtime, and erratic schedules for court appearances and training can deprive officers of the time their bodies need to recover. As manpower shortages require more from each officer, time off is a precious commodity and vacations are seldom long enough.

Increases in non-compliance along with restrictions on gaining lawful compliance create a dangerous conflict between the duties officers are mandated to do and the means available to perform those duties. Beyond being a danger to the officer with fewer tools and more conflicted

decision-making, the mental strain and anticipation of conflict take a toll. Having every moment recorded, although now routine, can be unnerving and create even more stressful hypervigilance.

Along with other mental health resources (still too rare and underutilized), is the widely reported success of mindfulness – defined by the Oxford online dictionary as “a mental state achieved by focusing one’s awareness on the present moment, while calmly acknowledging and accepting one’s feelings, thoughts, and bodily sensations, used as a therapeutic technique.” As with most developing concepts, definitions and implementations vary. A recent National Institute of Justice analysis suggests that there are benefits to mindfulness practice related to reducing depression, anxiety, and burnout but no benefit for better rest and sleep.

Research on the technique isn’t all rosy and some cautions are making their way to the surface in addition to all the praise heaped on mindfulness practice. It is possible that an agency interested in improving officers’ wellness can implement the technique with the idea that it is the solution to officer stress. The box gets checked, the agency head can boast about the services to their officers, and they’re off to the next issue. A comprehensive approach must acknowledge the potential downsides of mindfulness.

According to psychologist Jason Linder, a mindfulness advocate, the practice is over-hyped, oversold, and misunderstood. Cases of meditative crisis resulting in the need for additional treatment or medical intervention are overlooked. Treatment guidelines are few and don’t often reveal potential downsides. The National Institutes of Health states “Meditation could cause or worsen certain psychiatric problems”.

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Among the potential risks of mindfulness meditation are suicidality, depression, negative emotions, and flashbacks during meditation for individuals with trauma histories. Focusing on feelings at a given moment is designed to provide awareness and grounding, but if the feelings of the moment are chaotic and traumatic, mindfulness may not only fail to exorcise them but may magnify them. In a 2021 article in *Psychology Today* magazine entitled *The Potential Dangers of Mindfulness*, Linder, again an advocate of the practice, states “Every experienced mindfulness practitioner has had the experience of feeling worse after having practiced. Mindfulness tends to evoke or reinforce what is already going on in your mind and body. If you’re worried about something that will happen in the future, or can’t stop thinking about an event from the past, mindfulness may amplify your worrying, confusion, or suffering around this.”

Mindfulness meditation remains a potentially valuable tool in the overall management of mental health for first responders. It should not be the sole solution or the only tool that police leadership puts in the stress management toolbox.

The Things That Haunt Heroes

It was a quiet morning as I sat at the breakfast table visiting with my brother who had stopped by on his travels. The small farming town was going through its routine when I heard a muffled whoomp not far from our house. Of course, nothing was far from our house, but this seemed too close. I jumped into the patrol car in the driveway – the car and I were the sum total of the police department – and immediately saw smoke as I turned the first corner. A storage shed across from the hardware store was already in flames.

I radioed county dispatch for our volunteer fire department to respond and heard the tones go out. As much as I love volunteer firefighters, the one thing they lack compared to full-time fire stations is response time. Forget the image of firefighters jumping into their boots and sliding down the pole to hope in their trucks. Our volunteer heroes had to get out of their fields and shops and drive to the station when they heard their pagers beep, getting their bunker gear on as they headed to the call. So, I was alone with the fire and the growing circle of looky-loos for a while. Not long after the fire department got there I was informed by dispatch that our bank had been robbed.

Our little town didn't have the wherewithal to merit a town square, but we did have a block of what comprised the Main street. The hardware store occupied one corner to the alley, then our branch of a county bank staked out the rest of the small block. On the other side of the street were a grocery store, a café, the post office, and a mostly abandoned grocery market that was kept open by the presence of a handful of old men around a pot-bellied stove.

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While I was dutifully doing an amazing arson investigation at the fire scene, the president of the bank had been held up, handcuffed and marched across the street at gunpoint, kidnapped, and dropped off five miles from town. I was exactly where the robber wanted me to be – at the commotion of the explosion and fire.

I spoke to a renowned police psychologist who told me that officers most regret the things they didn't do, rather than things they did. Failures haunt us. That 35-year-old unsolved bank robbery three blocks from my house still sometimes keeps me awake at night.

There was the first time I did CPR, breathing into the hollow lungs of a man who remained dead despite my best efforts. Nobody could blame me, I did everything I was supposed to. But it still counted against my conscience as a failure.

A snowy crash with a child in the back seat watching his severely injured mother being extricated from the car, shouting her pain as she was placed on the stretcher. I scooped him up to comfort and warm him. Only later did I find out that he had a fractured pelvis and I should have immobilized him instead of carrying him away. It didn't contribute to his injury, but I had let my compassion interfere with my training. It counted against my conscience as a failure.

I was lucky enough to spot the car described by a witness as the vehicle involved in a drive-by shooting. I searched and searched that car and did not find a weapon. I learned later from an informant that the gun used in the shooting was pushed up under the dashboard. I'd looked there, but not thoroughly enough. Things happen, no one's perfect. But still, a failure to get important evidence that was inches away.

There was the burglar alarm that seemed to go off every time it rained or the wind blew. I sauntered in with my partner to take a cursory look around. In my mind, I was handling a false alarm, not a burglary. It wasn't until I almost literally stumbled across the burglar hunkered down in the sporting good section trying to unchain and load a shotgun that I realized it was no false alarm. No excuse for that one. Happy ending, but lousy work. A failure.

I can console myself with killers I've arrested, the burning buildings I ran into, the drunk drivers I took off of the highways, the times I ran toward the sound of gunfire, and all of the daily drama that cops endure that makes their jobs fulfilling. But none of those things keep me awake. It is the things I failed at that intrude.

Rational Fear in Policing Saves Lives

As a regular writer on police matters, I am in the crosshairs of many critics. Reactions to any pro-police piece on social media range from personal threats to insults to proud displays of the critic's ignorance. One such comment claimed, "to shoot somebody all an officer has to do is say they were scared". Versions of that claim are repeated, often along with the lament over what the critic thinks a "warrior mindset" is that creates aggression and paranoia among police officers.

Being afraid is never a justification for force or aggression. A fear that is rational, defensible, and articulable is a lawful and valid reason for the caution shown by officers.

My first "man with a gun" call sent a cold chill through my body. I was with my training officer. I don't even remember what came of the call, I just remember how it affected me physically. I looked over at my trainer who hadn't let me even drive the patrol car yet. He was as cool as a cucumber as he hit the lights and siren.

Of all the things I had to learn during my training as a rookie, dealing with fear was probably the most important thing. I had to learn the difference between courage and fearlessness. Good judgment does not come with fearlessness. I once had a college intern riding with me. On the first night of his ride-along, we responded to a burglary alarm at a small manufacturing facility. As I positioned my patrol car strategically to observe the south and west sides of a fenced enclosure around the facility to wait for a second unit to cover the other sides of the building, my intern spontaneously jumped out of the passenger seat, ran across the parking lot, and jumped over the fence, presumably to catch a burglar.

Was he fearless? Yes. Was he stupid? Yes.

Courage only exists in the face of fear otherwise it is merely fearlessness which is cluelessness at its best and suicidal at its worst. What then is the role of fear in policing and when does it operate? The simple answer to the question of when is: always.

Although we think of fear as an emotion, it is a complex change in body chemistry triggered by the brain's perception of a threat. That perception is based on experiences in life gleaned from living and learning. Those experiences are so embedded in the memory that all kinds of cues to that memory can trigger the body's fear response. An amazing array of body chemistry alterations happen in response to a perceived threat.

The threat doesn't have to be an exact replication of a previous dangerous experience. A parental lecture about the hazards of driving in the rain can create a life-long fear response in a driver on a rainy day. Even a precursor to rain such as a darkened sky, gust of wind, or a change in air pressure can cause the brain to alert the body to the threat of wet pavement. The response could be extra caution, slower speeds, a heightened awareness of other traffic, or even a decision not to drive at all. That is the value of fear.

A police officer's training and experience will result in multiple fear alerts resulting in a constant high level of threat awareness. They know that officers have been assaulted by all kinds of people in all kinds of situations. Officers have been attacked and killed stopping to help a stranded motorist, checking on someone's well-being, and on the most minor of calls from jay-walking to shoplifting. Critics have no understanding of the variety of situations that pose a threat to law enforcement officers. Officers know that they will be assaulted at some

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point and want to avoid the delay that surprise creates in taking defensive action. Imagine that you have been given the job of cleaning out several hundred old gym lockers. In the process, you come across one occupied by a rattlesnake! Now imagine the same assignment with the information that one of those lockers has a rattlesnake in it.

To an onlooker, the locker cleaner might look foolish as they approach each metal door slowly and carefully, wondering if this is the one with the snake. But to the person checking each of those units, that caution is quite sensible and might save their life! Likewise, an observer might question why an officer approaches with a hand on their weapon, or stays behind cover making verbal commands, or chooses to gather a few facts before rushing into a building. It is a prudent response to training and experience that protects the officer, the public, and even a suspect.

This is the courage that police officers must have. Not fearlessly charging into a situation, but courageously facing dangers known and unknown every day.

Celebrating Alive Day

When I first served as a chaplain for a wounded officer and spouse retreat at a Montana ranch, I heard a term for the first time. Officers were talking about their “alive day”. It was the day they could have died but somehow survived, borrowed from military combat survivors.

For some, it was getting shot, for others a crash. It could be an assault in the cell block or a bar fight. It could be getting slashed with a knife, or intentionally hit by a car. The day may be a sad memory if a colleague did not survive the same event, or if the day of survival was also the end of a career and life as it once was.

Some families celebrate the day, others make note of it, and some avoid thinking about it. KH, the spouse of a wounded officer still fighting for benefits after years of paperwork, says “The first year we had a party. But after that, he didn’t want to recognize it anymore. So from that point going forward we planned something fun like a trip or something to overlap that day.”

BD, the survivor of an intense and close gun battle relates that “Usually, my friends and family recognize as if it were a birthday. No party just recognition texts or calls. Most of the time my wife would plan a trip to get away for both of us. I survived so it reminds me of surviving one of the worst and tragic days of my life cool!! I survived! Better than posthumously.”

TS, an injured officer says “I know I’m fortunate to be doing much better than the Drs ever thought I would but this day is always so difficult. I don’t sleep well for a few nights surrounding this date (ok, I never really sleep

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well but it's worse than usual). On this day I tend to think more about what I've lost and how much things have changed." She asked a support group if the anniversaries get any easier. GB, who retired with PTSD after a shooting answered "Yes they do. I just had my twenty-first and I hardly even thought about it. Be patient with yourself, you'll get there." RM answered "Coming up on 3 yr anniversary of my husband's shooting in Feb. Any day can affect us both, out of the blue. Just when you think you have a handle on it- BAM."

AG, stabbed and slashed on a domestic violence call makes his Alive Day a time of giving thanks "3 years ago our lives were changed forever. I became a Wounded Warrior on the street. God saw fit to save me and I am here today to serve and worship Him." SF, whose husband was shot in the back, leaving him confined to a wheelchair, expressed a similar sentiment "Rather than be sad about the day that he got shot, we think it's important to celebrate his life. God saved him. And that's a reason to celebrate." Many severely wounded officers fight back to recover and rejoin their agency as active officers while many simply cannot. They not only have an anniversary date on the calendar, or etched in their memory, they have the nightmares, the crippling disability, the chronic pain, and the medical bills to remind them.

A significant percentage of police officers have been in positions where their lives were at high risk, but don't count those escapes as an Alive Day. In a weird way merely getting knocked unconscious, shot at but missed, threatened by a person with a knife or gun who didn't follow through, or struck by a vehicle with just a broken bone can be passed off as just another day at the office. No purple heart, no news coverage, just a pull up your bootstraps and dust yourself off and carry on kind of thing. Contemplating all the times you really could have been left dead or permanently injured is a good officer safety review, but not a sustainable

line of thinking, or else no one would get out of bed to put that badge back on. With special respect to those who struggle with life-long pain, PTSD, and disability, for the rest of the officers, every day they get to go home and take off their own shoes is another Alive Day.

Policing Toward Healthy Relationships

Every patrol officer has spent time dealing with victims of abuse who are entangled in love/hate relationships. Officers walk away from their sidewalk counseling or arrest and wonder why people stay together under those circumstances. Here are 12 common characteristics of abusive relationships:

Being told that you never do anything right

Being insulted, demeaned, and shamed in front of other people

Being prevented from making your own decisions

Intimidation through threatening looks, or while near or holding weapons

Destroying your belongings

Insulting or threatening your extended family Forces unwanted physical

contact Controlling your use of money and resources

Lies to you often enough that you can't trust them

You want to leave the relationship but feel that you can't

Makes you feel you deserve to be treated poorly

Constantly does surveillance on you because they think you're cheating.

Police officers should find this familiar, not because they may be involved in a bad domestic relationship, but because their relationship with the public bears a disturbing similarity to patterns of abuse.

Obviously, the overwhelming majority of citizens are respectful and thankful for their police officers. The kind of abuse that police officers are exposed to is from interactions with those who are not happy with an officer's actions or even their very existence. The anti-police segment of the population treats the profession and individual officers just like an abuser in a domestic relationship. Cops never do anything right. They must be controlled. They must be surveilled constantly because they can't be trusted. They deserve to be called names and threatened in public and take no action against the slanderer. The officers' families and homes are threatened.

Politicians control their resources, create punitive laws, and restrict the decisions that officers must make in unique and fast-moving situations. Prosecutors look the other way when uniforms are torn, officers are assaulted, and police cars are torched and vandalized.

Just like abused spouses, police officers often feel they cannot leave the relationship. Just like some stay for the sake of keeping a family together or keeping up appearances, officers want to make things right and keep things afloat no matter what. Some partners stay in abusive relationships for finances, just as some police officers stay hoping to retire with some financial security if they survive. Just as some abused spouses hope for change and stay in a marriage because they believe in the institution, police officers have the same hope and same regard for law and order.

What could change so that officers would not feel that they are walking into another day of abuse every time they begin their shift? What would

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help reduce their anxiety and expectation of being harshly criticized no matter what they do? That they are not free to make their own professional judgments? That they are deprived of the resources they need to operate most effectively?

A list of characteristics of healthy relationships might be a good guide. Healthy relationships bring out the best in each other. They allow individuals to be themselves while encouraging mutual growth. Healthy partners are open to change and self-examination. They feel free to be honest about what they need without being angry, resentful, and threatening. They accept long-term commitment to work through conflict. They celebrate the network of other persons and organizations that support their partner without jealousy.

Most importantly, as marriage therapists will testify, a partner must be willing to accept the observations of others and be willing to change where change is needed. Also critical is finding support from others that is not full of criticism but realistic cheerleading and encouragement for the best for everyone.

Organizations like the National Police Association provides a venue and information for those who genuinely want the best in the relationship between the police and the public they serve. Those who are habitually and harshly critical may never change, but our police officers can withstand their hostility with the support of those who care.

(Although this article was not about actual domestic abuse, if you are in an abusive relationship, please call 1- 800-799-SAFE for help).

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What Citizens Need to Know About Increasing Lawlessness

Gun sales in January surged by 80% after an already frenzied buying pattern in 2020. Shortages of firearms and ammunition are a sign to some as an overreaction to conspiracy theories. The idea that people are just being paranoid is countered by the headlines we see every day. April reminds of mass violence with a particularly violent history of anniversaries of tragedies, from the Columbine massacre, to Waco's Branch Davidian disaster, to the Oklahoma City bombing of the Murrah building to name a few.

It is necessary to filter what we see, hear, and read about the violence in the world in order to dial in the reality of our own risk. As we see what appears to be a rise in mass shootings, the probability of dying that way is less than being struck by lightning. As a close relative of a Columbine survivor who was sitting in the cafeteria unknowingly next to an explosive device when the shooting started, I don't dismiss the reality. But for every school, mall, or store where assault and murder happen that generates days of national news coverage, there are tens of thousands of such places where life went on as usual. That may be of little comfort due to the apparent randomness of this kind of insanity, but the odds are in our favor.

When, however, our government continues a seemingly unstoppable destruction of the safeguards established for public safety, the burden of self-preservation from violence is shifting. I seldom try to prove my qualifications to write these articles, but it is important to the reader to know that I am not a mere observer and commentator who once wore a badge and presume to know everything about criminal justice. One of my

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police executive roles was as chief of campus police who began that phase of my career while the blood of the Virginia Tech rampage was still on the ground. I developed an expertise and knowledge of mass violence of necessity. There are many steps that businesses and institutions can take to reduce the likelihood of damages from an active shooter event. But, regardless of one's views on the complicated issue of gun ownership (full disclosure – I am a strong 2nd amendment supporter), I have seen not one law proposed or enacted that would have prevented any of the attacks on which these proposals are predicated.

It is no coincidence that gun sales have increased as national political figures who are entrenched in the ideology of restricting gun ownership have been in office. It could be arguable that relying on law enforcement, corrections, and the courts and quick summoning of help from a 911 call would mean that means of self-defense are not needed. But that would be the case only when a strong public safety infrastructure was in place. Does that mean I'm encouraging everyone to armor up? That's a very personal decision. What we see, however, is that the same legislative bodies throwing roadblocks to defending one's family are the same bodies systematically dismantling the government's own ability to protect the public.

The list of laws proposed and passed includes making it easier to sue the police, disarming traffic enforcement officers, releasing prisoners, prosecuting police officers for justifiable shootings, reducing criminal penalties, and handcuffing law enforcement at every turn. Very few proposals fit the label of police reform, but rather give permission for the lawless to avoid accountability for the crimes of violence that are rising across the nation.

Former Secretary of State Henry Kissinger has been credited with saying

“Even paranoids have enemies”. Fear should always be measured by reality, so the decision about measures to safeguard oneself and loved ones is a matter of risk assessment. As measures to muzzle law enforcement, forgive and excuse offenders, and label bad guys as heroes and good guys as villains, it is time to make that assessment. A person living in places other than where urban unrest and anarchist policies are growing, the problem is very real to them as well. Any police officer, small agency or large, will testify that the amount of resistance, confrontation, non-compliance, and disrespect is percolating everywhere.

When serious crime is on the rise, lesser problems of disorder will follow. The reverse is also true, so we can expect a spiraling of crimes against persons and the integrity of personal property. Discouraging traffic enforcement means more dangerous vehicles and dangerous driving will occur. That means the cost of insurance will rise, adding economic uncertainty to the cost of an impotent justice system.

In addition to preparing for economic wounds as well as property and violent crimes encroaching, every citizen must educate themselves on the good or harm that

legislative proposals will do to maintain a healthy society. Ineffective laws that only hamper our liberties, or antagonistic laws that hamper our law enforcement professionals must meet strong resistance from citizens of goodwill and conscience.

Why Is There a Police Car In My Neighborhood?

I remember being the on-call investigator when the phone rang sometime in the middle of the night. At the time I didn't live very far from the police station so I sprinted down to grab the unmarked car and head out to the scene where an officer had been shot at. Word had already spread and other officers had been called out. When I got to the garage, all of the department vehicles had been taken so I sprinted back home and got my personal vehicle to head to the scene. The only equipment I had was my sidearm in a shoulder holster, a set of handcuffs, and a flashlight. No evidence collection material, no traffic control equipment, and no other supplies that might be needed to sustain hours at a crime scene.

Oklahoma City was able to deploy its officers on April 19, 1995, after the federal building was bombed in the infamous truck bombing that killed 168 and injured an additional 800. The crime scene was expansive, the rescue effort was massive, and as always, the usual 911 calls don't necessarily stop just because everybody is busy with a disaster. The city had a take-home car plan already in place that made it possible to get officers out on the street quickly and with the proper equipment.

The advantages of a take-home car plan seem self-evident. More available equipment for mass deployment and faster response times are the most notable. Take-home cars are believed to be in service for more years compared to the workhorse patrol cars driven by drivers from all different shifts. Take-home cars adjust to one primary driver and are driven as much as 1/4th the time as a squad car taken from the station pool multiple times a day. Take-home cars tend to be better cared for since accountability rests on a sole driver who can make themselves at home without re-adjusting and setting up a car at the beginning of every shift.

Take-home cars are a recruiting and retention incentive. It must be noted that a take-home car is not an employee benefit, otherwise, it might be taxed as such, but saving money on a family car devoted to the commute is money in the officer's pocket. They make off-shift court appearances easier, as well as getting to and from training days as well as an immediate response to a call-out.

For the neighborhood and community, the presence of a patrol car is associated with an increased police presence that discourages criminal activity. Increasing the number of marked police cars can make them a ubiquitous message that the community is being carefully and diligently watched.

The challenge for agencies desiring to implement a take-home car plan is the initial expense and policy development. Some agencies allow personal use of the patrol car to extend the opportunity of visibility of patrol vehicles. If not on duty or en route to or from police business, officers typically are required to have their radio on and be in possession of their duty weapon. Allowing officers to take their kids' grocery shopping may increase the presence of a patrol car in the community, but without a major information campaign for the citizens, this kind of activity may bring more complaints than compliments.

Increasing the size of a police fleet to equal the number of officers can be an initial capital outlay that would require a major one-time budget shift. Increased taxes or a bond issue is one way of financing. Some agencies may add to their fleet over a few years to reach the goal of take-home cars for most officers. That might mean holding on to current vehicles for longer than usual. Agencies typically surplus their vehicles at from 50,000 to 120,000 miles. For agencies looking to increase their

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fleet, finding an agency that rotates their vehicles at fairly low odometer reading might help ease into the fleet expansion compared to the expense of all new units. Staggering the purchase will also help establish a rotation system so that cars will not age out at about the same time.

Another issue that makes the take-home car plan a disadvantage is that, in these days where hostility against law enforcement can spawn violence, a police officer may not want a marked car parked in their driveway a target for vandalism to their home, assault on their family, or property damage to the vehicle. Sadly, the advantage of visibility to prevent crime may create a magnet for criminal elements to intimidate and terrorize a neighborhood. If a take-home car plan is proposed for a police agency, its community would be wise to support the program.

America Loves Its Cops

The headlines would lead the average citizens to believe that the population of our country has collectively developed an adversarial relationship with its police. Television ratings show just the opposite. Americans are fascinated by the police.

Perhaps the reality is that Americans are fascinated by crime. Maybe it's the pursuit of justice or at least a happy ending where the bad guys get their comeuppance. It could just be a wanton intrigue about murder to confront the universal awareness of our own mortality. Nevertheless, when we look at television and books, the big sellers are murder, mystery, and police procedurals.

Whether it is reality that fosters the interest in fictional crime stories, or the stories that create due respect for crime fighters is an interesting question that this article doesn't pretend to answer, but it may portend well for our real-life men and women behind the badge. Surveys have consistently shown respect and trust for law enforcement even in the darkest days of protests and anti-police political rhetoric.

Of course, police officers were lampooned even in the early days of media with the Keystone Cops theme showing up in mild-mannered teasing. Marshal Dillon, a regular contributor to Dodge City's Boot Hill cemetery, Broderick Crawford as the no-nonsense agent of the Highway Patrol, the marginally capable team of Car 54, among others created an image of likable characters some of whom were heroic and some funny but mostly respected for getting the job done. Andy Taylor and Barney Fife spanned the extremes from the laconic, unflappable common sense public servant to the posing bravado of a self-absorbed lawman.

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The occasional crooked cop was appropriately portrayed as an abomination whether in a Perry Mason episode or on Adam-12 and Dragnet. On one memorable assignment, Sgt. Joe Friday was working internal affairs for LAPD and quoted former Chief William Parker saying that the problem with police work is that you have to recruit from the human race.

The 1960s and 70s was a time of mistrust of government in general with upheavals related to racial tension, the Vietnam War, and Richard Nixon's criminal activity. Dirty Harry expressed the frustrations of citizens as law and order seemed at risk. We rooted for Charles Bronson as he took up the cause of vigilantism in Death Wish. Real-life scandals in urban police departments were newsmakers, as commissions and studies made new recommendations for police accountability and increased training. As the Biblical wise man, Solomon said, there is nothing new under the sun.

Law and Order, NCIS, and CSI (plus their spin-offs) have dominated television ratings. Mostly showing law enforcement in a positive light, along with Blue Bloods and the recently added Rookie and Chicago PD among others, attempt to deal with current issues and realism (other than some wild plot lines).

In August of 2020, there were headlines announcing the results of a Gallup poll showing that trust in the police had hit a record low. One tier of the response was to the question of a great deal of trust and that fell to below 50% at the time of that survey. As anyone who has taken a survey knows when you rate your McDonald's or Kohl's experience you have at least 5 layers to mark. This ranking is called a Likert scale in research terminology. If a poll shows that fewer persons ranked law enforcement as

a 5-star performer in the trust department, that doesn't mean that more have fallen into the no-star or 1-star rank. Therefore, it is disingenuous for the newspapers to headline that half of the population mistrusts the police. That is a perversion of the poll results.

In any case, polls nearing the end of 2021 show a dramatic increase in trust in law enforcement. The percentage of minorities favoring reduced police funding was itself reduced after watching criminal activity rise as police activity declined. By the last quarter of 2021, we saw headlines about police officers returning to schools, demands for increased spending for law enforcement, cities begging officers to return to their agencies, and dramatic messages to anti-police politicians during the November elections.

The history of the United States is one of a constant attempt to balance the power of the government and its armed agents against liberty for law-abiding citizens while fighting criminal activity within Constitutional boundaries. Law enforcement will always engage the attention of an active citizenry, and therefore has a constant opportunity to merit the trust of those whom they serve.

Be a Wise Consumer of Media Reports on Police

Although everyone knows better, stuff that gets out on social media still can perpetuate false narratives and put junk information into discussions of important issues. As an example, August is the anniversary month of the police shooting of Michael Brown in Ferguson, Missouri. A recent Twitter message from attorney Ben Crump stated “8 years ago, Michael Brown was killed with his hands up in surrender. Michael’s future was stolen from him. Rest in power, Mike.”

One might think that truth, facts, and due process would be central values to an attorney, but all are tossed out the window to glorify Michael Brown. Brown’s future was not stolen, he gave it up. The tweet also celebrates Brown’s graduation from high school but makes no mention of the strong arm robbery he committed before being confronted by Ferguson Police Officer Wilson. Crump gives no attention to the well-established fact that the “hands up” myth was just a myth. The evidence (i.e. facts – remember those?) showed that Brown attempted to wrestle Wilson’s weapon from the officer and resisted Wilson’s attempt to arrest him for that felony charge. Multiple agencies investigated, multiple autopsies were done, and multiple witnesses were interviewed. Even the Obama administration, with invitations to the Brown family to the White House, could not find evidence to charge Wilson with any misconduct.

Every young life squandered in crime is a tragedy. But if Brown does, indeed, “rest in power” it is the power of false telling of a story that only has value to vilify law enforcement if twisted and tortured away from the facts.

But, surely, the real media has more respect for facts and accuracy.

Maybe “more” is the operative word. But consider this headline: “Colorado cop jailed for failing to stop beating of dementia patient” from the August 8th edition of the New York Post. The story is about the Loveland, Colorado arrest of a 73-year-old woman with dementia that was recorded on the officer’s body-worn camera. As with most use of force events, the video can be difficult to watch. This writer did not review all of the video or evidence presented when the arresting officer was sentenced to five years in prison for the arrest. What is not observed in any of the evidence is that a “beating” took place.

While the elderly can be frail and have diminished mental capacity, they are not exempt from arrest. Persons over age 50 constitute more than 6% of all murderers. Regardless of the defensibility of the arrest, which was not accepted by the court, it was a rough arrest for a non-compliant person. There was no beating, by any definition.

An Illinois case of the arrest of a fleeing 17-year-old with a handgun, who refused repeated commands was videoed by a bystander complete with the “beating” narrative. There are palm and hand strikes that are within training guidelines that strike muscle and nerve centers and are used to gain control over a resisting subject. These look menacing from an outsider’s view but are specific techniques that are used to avoid further escalation.

A case in Tennessee has family members of the arrestee asking how a traffic violation can result in the use of force to make an arrest. The answer is simple – pull over when you see the lights and hear the siren as the law requires. When you do stop, don’t run into your house when ordered by the police to stop after a pursuit. When officers catch up to you, do not resist with violence. We don’t know how the investigation will turn out or whether there was wrongdoing by the officers, but to say the officers

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were at fault and immediately attach the “beating” label is irresponsible.

There are common threads to watch for when consuming media reports. The first is whether the video is from a bystander complete with an uninformed narrative. Secondly is a lack of context. We almost never see what happened before officers began to use physical restraint. You will also never see a retraction, apology, or correction when the event was reported badly. The third is the race card. The media pounces on arrestees from so-called marginalized populations in order to further the narrative of systemic hatefulness in law enforcement. Lastly, remember that since a crime is alleged to have occurred, justice officials are not at liberty to discuss the case openly, so what you’ll hear are the laments of family members who will assure reporters that the arrestee was a great person with a bright future ahead, and the attorney who may have to wear sunglasses to keep the cameras from seeing the dollar signs in their eyes.

What the public needs to know about crime rates

Soon news agencies will be reporting on the annual FBI Uniform Crime Report (UCR). This annual summary of crime in America has been a staple of criminal justice planning and observation since 1930.

How it works

Statistics for the UCR are derived from police agencies that report statistics from their jurisdictions. There are standards that create uniformity when defining criminal events. Each state has their own definitions and classifications of crimes which must be sorted into UCR categories. This is the first opportunity for error. Agencies may be tempted to underreport or overreport their criminal activity to either look effective or look needy for more funding.

It is also important to understand that only crimes reported to the police make their way in to the UCR system. Murders are reliably reported since they are hard to conceal. Auto thefts are reliably reported because police reports must be made for insurance companies to pay for the loss. Arson may go completely undetected and, therefore, be underreported. Rapes are notoriously underreported. The value of the UCR is in the comparison of crime over time. The consistency of reporting for offenses is probably the same in 2019 as it was in 1999, so comparisons of like offenses over time can be instructive.

Public awareness can influence the accuracy of reporting. Awareness of arson caused that offense to be added to the UCR count in 1979, and rape was redefined in 2013 to include victims and perpetrators regardless of their gender.

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Unreported crimes

It is logical to ask how there are statistics on unreported crime. The answer is that another major measure of crime is the National Crime Victim Survey. This joint venture between the U.S. Census Bureau and the Bureau of Justice Statistics surveys citizens to ask if they have been victims of crime. The comparison between those answers and the reported crimes statistics informs researchers what crimes go most often unreported.

Big crimes

Interested in knowing how much domestic violence or child abuse is in your state? Looking for the number of drunk drivers arrested or drug offenders captured? Those will not likely be highlighted in the headlines reporting on crime rates. The major categories of crime include rape, robbery, murder, aggravated assault, arson, burglary, motor vehicle theft, and larceny.

Other offenses are listed separately within the UCR, but most news reports include only the eight offenses known as Part I offenses.

Timeliness

Because of the massive data collection effort, the statistics that are announced in October of 2020 will be for the year 2019. Other than quarterly summaries, the most recent crime statistics have been from 2018. Keeping up with any rapid changes is not really the purpose of the UCR.

In addition, as the introductory remarks on the actual UCR report will attest, comparisons between cities, states, and regions based on raw numbers is discouraged.

Other information

Digging deeper into each of the offenses will yield information on victims, perpetrators, arrests, and weapons used. This is where we find that there are more people beaten to death with hands and feet than murdered by rifles. Information such as the intra-racial nature of murder shows that most murders are committed by persons of the same race as their victim. The number of persons murdered based on their race as a percentage of their racial representation in the population is highly informative, as are the number of persons justifiably killed by citizens compared to police officers.

Additional information can be found on law enforcement resources by jurisdiction. Separate reports on law enforcement officers assaulted and killed show annual death rates along with causes and circumstances. These studies have, for example, shown the notable rise in officer murders from ambush attacks.

Trends

Crime trends tend to be local. Looking at the aggregate UCR information may tell you very little about potential crime where you live. When surveys assess fear of crime a few interesting findings usually pop up. One is that people think that things are worse than they really are. In fact, if you don't live in one of the top ten murder cities in the U.S. that account for two thirds of the increase in homicide, things don't look too bad. Most people

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surveyed feel good about where they live but worry about other nearby areas. This comfort level with the familiar and fear of the unfamiliar may bear no correlation to actual rates and risk of crime.

The UCR has great uses but determining if you are safe in your own neighborhood is a question best asked of your local law enforcement agency.

What the Public Needs to Know About Qualified Immunity

Qualified immunity is just that — qualified. In other words, it is not blanket immunity, and not immunity with impunity. In the words of the U.S. Supreme Court “The doctrine of qualified immunity protects government officials “from liability for civil damages insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would 6 PEARSON v. CALLAHAN Opinion of the Court have known.” Harlow v. Fitzgerald, 457 U. S. 800, 818 (1982). Qualified immunity balances two important interests—the need to hold public officials accountable when they exercise power irresponsibly and the need to shield officials from harassment, distraction, and liability when they perform their duties reasonably. The protection of qualified immunity applies regardless of whether the government official’s error is “a mistake of law, a mistake of fact, or a mistake based on mixed questions of law and fact.”

One should note that there are many types of immunities that apply to various government officials, not just police officers. Judges and legislators have much greater immunities for their sedentary decisions than do police officers acting under great duress.

Does qualified immunity mean that anything a police officer does they can get away with it? Certainly not. We must remember that there are two basic areas of law. One is civil, which is a wrong committed by one person against another. The other is criminal, which is a wrong committed against the collective rules of the citizenry such as a statute or ordinance. Criminal law must all be enforced within Constitutional boundaries and within established procedural safeguards.

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To establish that a person has committed a crime there must be evidence that a person violated every element of that crime including the mental state of the actor. The level of proof is that which is beyond a reasonable doubt, which must be applied to every part of what defines a particular crime. A person may be taken into custody by a police officer who has a level of evidence arising to probable cause which must be sustained in order to proceed with prosecution.

A police officer who uses force unlawfully, exceeding their privilege to use reasonable force, can be criminally charged and qualified immunity has no application as a defense to a criminal charge. This kind of charge would likely be based on a violation of a state law prohibiting assault and unlawful restraint. State statutes will vary.

That same police officer, and perhaps for the same act, can also be charged with a federal crime. Because the Constitution requires searches and seizure to be reasonable, any arrest — a seizure under the Constitution — that is not reasonable violates the rights of the person arrested. The federal charge against the officer would not be the fact that force was used, but rather the right to be seized reasonably was violated.

A third way that a police officer is held accountable, in addition to the two sets of laws under which they may be prosecuted, is to be held civilly liable. A police officer can be sued in state court for any loss they might cause another person through a negligent or intentional act that violates an established standard of care. The basic formula for determining if a person can sue a police officer for damages is that there must be a duty of the officer to the other person, negligence in the execution of that duty, and a harm that is a direct result of that negligence. The proof of all these elements at trial must add up to a preponderance of evidence for a

finding of liability.

A fourth way the officer can be held accountable is to be sued in federal court with a claim that the officer caused the person a loss of their civil rights. Keep in mind that all four of these actions against the officer may occur from one event at the same time. Also remember that if the officer violated a policy of their employing agency, or has no employment rights, they can be dismissed and lose their job. They may also lose their career in law enforcement if the state governing body cancels their peace officer certification or status.

At what point does qualified immunity apply? When an officer engages in a duty that must be performed, they have training, policy and procedure to follow. But no two situations are alike as policy manuals will state and courts will acknowledge. When an officer uses their judgment and the outcome is a bad one, a claim of qualified immunity may be made. If the decision that the officer has made was one that was had no clear precedent, then it is only fair to allow for human judgement errors in volatile, fast moving events. That's all qualified immunity amounts to. There is no lack of accountability for decisions a police officer must make. Qualified immunity should remain as a just and reasonable protection.

6 Ways Police and Citizens Filter Noise from News

Police officers know the truth from the trash when we watch the news and what passes for news. Many who want to be supporters of officers do not have the information needed to make sense of the screaming headlines that bombard us hourly. How can we help our citizens, especially those who want to support quality law enforcement, be intelligent consumers of the news and not the noise?

Understand that the media is easy to manipulate. Information on the internet is provided by profit seeking bloggers and websites that depend on page views and clicks. The old model of reporters digging to verify facts on a story before the paper is printed or a story is aired is a relic. When every click counts, information has to be pumped out and pumped up minute by minute. When a story – whether true or not and whether planted or not – is repeated enough times it is considered to be worthy of even mainstream media outlets. These stories can be generated with relative ease. Websites just need clicks and views, so it is no great loss if a reader grabs only the headline and does not read the story. Headlines can be intentionally deceptive in order to get attention and clicks.

Watch for phrases that hedge the truth of a story: “It has been reported that”, “anonymous sources say”, “a possible violation”, “a potentially explosive allegation”. Phrases like that really mean “we have no idea whether this is true but we’re putting it out there anyway”.

There are lies, damn lies, and more damn lies using skewed statistics. One social media post rhetorically asks why cops have killed hundreds and rioters only a few, implying that the real source of violence is the police. If you want to compare full time first responders who are called into violent

situations on a regular basis to weekend warrior rioters, those numbers are meaningless. Be skeptical of comparisons, pieces of charts and graphs, and the trustworthiness of the source of statistics.

Examine the heroes and victims cited by speakers and writers. If anyone cites the death of Michael Brown as the murder of an unarmed teen by a racist cop, they immediately lose credibility. Multiple investigations, intense public scrutiny, and physical evidence all yield the same factual answers. Brown was leaving the scene of a strong armed robbery, assaulted the officer and attempted to steal the officer's sidearm breaking bones in the officer's face, then resisted arrest as the officer pursued him. This is in no conceivable way an unjustified use of force, not to mention that the "hands up don't shoot" mantra has been proven to be entirely fiction.

Those citing the death of Trayvon Martin often don't know that this was not a police involved death at all. Neither was the death of Armaud Arbery. When lists of alleged victims of police violence are published, a search of the circumstances will show that most were armed, fleeing violent crimes, actively resisting arrest, or in the company of those who were. That is not to diminish or justify the statistically rare unlawful use of force by police, but with every deadly force event being portrayed as a cascade of senseless killings, the truth of these encounters must prevail.

Watch for terms that are loaded with presuppositions. Reporters like to talk about military grade equipment instead of protective gear or tactical rescue vehicles. The word murder should not be used in every report of a death in police custody. Saying that an arrest was only for a misdemeanor is intended to strongly imply that the suspect's encounter with police was a trifle to begin with. Eric Garner's contact and arrest was for selling untaxed cigarettes, an activity associated with gangs and organized crime. The

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investigation of George Floyd began with a reported counterfeit \$20 bill, a federal offense also associated with underworld criminal activity. Whether the outcome was unlawful conduct by the arresting officers was criminal or not, the initial contact and of these offenders was lawful.

Another term is unarmed, meant to imply that the arrestee posed no threat. It takes only a quick look at FBI murder statistics to see that twice as many people are killed by hands, feet, and hastily grabbed blunt objects than all murders from rifles and shotguns combined. Knives are often referred to as a non-deadly threat but are also more than twice as likely to kill as rifles and shotguns combined. Presidential candidate Biden famously suggested how an officer should be trained if “there is an unarmed person coming at them with a knife or something”.

Look for context and irrelevant factors. Bloggers and more traditional reporters often create sympathy for those shot by police, alluding to their impending college enrolment, recent graduation from rehab, charitable work, families, and birthdays. Officers facing deadly force decisions calculate only the threat, not the personality or life circumstances of the person engaging in the threat.

When citizens develop a better understanding of how to filter the information they get, the reforms that truly are urgent in policing can begin.

How To Know When The Activist Is Ignorant

Some common topics arise when lay persons talk about police use of force, and most of them are erroneous in fact or interpretation. Here is a sample.

Clue #1 They include the Trayvon Martin case in examples of police shootings. Martin was shot by a neighborhood watch coordinator in what a jury later accepted as self-defense. The controversy regarding police was their initial conclusion that it was a case of self-defense. The shooter, George Zimmerman, was a mixed-race 28 yr old whom the press managed to call a white male in order to emphasize the potential for a racially charged story.

Trick question to test the amateur activist: How many times did the cops shoot Trayvon Martin? If the answer isn't "zero", the person doesn't know what they are talking about.

Clue #2 They include Michael Brown as an example of an innocent black teenager shot without justification by a white police officer. An additional clue is when they mistakenly refer to Brown as "Michael Ferguson", as I heard a commentator on CourtTV say just today in analysis of the Amber Guyger case.

Brown, always referred to as an "unarmed black teenager", was 18 years old, nearly 300 pounds, and was 6'4" tall. Hardly the image of the headphone wearing Facebook photo pushed in the press. Brown, who had just walked away from a strong-arm robbery caught on video in which he shoves an elderly shopkeeper (who was Asian — but Asian victimization hasn't yet become a newsworthy trend) in order to steal

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cigars to modify for marijuana use. When confronted in a lawful contact by police officer Darren Wilson, Brown approached Wilson who was still seated in his patrol car when Brown wrestled to take control of Wilson's service weapon. Failing that, Brown attempted to flee, ignoring Wilson's attempts to take him into custody, and Wilson shot Brown. All forensics verified this account.

Trick questions to test the activist's knowledge:

How many times was Brown shot in the back? Answer: zero

Who was the first person believed to have started the story that Brown was surrendering with his hands up saying "Don't shoot"? Answer: Dorian Johnson, who was arrested on a warrant from another jurisdiction on an charge of making a false statement to police during an earlier arrest for theft unrelated to the Brown incident and who later admitted that his initial statement was untrue.

How many autopsies were there on Brown relative to the shooting case? Answer: 3 – all of which confirmed the Wilson's narrative.

What was Wilson convicted of after the shooting? Answer: After a grand jury, federal investigation, internal investigation, and intense public and media scrutiny, there was zero evidence of wrongdoing of any sort by Officer Wilson. None.

Clue #3 They are still talking about Rodney King. Trick questions:

How many officers are still around from the Rodney King era? Answer: It was 1991, a rookie hired that year is likely already retired. Stacey Coons is 68 years old now. Laurence Powell is 58.

In the Rodney King arrest, there were 56 baton blows alleged. How many of those blows were ultimately found to be excessive? Answer: None, according to the first jury trial, and one or two in the subsequent federal case. (Recent research on reaction time might have negated that finding.)

Clue #4 They never consider the accountability of the alleged victim.

Trick questions:

What is the appropriate response when confronted with a weapon capable of killing you or others near you or those in the path of that person's escape? If they say "talk them out of it", "shoot them in the leg", or "use your Taser", they'll need to spend half a year in the police academy and two years on patrol before they understand differently. They could also read the peer-reviewed research on the rarity of police use of force, and the multiple findings that fail to show race bias in police use of deadly force – but that's just about as likely.

What is the law in every state about complying with an order by a police officer and submitting to an arrest?

Answer: You must. It solves all kinds of problems and avoids your getting shot.

I applaud activism, sound journalism, and police accountability. What saddens me is public opinion and activism based on prejudice, ignorance, and cemented conspiracy theories. What infuriates me is legislation and policy based on that same ignorance.

Law Enforcement Appreciation Isn't Always Easy

There isn't a lot of hoopla over Law Enforcement Appreciation Day which was January 9th this year. After all, it competes with National Apricot Day, Balloon Ascension Day, National Static Electricity Day, Word Nerd Day, Take the Stairs Day, and Ride the Subway Naked Day. Besides those special days, January 9th begins a week-long celebration of Elvis' birthday and National Pizza Week.

Frankly, with Police Week and Law Enforcement Memorial Day, I think we risk wearing even police supporters thin. The real question for the majority of great citizens who do have an appreciation for the necessary work of policing is how to sustainably support and appreciate our law enforcement officers.

One important and often overlooked aspect of showing appreciation is the reality of a police officer's daily life that inhibits their approachability. Officers are often busy even if they don't appear to be. An officer in a restaurant might be lunching, or they might be interviewing or waiting for a victim or witness. Trying to talk to an officer is often distracting as they are listening to their radio from their earpiece or shoulder mic. While listening to you they will likely break eye contact to scan the environment for threats and suspicious activity,

If you try to buy their coffee or meal they will likely say thank you but turn down the offer because it is a violation of their department's ethics policy. If you pay without them knowing it, they may feel they have to leave the price of the meal as a tip.

Approaching an officer in their car will also make police officers nervous.

Sadly, many officers have been assaulted and even killed just sitting in their patrol car stopped at a stop sign or in a parking lot working on a report. Offering a hot beverage to an officer standing at some assigned post is a kind gesture, but the officer may not be in a position to hold on to it and attend to their duties. The same goes for offering to pray with an officer. They may be hesitant to lower their head or close their eyes in their habit of constant vigilance and not everyone shares your faith.

Sadly, consumable gifts have to be suspected even when delivered with the purest of hearts. There are just enough evil persons in the world that would adulterate food or beverage to sicken an officer that the wisest course is to accept the gift graciously then throw it away. As in most cultures, Americans love to give cakes and casseroles as compassionate and thoughtful gifts. In addition, anything in a box may be considered a suspicious package.

So what is a good citizen to do? Understanding the realities of life as an officer and not be offended if they can't give you the thanks and attention that you deserve at the moment. A Card of thanks to them through their agency is appreciated. Especially when an officer is injured or involved in a critical incident, a card to the station will be special.

If you want to speak to an officer, it might be especially courteous to ask if they have a moment or if they are on break. Just saying thank you or promising to pray for them is a quick affirmation that poses no imposition on their time or attention. Even a thumbs up can brighten their day. If you're sending a gift of food for the shift, it's best to send something prepackaged or delivered from a restaurant rather than something homemade. If you know an officer and they can carry your homemade item and vouch for its safety, it will be more likely to get eaten and

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enjoyed.

If you have a concern about your neighborhood, a complaint about an officer's conduct, or a dissertation on the criminal justice system, making an appointment to speak with an officer or supervisor will be more effective than a spontaneous conversation with an officer waiting for their cheeseburger during a break in her shift.

It is sad that in today's world that police officers must be prepared for insult or assault when approached by a citizen, but that is their reality and training. With courtesy and caution, you can still brighten an officer's day.

Mythbusting About Officer Involved Shootings

Those critics of law enforcement's use of force like to make claims about how gun happy cops are. Here are some of their claims that are patently false:

All you have to do is say that you feared for your life to justify shooting someone. There are two legal barriers to this claim. The first is that mere fear is no justification. The level of fear must be reasonable as judged by the reasonable person standard. That means that the courts must determine that a reasonable person under the same circumstances with the same amount of knowledge of the officer would fear for their life. The second barrier, implied in the first, is that a threat must be imminent. A person with a baseball bat threatening the officer from across the street is not an immediate threat. A person with a baseball bat within 30 feet and charging the officer for an apparent attack is imminent. A person with a pistol (or what looks like a pistol!) across the street does pose an imminent threat.

Cops use excessive force for minor violations. Imagine this hypothetical: a park police officer contacts a citizen for dropping their fast food bag on the ground. The citizen begins to walk away and the officer approaches to complete the contact and possible enforcement action. The citizen pulls away from the officer and picks up a tree limb and threatens the officer. The officer displays her baton, the offender pulls a knife and charges the officer. The officer shoots the offender. The next day's headlines scream LITTERBUG SLAIN BY POLICE. That's how the narrative often goes, from George Floyd's arrest for counterfeit money to Eric Garner's arrest for selling untaxed cigarettes.

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Videos prove that officers are using excessive force. Outside of a jury and investigators, the public never sees the context of an officer involved shooting that was caught on video, either from the officer's body worn camera, a bystander with a cell phone, or surveillance cameras that happened to capture the event. We don't see and sense all of the information the officer had when they decided that deadly force was necessary. We don't hear the information given to dispatch. We don't know the history of police interaction with the person. We don't see the bystanders who were either at risk or part of the threat. We hear the commentary of the reporters (never any bias there, right?) or the citizens who edited and narrated the portion of the video that is intended to fault and second guess the officers involved. A video can never tell the whole story and sometimes tells the wrong story.

Cops shoot first and ask questions later. Research shows that police officers are confronted with deadly force situations much more frequently than the public knows. If officers exercised their right to use lawful deadly force in every justifiable circumstance, the number of suspect killings would be in the multiple thousands yearly. Officers don't want to use lethal force and will put themselves at risk to make that option a last resort. When time allows, armed suspects are given multiple instructions to comply and submit to a lawful arrest but continue to resist and engage in threatening behavior. Many situations are resolved by less lethal weapons or negotiation when time and circumstances allow.

Police officers kill black suspects more quickly and more frequently than white suspects. Deadly force decisions are based on suspect behavior, without regard to race. Of the 1,021 persons killed by police in 2020, 241 individuals were identified as black.

Cops only kill in self-defense. Police use deadly force to protect others

from danger. But police officers are acting in the interest of others even in those cases where only they are confronted by a lethal adversary. Aside from the philosophical sense that the killing of a police officer is an affront to every law-abiding citizen whom the officer represents, an officer protecting themselves is always protecting others. An officer who saves themselves from serious injury or death avoids taxing other rescuers as a victim needing resources. They also are able to keep their weapons and vehicles safe from the violent offender who might otherwise seize those weapons to use against others. The officer who is able to stay alert and alive prevents the offender from victimizing others. Self-preservation for the police officer is a moral imperative that impacts the public.

There are thousands of police killings every year. There were 1021 persons killed by police in 2020. Based on the millions of police contacts with civilians every year from over 750,000 police officers making over 7.6 million arrests, the number is remarkably small. The claim that there is some hidden number of officer involved killings that go unreported is an unreasonable

claim that deadly force can be somehow hidden from the public.

Police officers do not want to kill. The reluctance to use force is well documented. Officers know that a deadly force event, regardless of its actual righteousness, can be a career ending event with psychological and financial hardships for life. Critics should at least know the real data before condemning the profession.

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The Briefing

“OK everyone settle down. We need to review our use of force policy today. There have been reports that some of you are trying to defend yourselves and avoid disabling injuries. The higher-ups wanted to remind you that death, traumatic brain injury, getting stabbed, being run over, exposure to bodily fluids, and other minor wounds are part of the job you signed on for.

“Please remember when you are writing your reports that being scared is not to be cited as a reason to use force. Wilson, you got a question?”

“Sarge that’s never been a reason to use force. There must be an articulable threat that a reasonable person would believe presents an imminent danger of death or serious bodily harm to self or others.”

“Enough legal mumbo jumbo, Wilson. Use the superpowers God gave you when you pinned your badge on. Next item, write this down, no deadly force is to be used for the following categories of persons: anyone under 21 years of age or over 60 years of age, or any physical, emotional, or mental impairment. Also, anyone whose initial contact was because of a minor offense, including traffic violations, no matter whether they use a weapon when you approach them, should be arrested using force. Be aware that anyone who was going to make something of themselves the day after your contact is also to be treated gently. For example, if they were going to enroll in college, enter a drug treatment program, get counseling, or start going to church, you need to cut them a break so they can be a better person. Also, if it is their birthday, the first day of their new job, the night before their wedding, or just had a baby they are also exempt from being arrested with force.

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“What now, Wilson?”

“Sarge, we still have some qualified immunity if we make a mistake in a situation nobody has ever faced before, right?” No, Officer Wilson, you are in one of the states that did away with qualified immunity. Immunity only applies to the Governor, the legislature, the judges, the prosecutors, and other first responders. Not cops. Besides, everyone knows that based on last week’s four- hour course on de-escalation that the laws of physics and human behavior have no place in law enforcement. Just because somebody doesn’t drop their knife or gun after a half-dozen cops have their guns drawn yelling “drop it!” doesn’t mean you couldn’t have talked them into the social worker’s van if you really wanted to.

“And let’s keep those helmets, vests, shotguns, and protective gear in the trunk, people. We don’t want to make anybody nervous today. Being prepared with equipment is clearly an act of aggression that just causes people to burn down buildings. Let’s keep that for the night shift officers. Some of you are failing to diagnose mental illness, what kind of drugs or medications a person is on, and whether or not they are basically a good person. Let’s sharpen those psychic skills!

“We also continue to have officers across the country shooting at cars. Remember our policy is that if you don’t get out of the way of someone trying to kill you or others, it is your fault if you get hurt. Once again, I remind you that the laws of physics and limitations of the human body do not apply to police work. Besides violating policy, officers are subject to being sued if the felonious driver gets away and hurts somebody else. If you can’t talk down the driver of a two-ton piece of metal traveling at 60 miles per hour, then maybe you shouldn’t be in the police business.

“OK, pop quiz: what is the first thing you do if you are being shot at? Anybody...ugh, Wilson? ”

“Call for assistance, get behind cover and concealment, and give clear verbal commands to the suspect?”

“Wrong. The first thing you have to do is make sure you turn your body cam on. We have to stop thinking about protecting ourselves and others from harm during these milliseconds when you have to make life and death decisions. Instead of reaching for your radio or unholstering your weapon, you have to remember to flick that switch to get your body cam on. Otherwise, we’ll have to assume that you’re hiding something and the whole event must have been something that you caused to happen. If you get shot and die or become disabled, the news will be finished with that story in a day or two. But if you have no video of the shooting and, God forbid the person you shot back at is one of the exempted persons who are allowed not to be fought with or shot, that could cause some real public relations problems for a long time.”

“Now, if there are no further questions, let’s get out there, stay in your cars and avoid having any contact with anybody today.”

Officer Accused of Murder Released

Many agencies have removed vascular neck restraints from police officers' toolboxes. Officer Christopher Smelser of the Las Cruces, New Mexico, used the restraint on Antonio Valenzuela who died about an hour later.

First, let's talk about the vascular neck restraint, also known as a carotid restraint, that has become a symbol of wanton brutality. Although there are various ways carotid restraints are taught, the use of the restraint technique was developed over fifty years ago with very few successful lawsuits or causes of death. Most suspects comply when the restraint is applied correctly, but if they do not voluntarily comply, the maneuver can be adjusted to cause unconsciousness for a brief time to allow an officer to apply handcuffs and complete the arrest of an actively resisting suspect.

The value of the neck restraint is that it is a non-deadly but effective control option that can preclude the use of a Taser, a nightstick, or hard hand strikes. Removing it as an option for police officers dealing with a resisting suspect forces the officer to move to a different, and potentially more injurious means to stop a suspect from actively fighting.

It is critical to note that the neck restraint is not a "chokehold" because no choking or strangulation is part of the execution of the method. In fact, training specifically requires the officer to cradle the vulnerable part of the front of the neck so that the leverage is pressing against the carotid artery area of the side of the neck. It is the temporary deprivation of this blood flow that will cause the temporary unconsciousness of a fighting suspect. There is no value in cutting off a person's ability to breathe, temporarily or permanently, short of justification of deadly force.

Officer Smelser was charged with second-degree murder which, under New Mexico statute, requires a level of intent. In other words, the prosecutor must have believed that Smelser saw an opportunity to kill somebody, then attempted to crush their windpipe. When the case came before Judge Douglas Driggers, the judge ordered a directed verdict and freed the officer after just a half-hour of arguments.

Perhaps when the judge heard that Valenzuela had fled from officers after they attempted a traffic stop, that he then fled on foot from Smelser and another officer, that officers attempted to stop him by deploying two Taser attempts, and that Valenzuela had a high concentration of methamphetamine in his system, that maybe former Officer Smelser had no murderous malice in his heart when he struggled with Valenzuela who, by the way, had a warrant for violating his parole. The family of the felon got a few million dollars out of the event. Smelser got fired and earned a grand jury indictment for murder.

Once again, the false narrative (read that as lies) about police use of force has so permeated the public's mind as well as prosecutors who should know better and politicians who pass thoughtless legal impediments that police officers are not only robbed of effective policing methods but are subject to needless antagonism.

The City of Boston recently removed pepper spray, tear gas, and rubber bullets from riot control strategies for Boston police. Two police unions are suing to overturn the ordinance. Even in the wake of millions of dollars of wanton destruction in violent protests across the country, Boston is not alone in removing essential options that can be used properly and when appropriate to protect life and property. Other agencies have forbidden officers from wearing protective gear that looks "too aggressive", have

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prohibited making a video record of unruly crowds, and have severely restricted what violations they can enforce.

The ripple effect of ill-conceived restrictions on police officers has already proven to be a disaster for public safety, evidenced by rising crime. The situation can be reversed only by examining recent changes with an eye toward justifying, by data and science, the handcuffs that have been applied to law enforcement.

Qualified Immunity and Quantum Physics

The recent Supreme Court decision in *Bond v. City of Tahlequah* that was informed, in part, by a brief from the National Police Association, speaks to the issue of qualified immunity in several important ways. One regards quantum physics, another politics.

In case you missed it, the case involves a couple of police officers responding to a 911 call from a woman whose ex has shown up causing trouble. When the officers arrived, the suspect retreated further into a garage and subsequently picked up a hammer, refusing all commands from the officers and presenting a lethal threat which the officers met with deadly force.

The officers were sued based on the premise that their presence and actions precipitated the suspect's behavior and were, therefore, a cause of his aggression that resulted in his death. Although it would seem to be a matter of common sense to hold people accountable for their own behavior, the case worked up to the U.S. Supreme Court from a 10th Circuit decision denying the officers qualified immunity.

So let's take the physics issue first. There is a theory in quantum physics that says there are infinite universes where every possibility is played out. We've seen variations of this idea on television and in movies. What if we had turned left instead of right? What if we wore a sweater instead of a jacket? What if the milk hadn't spilled? We may have some intuitive sense of this when we ponder whether we made the right decision in marriage, career, finances. I worked at Walmart in college and was eligible to buy shares of stock at store number 63 in 1978. I could have been a millionaire!

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Regardless of theories, our reality is that we make decisions in the moment based on what we know and perceive. It's complicated enough trying to understand what we do, much less to anticipate the universe of possible behaviors in somebody else. This was essentially the affirmation of the Supreme Court. Officers cannot predict what their presence will do.

Predictions or not, making an assumption of danger or an assumption of no danger happens at the speed of neurons in the brain. We are all about cheering for our favorite athletes as they make split-second decisions. Not so much understanding of those milliseconds when life and death are in the balance. For example, when a batter stands with a thin wedge of matter held above his shoulder, he faces a small sphere that will be hurled in his direction and arrive from the pitcher's hand to the batter's torso in about a third of a second. Since the batter's brain takes a quarter of a second to command the arms to begin his swing, there is less than one-tenth of a second to make a decision to swing or not swing. This doesn't count the milliseconds for the retina to translate a few million inputs, or the micro-adjustments the muscles must intuitively make in order to make the kind of swing most likely to rocket the ball in a certain direction. A quarterback has a luxurious 2.8 seconds to throw the ball.

So, thank you, Supreme Court, for dealing with reality and leaving these decisions to those who are forced to make them.

With the quantum physic theory behind us, we turn our attention to the law and politics. Many politicians and commentators want to do away with qualified immunity (QI). They think that it is a get-out-of-jail-free card that gets cashed in all the time. The Bond decision accomplished two things regarding qualified immunity. First, it validated the legal concept and need

for the doctrine. Secondly, it reminded us that qualified immunity is not, in fact, an easy claim to make. One might also note that being granted this immunity does not save officers from other consequences, like losing their career.

If QI were the easy out for law enforcement to keep them from being held accountable for anything, this case would not have come to the attention of the highest court in the land. QI is subject to judicial review. It sees the light of day. It is not automatic, and it is not awarded by police officials or lawyers. QI is raised and allowed only if an officer is faced with a decision that they are mandated by law to make, under circumstances where no clear rule, law, or previous court case has clearly defined the action they should take.

Despite the impassioned rhetoric of anti-law enforcement politicians, such as in my home state of Colorado which has removed QI from judges in state cases, the doctrine does not apply when officers clearly violate existing rules that they should know. To say that officers should behave in a certain way that lawyers and critics and courts will examine for years with varying opinions is, on its face, high irony if not simply ridiculous. The officers in the Bond case made their split-second decision in August of 2016. The case was debated and contested for five years before the Supreme Court rendered its decision. Save the Monday morning quarterbacking for football.

Is Being Slandered Just Part of the Police Officer's Job?

At a recent judge's conference, a high-level justice cautioned his audience of judges to be careful about making open court opinion statements about a police officer's credibility or competence. For this appellate judge to make this aside in the midst of a presentation is an indicator of the apparent frequency of such pronouncements from the bench.

Many police officers, including this writer, have been publicly shamed by criminal justice officials with apparent disregard for the consequences to the officers' reputations. Is taking slanderous statements just part of being a cop?

Slander is a loaded term and has a legal definition. Slander is a statement made known to others that is false and damages the person's reputation. In order to sue someone for slander (or libel if the false statement is in print), a person who believes they have been the victim of a false statement must also show that they have been damaged by that statement. Police officers have a hard time proving that the lost promotion or other financial impact was a direct result of a particular statement.

Another impediment to holding judicial officials accountable for accusatory language toward police officers is that there are immunity protections for judges and prosecutors. While police officers are being denied qualified immunity in more and more jurisdictions, even greater immunity privileges by other criminal justice personnel remain untouched and unquestioned. In addition, public figures or persons in newsworthy matters of public interest have less protection from defamatory remarks.

In 2016 a prosecutor in Baltimore prosecuted officers for an in-custody death. The case was inadequate, went nowhere, and devastated the officers involved. They sued the prosecutor and, although they ultimately failed to get past her immunity defense, made significant headway in making the case that there are lines that should not be crossed by prosecutors condemning law enforcement officers without sufficient objective evidence.

Retired Louisville Metro Police Detective Jonathan Mattingly was shot by Breonna Taylor's boyfriend, Kenneth Walker, while leading a raid into Taylor's home on March 13, 2020. During this high-profile case, Louisville attorney Steve Romines reportedly told a media outlet last October that Mattingly "executed" Taylor during the raid. Romines accused Mattingly of "breaking" into Taylor's apartment, trying to "frame" Walker for a crime and covering up "murder" according to a defamation lawsuit Mattingly has filed against the attorney.

It remains to be seen whether this attorney will be held accountable for his statements against the officer, but it would be a win for police officers everywhere.

One of my officers was lectured from the bench for failing to follow a court-ordered procedure that the judge had never published to my agency. The officer had, in fact, followed the latest procedure. When I pointed this out to the judge, he admitted that it was his error, not the officers. But while the critique occurred in open court, the apology did not. In another incident, a prosecutor expressed frustration that my officers failed to provide evidence that had been made available to the defense. Annoyed, he summoned the case officers to his office to angrily demand an answer for why he was embarrassed in court. When we provided the receipt for the evidence that showed his office had in fact

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received and signed for the evidence, his anger was deflated. But, again, accusations in open court did not generate a public apology or correction.

It is one thing, and no surprise, when the criminal element spews lies and accusations against police officers for which they are seldom held accountable. What officers must also face is derision, accusations, and disrespect from persons in the criminal justice system who depend on law enforcement officers to keep the system operating for the public good.

An officer reached out to me recently reporting that a prosecutor lied about his credibility and admitted to the false statement in a later investigation. While the accusation against the officer was made in open court, there has been no public assertion of the officer's integrity. The false statement continues to haunt the officer's ability to be considered credible in subsequent cases.

With the credibility of law enforcement assailed incessantly by critics and anti-police politicians, officers must be diligent in protecting their integrity and credibility. If even an unfounded accusation from the bench becomes a matter of record, it could affect the officer's personnel file and ability to testify in other criminal cases. Officers should not be passive in accepting untrue characterizations of their profession- alism. Judges, prosecutors, and defense attorneys must be held accountable for unprivileged comments that slander our officers.

Cops Can Sue, Too!

You can't read very far in the news without hearing about police officers being sued. But justice is not blind to cops and they, too, have the right to file a lawsuit when unlawfully harmed. Columbus, Ohio police officer Traci Shaw was summarily charged by Richard Wozniak, Deputy Director of Public Safety for the city, and appointed to investigate allegations of police misconduct in one of the many 2020 George Floyd-inspired disturbances. Shaw was accused of inappropriately using a chemical irritant against protestors. Two other officers also faced charges, none of which survived in court.

Shaw, a veteran police officer and long-time use-of-force expert and academy trainer had served on an advisory commission whose report recommended a number of reforms for the department. She faced three misdemeanor counts of assault, three counts of dereliction of duty, and three counts of interference with civil rights. Shaw's suit against the city and Wozniak alleges that he failed to properly investigate the allegations and that the subsequent prosecution was "without probable cause, legal right, or justification and/or failure to conduct a reasonable investigation, motivated by politics and/or ill will."

The situation that gave rise to the charges was reported to be a group of protestors who were moving into an area cordoned off from the lawful protest area. Protestors surrounded Shaw and some business owners trying to access their own property earlier in the day. At the time of the use of the irritant at least some in the group had been throwing objects at police. Shaw's report reflects that she used a couple of short bursts of the spray which resulted in no reported injuries and no subsequent detention or arrests of those affected.

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Wozniak had been hired as a special investigator by a law firm hired by the city to investigate law enforcement behavior during the protests. He was paid over \$150,000 for his work that apparently did not involve interviewing alleged victims, or other officers at the scene, nor did he consult use-of-force experts. Shaw's attorney says she wants to be on record as being exonerated in the affair.

The allegations against Shaw were reviewed by The U.S. District Attorney for the Southern District of Ohio who refused to bring charges on Wozniak's complaint. Another officer's charges were dismissed, and the third officer was found not guilty in municipal court. As a result of the unsubstantiated allegations, Shaw lost her adjunct college instructor position, and her status as a use-of-force instructor, and was denied overtime and special duty opportunities. She is also claiming emotional distress from the ordeal.

Wozniak, a former FBI agent has also been accused in an EEO complaint by Sgt. Laura Suber of retaliation, harassment, and intimidation after she says she met with Wozniak for an interview as a witness to a criminal investigation. A special prosecutor on the case resigned in what she called a frustrating lack of support and resources, using the often repeated statement that "most of the protestors were peaceful", disregarding the fact that there were episodes of violence, fires were set, and storefronts were smashed. Officers used more than a thousand rounds of non-lethal munitions and arrested about 150 people.

Police accountability for inappropriate use of force and suppression of the right to assemble and freely express themselves is essential to maintain the credibility of law enforcement and restore the trust of the citizenry. Politically motivated prosecutions based on less than professional

investigative efforts and unsustainable cases that harm a stellar law enforcement career also demand accountability. Whether Shaw's lawsuit prevails or not remains to be seen, but it is a reminder that law enforcement officers deserve due process and fairness like anyone else.

Do Cops Have Any Rights at All?

For all of the attempts to chip away at police effectiveness – or even police existence – the real accountability for quality policing has always been as close as the nearest voting booth or local council meeting. One of the specters hanging over the effort to destroy local law enforcement is that the vacuum will be replaced by federal law enforcement with no local accountability.

The idea of the police officer being a member of the public and the corollary that every member of the public has responsibility to maintain peace and order is an American essential. But are police officers truly equal to other citizens?

One example is how police officers are treated differently than other citizens is when they are victims of crime. Some will claim that police officers sign up for being assaulted and injured as part of their job. While it is true that officers expect that the nature of the work exposes them to such hazards, attacks are never to be taken lightly. A survey by this writer showed a sharp contrast between how assaults and other crimes against non-law enforcement citizens are viewed by prosecutors. Nearly 80% of respondents report being treated differently than non-law enforcement victims of violent crime.

When a police officer uses force, they do so under well- defined law and policy. To use force without legal grounds places the act of restraint in the same category of any citizen offender. Arrests are assaults and false imprisonment without the legal justification given police officers to take people into custody using appropriate force. There is now lawful justification for an arrested person to flee or resist a lawful arrest.

Therefore, any act of resistance not only meets the definition of assault, but further is violation of separate laws defining resisting arrest or interfering with an officer. The law not only defines the criminal act of assault on an officer, but specifically requires submission to a lawful arrest.

All states have laws that guarantee the rights of crime victims who cooperate with the investigation of certain classes of crime. Many of those states have those crime victim rights enshrined in their state's Constitution. There is no hint in any of those laws that police officers have no protection as crime victims.

My survey indicates that within any 2 year period a significant percentage of police officers will face a deadly force decision, will be injured and require treatment with days lost from duty, and many will be injured but keep working and not report it because getting care and prosecuting their offenders meets so much resistance. Even before the current recruitment and retention crisis in law enforcement, these realities eat away at morale and enthusiasm among our law officers.

When an officer is assaulted, according to my survey, almost 1 in 4 have no other officer assigned to investigate their being a victim. Can any one imagine any other circumstance where a victim of a violent crime was the only person assigned to investigate? We also recognize that assaults on police occur during police activity that will be suspect to critics and prosecutors who are hostile to law enforcement. That means that an officer investigating their own victimization will have no objective third person to investigate that officers actions when the victim becomes the subject of an excessive force allegation. Nor will there be an objective third person to examine the circumstances of the assault as the victim officer works their way through the maze of worker's compensation and civil litigation.

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When offenders are prosecuted, 61% of officers stated that charges of assault on officers and resisting arrest are among the first charges dropped in a plea bargain. If an arrestee assaults an officer during a domestic violence or drug investigation and those charges are dropped, that does not mean that the assault on an officer charge should also be dropped!

Victim rights laws require information on compensation and mental health services for victims. They also require that victims be kept aware of hearings, releases from custody, plea bargains, and sentencing. Only 11% of officers report that they were offered crime victim compensation or any other victim services allowed by law. In addition, only 31% of officers were consulted about the charges against their offenders, and 45% of officers report that their cases were disposed of without notifying them.

While we're reforming the justice system, how about we ensure justice for our police officers, too?

Can Police Find Their Voice Through Lawsuits?

Steve Pompers excellent article for NPA chronicles the efforts of Indianapolis Metropolitan Police Officer De'Joure Mercern suing for defamation. The National Football League is the object of the suit after they published a wrongful implication of Mercern's killing of a violent criminal listed among the innocent civil rights heroes in the NFL's roll call of honor. As with many such lists, there is little vetting between those killed as a result of police misconduct, those killed by civilian actors, victim-precipitated suicide by cop, and the majority who were killed in response to their own criminal violence. Mainstream media that ought to know better often refer to any fatal police shooting as a murder.

Will Mercern's suit yield results? Regardless of the outcome, signaling a new intolerance for lies, innuendo, and career-destroying claims is an important step forward.

First and foremost, police officers are citizens. This is not only a legal fact, but it is a fundamental principle in American law enforcement. Citizen police officers are different than police officers comprised of soldiers or some national military-like organization as is true in most countries. The United States has a history of suspicion of centralized power of arms beginning with the Redcoats at the dawn of our battle for independence. We are happier knowing our local police officers, holding them in trust because we hold their Chiefs and Sheriffs accountable at the ballot box, and our children go to school with their children. As citizens, police officers have the same rights and privileges as anyone else, including the right to seek justice both criminally and civilly.

There are powers now that seem to be bent on ruining that trust. National

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voices are inflaming local passions against the police. Rantings from powerful groups, including the National Football League, are nudging their activism into communities that otherwise trust and appreciate their police. Even local politicians, claiming immunity that they are denying police officers, can incite personal animosity toward individual officers affecting their professional status, creating harmful stress, and incurring costs such as having to relocate or acquire additional home security.

In 2017 five officers of the Baltimore Police Department filed suit against Prosecutor Marilyn Mosby. As a result of her actions and statements regarding the in-custody death of Freddie Gray in 2015, the lawsuit claims that Mosby committed the civil wrongs of malicious prosecution, defamation, and invasion of privacy. Although the suit was unsuccessful, it prevailed against arguments that the prosecutor was immune from such suits through several appeals before being dismissed. The fact that it survived a summary judgment is significant. (And the irony of prosecutors' ironclad immunity being preserved at a time that officers' qualified immunity is being destroyed is a frustrating irony).

Not every insult and accusation gives rise to a lawsuit. Defamation is always a difficult case to win for a variety of reasons, but not impossible. Police officers must exercise their rights to recover damages from assaults and injuries on the job. Even when it seems that those who harm officers are indigent and uninsured, there may be recoverable assets, future assets, or other avenues of recovery available. Officers should not "walk off" when injured in a crash or fight, or accept as inevitable having to pay for torn and bloodied uniforms and equipment out of their own pocket. They should never accept an insurance adjustor's promise that "we'll take care of you", or your department's assurance that you don't have to worry. Don't think that officers are just trying to win the lottery by suing as all those lawyer ads imply. The point of a lawsuit is to restore the person

claiming damages back to where they were before somebody's harmful criminal, negligent, or intentional bad act.

Better than calling an attorney after an incident is having a relationship with an attorney ahead of time. Some legal benefits are part of police unions or fraternal organizations. Officers should know what coverage they provide. Police officers are first and foremost, citizens with all the rights and privileges any American can enjoy. That includes becoming a plaintiff when wronged.

Police Often Short-changed by The Justice System

In a rural Colorado county, an injured deputy pleaded for justice after suffering a life-altering crash. Deputy Scott Eckhardt, now disabled and retired, appeared at a sentencing hearing for Travis Fouch. In May of 2021, Fouch led a multi-jurisdictional pursuit along I-25 in southern Colorado and was subsequently charged with 1st Degree Assault, Vehicular Assault, Vehicular Eluding, Operating an Uninsured Motor Vehicle, Reckless Driving, Failing to Drive in Designated Lane, and Possessed an Open Alcoholic Beverage in a vehicle after striking Deputy Scott Eckhardt's patrol car with his vehicle.

The Huerfano County District Attorney had agreed to a plea that would have resulted in a deferred sentence and probation. Fouch would have walked away with a minimal penalty, but then Eckhardt spoke. "I appreciate that the court has agreed to let me read from this statement as I struggle with my short-term memory because of injuries received to my brain and cognitive function because of the rollover crash.

I was a Deputy Sheriff with the Huerfano County Sheriff's office until the accident and on leave because of my injuries, in January of this year, I was medically retired. I say WAS because as of January, I am no longer able to fulfill my duties as a deputy with the department and have since been medically released from duty due to the injuries I sustained that night."

The deputy then cited the multiple injuries: traumatic brain injury, loss of clear speech, vision impairment, hearing loss, loss of smell and taste, loss of cognitive function and short-term memory along with multiple facial surgeries still in treatment. The deputy suffered lacerations, broken ribs,

and PTSD. And the loss of his career and financial hardship. “At the end, he will have a clean record like it never happened.” He asked the court “Where is my deferred sentence for the damage he criminally caused, when do I get to walk away from this like nothing ever happened? The only answer is that I will not” stating that his injuries are a life sentence.

In Colorado, as in most other states, the law imposes obligations on law enforcement and prosecutors to afford victims certain rights. These include being appraised of the status of the case. Eckhardt told the court that it was explained to him that other cases had priority and the DA’s office needed to “clear their desks of some cases including this one because there were so many”, and that he was not notified of the plea agreement as required by the Victim Rights Amendment in the Colorado Constitution.

“That there are no real consequences to face even if you tried to kill an officer. Who will protect those who protect if not the DA and this court? If there is no one to protect us and have our backs when we need it how long do you think those who protect the citizens will stay around? Especially if the criminal element in the community finds out there is no punishment for hurting one of us” Eckhardt asked.

It is a good question. This writer’s survey of law enforcement officers revealed the national shame of failing to serve crime victims who happen to be police officers in the line of duty. Nearly 40% of officers responding to the survey said that their prosecutor considers being assaulted as part of the officer’s job. Only 41% said that their prosecutor takes the offense of assaulting an officer seriously. Charges of assault on an officer are among the first to be dropped when an offender faces multiple charges according to 61% of officers. In 45% of cases,

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dispositions were made without the officers' knowledge or input, for only 31% were officers consulted on charges or sentencing for assault or resisting charges or allowed to make a victim statement. Only 11% report being offered victim assistance, counseling, or compensation after an assault.

The survey also found that a significant percentage of officers have not sought medical treatment for injuries on the job, or pursued criminal charges, believing that the cases would never be pursued by prosecutors. Over 10% have given thought to abandoning their law enforcement career as a result.

In Eckhardt's case, his moving statement resulted in the court's rejection of the plea. The final outcome is yet to be decided, but the deputy's statement rings true all too often across the nation. If the justice system for which law enforcement officers are willing to give their lives abandons them, who will protect our protectors?

Use of Force Investigations' Missing Link

When an OIS (officer involved shooting) occurs there is a major investigative effort by specialized units or by agencies outside of the officer's employer. Witnesses are interviewed, measurements are taken, video is examined frame by frame, and physical evidence is collected. Even if no shot is fired but other coercive compliance measures are used, a complete investigation is required.

The stakes are high. Criminal charges against officers on both the state and federal levels are possible. Police agencies and individual officers might be sued on both the state and federal levels. Department discipline for policy violations can affect a police officer even if they acted in a lawful manner. Public confidence is at risk if errors were made or answers are not forthcoming in the aftermath.

What happened in literally milliseconds will be examined and possibly litigated for years as lawyers and judges ponder the dozens of questions around the case. In all of that examination, there will likely be one report missing. The missing report will be the one where the officer was the initial victim of a crime that was never investigated independently.

Take a hypothetical domestic disturbance call. Officers arrive and intervene and find that an assault occurred, In attempting to arrest the suspect, the suspect shoves the officer, attempts to reach for a weapon to bring it to bear on an officer, and is shot by police. At what point do investigators begin their report? Is the initial resistance to a lawful arrest investigated as a separate offense? Is the officer who was the victim of the felonious assault with the weapon afforded the same consideration as the victim of any other felonious assault?

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Officers are routinely ignored as crime victims. Protections under state constitutions and statutes afforded crime victims under victim rights laws are routinely ignored when police are crime victims in the line of duty. An antiquated idea that police are supposed to quietly suffer the assaults and injuries from criminal actors as part of their occupation flies in the face of the reality of cumulative physical injuries and trauma which decimate the ranks of law enforcement by disability, early retirement, and even suicide.

One survey indicated that 83% of officers have suffered on-the-job injuries and didn't bother to report or get treatment for them because of the expectation of a lack of response from supervisors, peers, and prosecutors. Nearly 2/3 of officers report that assaults against them are among the first charges dropped by prosecutors during plea bargaining. Taking a domestic violence call once again as an example, if an officer is assaulted or resisted during the call and the domestic partner later recants or requests that the charges be dropped, the charge of assaulting an officer or resisting arrest is also often dismissed. The two events should be considered each on their own merits. If the officers had found meth on the scene while investigating the domestic call, certainly the drug charges would remain even if the domestic violence charges were dropped.

To make matters worse, these dismissed charges often occur without the victim officer's knowledge, contrary to most states' victims' rights laws, according to 45% of survey respondents. In only 25% of cases where a police officer is the victim of a

crime in the line of duty were there other officers investigating the offense. In other words, when a police officer is assaulted, most of the time they have to investigate it by themselves! Imagine any other assault

victim being treated that way. In addition, when a police officer is involved, there will be inevitable accusations that the officer behaved improperly, and no objective third-party investigation will exist to verify the officer's testimony about the event.

With all the talk about criminal justice reform, our police officers, under increasing violent attack and resistance, must be assured justice, too.

Charging Police with Crimes in the Line of Duty: Justice or Petty Politics?

No one invested in quality law enforcement wants police officers to get away with violent crime. No one who needs quality law enforcement wants officers who survive a violent encounter to be prosecuted for political gain.

Kim Foxx, Chicago's top prosecutor, says "this is time to be aggressive" as she spoke about the possibility of charging [officers](#) staying inside a building a block away from rioting in June of last year. Perhaps she hadn't read the news from two weeks prior with the [headline](#) "Chicago Police Officers Ordered To No Longer Use Force To Disperse Large Gatherings". Police union leaders spoke out for officers during the June uprisings, [reporting](#) that measures by city leaders came too little and too late to mitigate damage from rioting, leaving over a hundred officers injured and lacking in basic equipment such as radios and protective gear.

While Foxx gets tough on cops, the [Chicago Sun-Times](#) reports that "as of Dec. 31 (2020), the city recorded 774 murders in 2020, an increase of more than 50% from the 506 murders in 2019, according to a database maintained by the Chicago Sun-Times. The uptick was felt across the city, as 20 of the CPD's 22 police districts recorded more murders in 2020 than the year before. The number of overall shooting incidents skyrocketed, too, rising from 2,120 in 2019 to 3,237 as of Dec. 27, 2020."

Chicago's Mayor Lori Lightfoot wants an officer fired for lifting a middle

finger to protestors. Lightfoot did not see any irony that she used her public platform to respond to President Trump's suggestion for dealing with rioters: "It begins with an F and it ends with a U".

In Philadelphia prosecutor District Attorney Larry Krasner has stated his intention to file aggravated assault charges against a 31 year veteran officer for using a baton on a student during a confrontation with protestors. A video posted on [Twitter](#) shows the student actively attempting to interfere with an arrest as the now suspect officer uses a baton strike to repel the student. Krasner contends that the officer struck the student in the head with a baton, but a department use of force instructor testified that the officer's use of the baton "was completely lawful and reasonable," and that "the use of force in this case was absolutely justified." The student also testified that he had "intervened" in the arrest of another protestor.

The top prosecutor in Boston, Rachel Rollins, tweeted "We are being murdered at will by the police ... No more words. Demand action", and accused police supporters of white fragility when she was accused of fomenting violence against police.

Police critics lament that murder charges are not usually pressed against officers who kill in the line of duty. According to according to data compiled by Philip M. Stinson, a criminal justice professor at Bowling Green State University in Ohio, about a thousand persons annually are killed in confrontations with police but only 121 officers have been charged with murder or manslaughter. Fewer than half of officers whose cases have been concluded were convicted. To the critics, this lack of successful prosecution shows a skewed criminal justice system. To experts in violent encounters who know how closely these events are investigated by outside agencies, the statistics show how few police shootings are

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criminal.

Officer Darrin Wilson is still considered by anti-police observers as someone who got away with murder and should have been charged in the death of Michael Brown. This example of political scapegoating and posturing continues despite the forensic and testimonial evidence of state, local, federal, and private investigations and inquiries that support the officer's justified actions.

Two Atlanta officers were recently reinstated after being fired for using their Taser on two vehicle occupants during civil disturbances were breaking out and a curfew had been imposed. Atlanta's Chief of Police at the time testified that city officials were afraid the students' arrest would only fuel mounting outrage against police. The officers' attorney noted that the dangerous conditions surrounding the officers was not considered "the city just trampled over their rights". Had the confrontation occurred before the George Floyd in custody death, the officers would not likely have been publicly scorned by their department. "The circumstances were exceptional," Shields testified. "We did, I did, what I had to do to make sure the city was stabilized", clearly implying a public relations decision and not one based on merit. Criminal prosecution by the state has not been ruled out.

No one wants police officers to have no fear of accountability for their decisions which can deprive a citizen of their right to life, liberty, and the pursuit of happiness. But no police officer should fear political repercussions for decisions made under extreme circumstances. Justice and fairness for police officers should be no lesser than for other citizens.

18. DEADLY FORCE

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Shooting Under Internal and External Stress

When an officer fires their duty weapon there is no shortage of questioners, critics, and scrutiny. Why so many bullets? Why didn't they talk him down? Why didn't they just Tazer her? Those questions have to be answered for every individual case, but the public needs to have some basic understanding of the dynamics of officer-involved shootings.

A significant fact that fails to get the attention it deserves is that deadly force is rare in its use, but common in its opportunity. Most officers (70-80%) will, in any given two-year time span, have to make the decision at least once whether to use deadly force or not. These are situations where the officer would be tactically, legally, and morally correct had they chosen to use lethal force but chose not to. Sometimes that is a poor decision by an officer who should have brought a situation to an end with deadly force. Sometimes it just seems that luck was on their side and they were able to resolve a situation without pulling the trigger. Sometimes they simply put their own life at risk by taking the chance to wait another half-second before sending a bullet on its way that can never be called back.

When a suspect is shot somewhere beside on the front center of the body, protests often erupt. When someone is shot in the back it offends the sensibilities of any American who has watched hundreds of television shows and westerns where the cowboy ethic of never shooting someone in the back must not be violated. What this ignores is that the physical dynamics of suspect movement and their rapid ability to twist or change positions may present a very present threat that doesn't get portrayed in the showdowns of the dusty streets of the old west.

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Conflicting criticism can be aimed at an officer who didn't wait for backup, or that several officers were present. There is no clear statistical correlation that shows that multiple officers mean that suspects or officers are safer or less safe. A suspect may be subject to many wounds that can also bring criticism. Why did they have to shoot him so many times? The answer to that is that when an officer uses deadly force the intent is to stop an immediate threat as quickly as possible. Each officer on the scene has to make their own, independent decision regarding the existence of a threat, which means that several officers may shoot while others may not, depending on what they observe from their relative positions.

Again, spoiled by media drama and exposure to hundreds of actors portraying being shot, much of the public will wonder why one bullet can't bring a person down. There are curious realities about the body's ability to continue an attack even when grievously wounded. When a hero soldier continues to fight despite serious wounds, they are rightly lauded as a hero. When a suspect is shot multiple times, the police are accused of overreacting. There is rarely time to fire one shot, pause to assess whether another shot is necessary, and repeat the process. It is simply a grim fact of human biology.

Officers are often accused of shooting because they are scared. Fear is a factor, but just being afraid does not justify the use of deadly force. The officer must, within milliseconds, assess the reasonableness of the deadly threat they face and the justification for the level of force they may lawfully use. The standard is whether a reasonable officer would fear for their life or serious bodily injury, not just a subjective fear. The officer must also conjecture the risk to the public if the suspect were to escape or injure the officer to the extent that they would gain control of the officer's weapons or disable the officer from further protecting the public.

Another fact that may surprise the public is that when officers do fire their weapons at a suspect, they do so with an average 30% accuracy. The dynamics of movement, stress, perception, and environment are not easily duplicated in the controlled environment of the training firing range. The physiology of stress mitigates against accurate shooting. In many cases, the gunfire from a criminal is more accurate and lethal than police gunfire. The officer must follow their training, calculate where their bullet may go behind the intended target, scan for multiple threats, alert the dispatcher or bystanders of the situation, and consider law, policy, and liability in the split second of their decision-making. The criminal considers no such complications, and just points and shoots without conscience.

This accuracy under stress is another argument against the “shoot to wound” advocates or those who think we can shoot a knife or gun out of a suspect’s hand.

Rioting and Monday-morning second-guessing in the aftermath of an officer-involved shooting of a suspect tends to subvert justice and rob the public of the realities of meeting deadly force with deadly force.

Cops Who Shoot

Dallas Police Officer Matthew Brady was one of four officers who fired shots that killed an armed murder suspect as they tried to arrest him. Brady committed suicide the next day. We can't automatically assume that Brady's death was immediately connected to the murder suspect's death, but it appears to be a precipitating factor. While this is an extreme and immediate response to being involved in a fatal shooting, the personal, legal, and organizational burdens on officers after such incidents are enormous.

Some extreme cop-haters have a tragically ignorant belief that police officers look forward to the opportunity to kill and some even seek out the job with the hopes that they can shoot someone. This is patently ridiculous, statistically disproven and contrary to the science and understanding of violence. It would be extremely rare if an officer is involved in shooting a person at all, much less than twice or more in a career. It's a job that offers many opportunities to use force, but alternatives are employed the vast majority of the time.

In his well-researched and highly respected book "On Killing", Lt. Col Dave Grossman, a former Army Ranger, and West Point psychology professor, documents the challenge of training young men to kill in wartime. Beyond tactics and marksmanship, the natural reluctance of most humans, including trained soldiers, to kill another human being is an impediment to the need to win a battle by killing the enemy.

Clearly, the comparison between soldiers on a foreign battlefield and police officers on the streets of America must be limited to relevant particulars. The public has no tolerance for collateral damage in police

shootings, even a violent criminal – with the exception of a terrorist – is not an enemy combatant, the police officer is bound by the Constitution and a myriad of restrictive laws, and the police officer must prove that alternatives to deadly force were not reasonable.

But in terms of an armed government agent's bent toward taking a human life, the psychology of the mind is relevant. Grossman cites a French researcher of the 1860s who first documented that many soldiers fired their guns into the air or at an ineffective distance from the enemy. From the American Civil War through the battles of the Vietnam conflict, where one enemy was killed for every 50,000 small arms rounds fired, the question of why men were ineffective at killing was not answered by marksmanship or mechanics, but morality, concluding that "...a significant number of soldiers in combat elect not even to fire over the enemy's head, but instead do not fire at all."

In a survey this writer did, the question was asked of hundreds of respondents whether they had the experience of being legally and morally justified in shooting someone but did not. Over 80% related that they had held their fire in a deadly force situation at least once within the previous two years of service. Not only has other research shown the reluctance of officers to use deadly force, observations of fellow officers in the field as well as documentation through video prove the theme. "Being unable to kill is a very common experience", says Grossman.

Officers retreat when they have every legal right to stand their ground. They use a Taser against the protocol that facing an aggressor who is armed with a deadly weapon is not a candidate for less lethal force. Officers will make multiple commands for the suspect to drop their weapon, sometimes literally begging the armed aggressor "Don't make me shoot you". Even the language used avoids the harshest words.

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Officers say they neutralized the threat rather they killed the person. Many deadly force events happen at such close distances and in such few fractions of a second that the officer reverts to training with no conscious decision about whether to shoot. The situation is obvious to the survival sections of the brain and the response is such that some officers have reported being surprised at hearing their weapon fired, or seeing it in their hand.

A question often heard is why did so many officers fire on a suspect or why an officer fired so many times. The answer is quite simple. Research shows that motivated offenders can continue their attack even after being shot multiple times. The rapid movements in dynamic shooting incidents do not allow an officer to be certain they have struck the suspect in such a way as to stop their attack or threat. When multiple officers are on the scene, each must decide from their own situational awareness independently on their use of a firearm. If there are three officers on the scene and each sees a deadly threat, there are likely and justifiably going to be multiple rounds fired.

Grossman's book also reviews the aftermath of those who have justifiably killed someone. Remorse, even in the most justified of situations, is common among those who have had to respond to a threat with deadly force. He describes the stages as including "A collage of pain and horror" and a "life-long process...to accept what he has done. In some cases this process may never truly be completed". For Officer Brady, that process was never to be completed.

Gunfights: It Ain't Like TV

The headlines don't begin to tell the story. "Bodycam Shows Gruesome Moment Fla. Sheriff's Officer Shot", " Fla. deputy ends hostage standoff with career criminal holding woman at knifepoint", "Armed Man Waiting for Officer Smokes Meth in Calif. Station Lobby", "13-year- old opens fire several times on Fla. officers, wounding 1, during pursuit", "Texas officer, suspect dead following shooting while serving warrant", "Louisville Officer Shot at Bank Attack on Path to Recovery", "FBI Data Shows 60 Officers Died from Criminal Attacks Last Year", " 'I've been shot in the throat!': BWC shows horrifying moment officer is shot by suspect". And those are stories just from the month of May.

Neither the public nor most law enforcement officers can imagine the reality of encounters with an armed subject intent on escaping their arrest. Officers train in marksmanship and tactical movement. They also are very aware of the legal and ethical consequences of using deadly force. Is there an innocent person in the line of fire? Is deadly force the last option in a moment where lives are at risk? Will they lose their career in the fight? Will their lives and finances survive such a confrontation? Are they certain of their target? Will their shots stop the threat? The criminal shooter faces no such thoughts to cloud their intention to kill.

Besides shooting at stationary targets police train with actors in realistic scenarios or with high-tech simulators that teach not only target acquisition but verbal commands, how to seek cover, and how to make those deadly decisions in the milliseconds in which those decisions must be made. There is no training that can truly match a real armed encounter. No scenario actor can recreate the determination or evil in the eyes of a real killer. Even experience in a gunfight cannot prepare an officer for the next

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one because every attack is different.

Statistics, too, fail to tell the story. The odds of having to discharge a weapon in the line of duty over a career is about 1 in 4. Some officers have more than one discharge event over a career, most have none outside the training environment. Police officers hit their target in a real-world shooting situation between 20% and 30% of shots fired. 65% of police officers murdered in armed confrontations were within ten feet of their attackers, and another 15% within twenty feet, meaning 80% of police deaths from firearms happen within the approximate distance of a vehicle length. Modern sidearms in law enforcement are now semi-automatic handguns with a magazine capacity of anywhere from 6 to 18 rounds, but the general consensus is that the average number of rounds fired is three. Gunfights are usually over very quickly, within just 3 seconds. Large metropolitan areas are not significantly more likely to have officers involved in a shooting.

Averages mean nothing when it comes down to any particular armed encounter. Officers have been shot on what would be considered a high-risk activity like robberies in progress or domestic violence calls, but they have also been attacked on routine traffic stops, pedestrian contacts, and even stopping to aid a stranded motorist. The number of officers on a scene also provides no guarantee that an armed suspect is less likely to engage deadly force against police.

The caution with which an officer must approach every call is born from experience within the profession of sudden attacks and ambushes. A comparison I use as a trainer and educator is a scenario where a person has been hired to clean out 1000 school lockers. If the worker happens upon a venomous snake that is a truly unexpected surprise. If the worker is told that somewhere among those 1000 lockers is a venomous viper, their

approach would be caution at every door. This is the reality for officers, whether the attack is with a firearm, edged weapon, blunt object, or fists and feet (which, by the way, are used to deadly effect in nearly 700 homicides annually – dispelling the myth that an “unarmed” person poses no threat).

Careful investigation of police firearm use in criminal encounters must take into account incalculable factors including the biological limitations of humans who happen to be police officers. Members of the public, including prosecutors, police leaders, jurors, and even professional peers who have never engaged in a deadly encounter can never truly put themselves in the shoes of officers who have had to do what no police officer seeks to do.

A Little Knife

President Biden famously said that when confronted with an unarmed person with a knife, police should shoot them in the leg. When confronted with an edged weapon – knife, shovel, or broken bottle – an officer must make dozens of calculations and predictions as to the lethality of the weapon and the bearer of that weapon.

The decision of how to gain compliance is a complex one. The factors that go through an officer's conscious and subconscious mind involve complex legal and regulatory standards as well as primitive survival responses to basic brain functions governing the fight, flight, or freeze neurochemistry. Critics are saddened when a mentally disturbed person with such a weapon is killed by police. The police are saddened, too. But knives kill whether the wielder is in their right mind or not.

The tensing of muscles, micro-expressions flashing in a millisecond, a subtle angle of the shoulder or foot, or the change in breathing can signal – in context – resistance or aggression. Athletes are given great honor for such instincts in boxing or swinging at a pitch; as well as great latitude for failure. Interpreting and reacting to the complex physics of a pitched baseball a third of the time makes a batter a hero! By contrast, one perceived mistake by a police officer ends a career even if, were all possible facts known, he or she made a reasonable decision.

The first question that seems to capture the attention of critics is the size of the knife. Perhaps common sense would seem to dictate that a large knife is more dangerous than a small knife, with the scale of dangerousness diminishing with the size of the blade. This assumption is not true. Some considerations are the vulnerabilities of human anatomy to a stab or

incision, and the maneuverability of a blade in human hands, rather than how big or frightening the bladed weapons appears. Multiple areas of the officer's body are vulnerable to pain, disability, and mortality. We don't have to go past the 9/11 airline hijackings to remember the lethality of a blade as small as a box cutter.

If an officer is killed or disabled, the risk to others is multiplied. Officers are sometimes criticized for their efforts at self-preservation, but their purpose is not merely to survive, but to remain active in resolving the threat to others. Having an injured officer to be rescued, or having a perpetrator now have access to the officer's equipment, raises the danger level of the event for everyone.

The human heart is typically less than three inches from the skin. Stab depths are affected by the elasticity and compression of the body so that the length of the blade is not the limit of the depth of a stab wound. Although ballistic material is often worn by police officers, the material is designed to spread the force of a blunt bullet, not a thin blade. Therefore a knife could penetrate a bullet-resistant vest that can stop a bullet. The fact that an officer has tools, training, and protective gear for dealing with violent resistance does not, therefore, justify any concession of advantage to the lawbreaker.

Add to the risk of a single fatal stab, the vulnerability of eyes, arteries, and fingers to a slashing incision, one can imagine that a police officer attempting to gain control of a resisting subject who has a blade might be distracted or disabled by pain, blindness, or dysfunction with one intentional or accidental slash or stab.

The shoot them in the leg hypothesis is not supported by physics or

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human biology. The swiftness of a knife-wielding person would obviously be affected by the size of his blade. A long samurai sword swung in an arc would take longer to maneuver than a paring knife. This makes the paring knife potentially more lethal than the sword in close encounters. A ten-year-old little league pitcher can hurl a baseball at 50 MPH. A thrusting or swinging motion with a blade is very fast and can be happening from literally an infinite number of angles. Add to that any running motion that might be a part of resistance or attack, even assuming an additional 3 MPH of body motion, makes any police attack on the knife as a target highly unpredictable.

Not only is hitting the target an uncertainty, but the effectiveness of an accurate strike also is not certain either. Resisting subjects may be under the influence of alcohol, other drugs, or just adrenaline. All of these chemicals reduce response to pain. This means that a strike must not merely hurt enough for a person to drop their weapon, the strike must be powerful enough to break the anatomical structure enough to stop the control of the attacker over the weapon.

Meanwhile, a motivated aggressor not limited to fighting just with his or her knife, but with the other hand as well as feet and head and teeth. Moving in close enough to do anything suggested by a non-lethal response presents the officers with too many threat variables to effectively control. I liken it to trying to reach into a blender to stop the blades from spinning without getting cut. It must be noted that even deadly force is uncertain, as in many documented cases of attackers' continued aggression after sustaining a deadly injury. Once again movies have convinced us that people who are shot fall dead immediately, which is rarely true.

The TASER, or other electronic control device (ECD), is not appropriate as the first choice against an edged weapon. Best practice is to deploy an ECD against a person with a deadly weapon only if at least one other officer is present with lethal cover (i.e. with his or her firearm drawn) in case of ECD failure. ECDs have limitations and conditions for success that make the outcome of their use too unpredictable to be used as the primary option when facing a bladed weapon.

Why use lethal force against edged weapons? Because knives are deadly.

Ambush of Officers Increasing

Annual numbers of officers killed in the line of duty vary widely from year to year. One identifiable trend is death by ambush. Police officers were murdered in 2021 at a rate 59% higher than the previous year. Among the officers murdered in 2021, 25 were killed in what is described as “unprovoked attacks” where no intentional law enforcement contact had been initiated by police. This includes officers who were killed sitting in the car, stopping to assist a motorist, or other routine activities not directed at the killer. In addition to these attacks, ambushes of officers responding to calls for service who are attacked without warning also increased.

Maria Haberfeld, chair of the Department of Law, Police Sciences, and Criminal Justice Administration at John Jay College told news agency CNN “There is an overall climate now that is very anti-police, which adds a different angle to what used to happen periodically to police in the past years. The anti-police climate would surge after a high-profile case, and usually after a month or so it would subside. But right now, we’re talking about over a year of high-profile, anti-police coverage.”

Haberfeld is not the only expert that connects anti-police sentiment and messaging through the media to the sustained increase in violence against the police. FBI Director Christopher Wray stated to CBS news “Violence against law enforcement in this country is one of the biggest phenomena that I think doesn’t get enough attention. In 2021, officers were being killed at a rate of almost one every five days.”

A study of ambush attacks by the International Association of Chiefs of Police, such attempts at murder can be categorized as either an

entrapment or spontaneous. Some killers plot their attack carefully. They will calculate what kind of event or 911 call will get the best desired police response, choose their location and the expected location of arriving officers, and consider their escape route unless their intent is to die by provoking a deadly assault as a means of suicide. The spontaneous offender simply finds an opportunity to pre-emptively engage in shooting at officers.

Officer survival rates in the entrapment ambush are about 40%, with a slightly better hope of survival of 49% for spontaneous attacks. Some officers still do not wear body armor, especially investigative personnel, but those who do obviously have a greater chance of survival. When an officer has the chance to take cover their survival rate is 68% and was that of those who were able to direct gunfire at their assailant.

The challenge to police officers in preparing for and surviving ambush attacks is that these survival practices almost always are counter to what the public demands in terms of police-community relations. In other words, the practice of good, "Officer Friendly" community relations puts the officer at increased risk of murder.

Officers may be encouraged or expected to do some of their paperwork in a public place where they can be visible to the public and approachable. A program in Albuquerque provided booth space for officers to write reports or take breaks in convenience stores with a window view. What officer would place themselves at that level of vulnerability regardless of the public relations value! The same is true for sitting in a patrol car beneath the shade of a tree or in a parking lot. Particularly at night, when an officer's night vision is impaired by a dome light, the marked patrol car may be a comfort to citizens passing by, but an irresistible target for a BB gun, firearm, or firebomb.

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Taking breaks, especially routine and predictable ones, in restaurants and coffee shops has provided the opportunity for ambush such as that of the four Lakewood, Washington police officers murdered as they worked on their laptops in a coffee shop on an otherwise quiet Sunday morning. Being on the alert when approached by citizens may be offensive to someone who just wants to ask where the closest McDonald's is, but it is a necessary practice for a person in uniform.

Paranoia and constant alertness can be off-putting to a citizen having a nice conversation with a police officer. The officer's constant breaking eye contact to look beyond the citizen, swiveling to scan the room, watching where their fellow officers are, and tilting their heads to listen to radio traffic can seem to be detached and even rude. It is the public's price to pay for the officer's safety to continue to protect and serve.

Rules of engagement: Why police rarely use force

The remarkable aspect of today's discussions and rantings about police brutality is the lack of facts driving the debate. The reality of police encounters with the public, including the criminal element, is that only a fraction of those encounters results in injury or death.

Federal Studies

A U.S. Department of Justice [study](#) from 2018 noted that citizen-police contacts have declined in recent years, but that 20% of citizens over age 16 will have an interaction with police in the span of a year. With about 700,000 police officers making traffic stops, interviewing witnesses and crime victims, and arresting suspects every day, there are millions of opportunities for police to engage in the use of force. But they usually don't!

As related in another Justice Department [report](#): "Observers note that police resolve millions of incidents each year without resorting to force and believe that the incidence of excessive force has been blown out of proportion. William A. Geller, a well-known researcher on police use of force, summarizes the views of these observers in saying, "If known abuses are the tip of an iceberg, then commendable restraint when officers could have applied force is like the zenith of Mt. Everest."

The 2018 report states that only 2% of persons in police encounters felt that they were threatened with the use of force by the officers. Get out your calculators. If each of the 700,000 police officers makes just one citizen contact per day, that would be over 250 million contacts. If

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unlawful use of force was routine in policing, the streets would be scattered with bodies. In the most common form of police contact, the traffic stop, 91% agreed that the stop was legitimate, and 95% believed that the officer behaved properly.

Deadly Force

An [article](#) in the FBI's Law Enforcement Bulletin relates a study which showed that "The study found that approximately 70 percent of the sample of police officers had been in a situation where they legally could have fired their weapon during a critical incident but chose not to. Officers were involved in an average of four such incidents during the course of their careers. Only 20 percent of the sample had been involved in critical incidents where they fired their weapon during the incident."

My own survey of over 250 officers from around the country indicated that within any given 2 year period of service, 80% of officers will encounter a situation in which deadly force would have been legally and morally justified. Let's do the math. Of 700,000 officers, 560,000 of them could have killed someone in the past two years, but fewer than 1,000 were killed yearly. In examining the stories of those deadly force events, the circumstances are chilling – violent resistance, shoot outs, hostage-taking, suicide by cop, and others a testament to the dangers facing law enforcement daily.

Reluctance to harm

Despite the incessant call for training, the vast majority of police officers have been trained or have developed their own skills for avoiding a fight. There are plenty of incentives for getting a suspect into custody

peacefully. Officers know that going hands-on with a suspect can result in their own injury. Gaining compliance results in a safer arrest, less paperwork, lower risk of getting sued, and less chance of being the subject of a viral video or internal investigation.

Officers know that getting cooperative compliance before getting close to a suspect reduces that chance of being disarmed or ambushed. Ultimately the decision to end an arrest peacefully is up to the subject being arrested. The law requires compliance for lawful arrests, and police officers are in no way obligated to retreat. Even surveys of people who have been forcibly arrested reveal the arrestees' general acknowledgment that they provoked the officers' actions.

Legal hurdles to officers

In addition to merely avoiding their own injury, police officers are well indoctrinated to the legal restraints on their use of force. The primary consideration is the Constitution, which requires that all seizures be reasonable. The reasonableness of a given action can be debated endlessly, but law enforcement officers fully

understand that arbitrary and excessive force can result in severe criminal and civil penalties that can destroy their career, finances, and even freedom. The balance of officer safety, offender safety, and public safety must always be resolved in favor of the public interest.

Peak Police Performance Should Be Praised

Sensory distortion is a well-documented mental effect of life-threatening crisis moments. After speaking on the subject, one officer related that she had never told anyone else, but that she remembers hearing the sound of her bullet hitting the flesh of a burglary suspect. I believed her.

Officers have reported hearing gunshots as a suspect fell, but not realizing immediately that it was they who had fired. Reports of time warps and feeling like everything was happening in slow motion are common. Missing memories of some things that a camera or witness revealed happen. Intense focus on the immediate threat can mask any other visual input. Loud noises can seem muted. Thought processes and internal dialog happen at lightning speed.

When officers involved in a life-threatening attack to which they were forced to respond relate some of these phenomena they are often scoffed at by peers, internal investigators, and even district attorneys and juries.

Athletes are applauded for their quick decisions. They are credited with that 6th sense that lets them make daring and unconventional decisions. We hang on their words when they describe their out of body experiences at the peak of their performances.

Basketball legend Bill Russel writes in his biography "Second Wind" about the nearly spiritual experience of playing at a phenomenal level: "Every so often a Celtic game would heat up so that it would become more than a physical or even mental game, and would be magical. That feeling is difficult to describe, and I certainly never talk about it when I was playing. When it happened I could feel my play rise to a new level....At that

special level all sorts of odd things happened...It was almost as if we were playing in slow motion. During those spells I could almost sense how the next play would develop and where the next shot would be taken. Even before the other team brought the ball in bounds, I could feel it so keenly that I'd want to shout to my teammates, "it's coming there!" My premonitions would be consistently correct."

These feelings amid high performance are repeated in many accounts by Steven Kotler in his book "The Rise of Superman". Bolstered by new discoveries in brain science as well as many accounts of extraordinary athletic achievement, Kotler reveals how the brain works during extraordinary events. Admiration of athletic feats raise interest in research on human performance and are awarded by ribbons, medals, and trophies. This is an area of study virtually ignored in examining officer-involved shootings.

This month the Los Angeles Police Commission ruled that Officer Toni McBride broke department policy when she shot Daniel Hernandez during a fatal encounter. Was McBride proficient as an officer? She, in fact, had been vaunted as an exceptionally competent firearms expert and young officer. Was she justified in using deadly force? Yes. She and a second officer had responded to a motor vehicle accident when ambushed by Hernandez wielding a box cutting knife. Did McBride give repeated, clear orders for the man to drop the knife? Yes. The bodycam footage clearly shows that McBride gave repeated, clear commands which were ignored by the suspect. Was the suspect a drug abuser under the influence of methamphetamine? Autopsy results confirm that he was.

After McBride fired two shots did she stop when the suspect fell to the ground? Only when the suspect attempted to get back up did she fire 4 additional rounds. Shots 5 and 6, said the commission, were outside of

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LAPD policy.

What the Commission members and other “experts” in police training and officer-involved shootings overlooked was brain science. They may have made their decisions by some matrix, according to some policy, or by looking at training manuals. The decision wasn’t malicious, might have been technically correct, but, in the end, it was a decision made in ignorance about the mysteries of the brain that are well documented.

What many commentators label sensory overload in these rare situations when one human is trying both to survive and to continue with their mission is really sensory exclusion. The brain, especially a well-trained one attached to a well-trained body, instantly recognizes that there are too many sensory inputs and mental calculations. It shuts out many of the ordinary functions derived from millions of sensory inputs per second that define time, space, boundaries, and logic. This frees the mind to make essential decisions in milliseconds when only milliseconds count.

To measure McBride’s performance by the usual calculations is meaningless. Her mind, without doubt, sensed things that an ordinary person under ordinary circumstances simply couldn’t. The experience can be so out of the ordinary that, as Bill Russell said, is difficult to describe and difficult to comprehend when explained.

I don’t know McBride and I don’t know any more about the case than anyone reading the news. But I do know that she entered a realm that no one can fully comprehend and if she fired 6 shots instead of 4, her brain had a damn good reason.

Police Alternatives to Deadly Force

Why did they have to shoot him? That is the primary question that is asked after police use deadly force. Could they have done something less lethal to end the threat? Good question, and one that must be answered in every case in which a suspect is shot by a police officer.

In examining this issue the emotion of seeing or imagining violence can become, especially for the critic, the predominant consideration for determining what the officer “should have” done. The only objective way to examine a use of force is by determining, to the extent possible, the physics of time, space, and motion, as well as the human limitations of perception and reaction.

One cannot overemphasize the central role of time in use of force decisions. The time unit of one second is not small enough to identify what happens in deadly force situations. The trigger of a firearm can be pulled multiple times in less than a second. Punches and stabs happen in less than a second. Violence against a police officer or other citizen can happen before the mind perceives danger and tells the body how to react.

In a 30-year study of murders of police officers, FBI statistics revealed that nearly 70% of officers were shot within 10 feet, and of those more than half were shot within a distance of 5 feet. The proximity of these attackers speeds up the decision and reaction times necessary to respond to an attack. It is well established that an assailant can make violent body contact with an officer from about 15 feet away in less than one second which is faster than an average officer can draw their weapon and fire 2 shots.

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We also know that a gunshot rarely has the immediate effect of stopping a violent attack. Obviously, less lethal tools of force have less potential effect in stopping an armed subject, which is why a firearm is the officer's best option when facing a person presenting deadly force to them or another innocent citizen.

Electrical Conductivity Weapons (ECWs such as the Taser) are a viable option for stopping a person resisting arrest or commencing an attack. Since the Taser is not deadly force, it is not a match for a suspect presenting a deadly weapon. If the opportunity exists for an officer to use a Taser on a person with a weapon, there must be another officer present who can use deadly force. The time and distance constraints would not allow an officer to effectively transition from the ECW to a firearm if the ECW failed to stop the attacker.

The Taser can fail if the wired probes do not attach due to thick clothing, suspect movement, or if they get embedded too close together to provide an effective circuit. Effective probe placement is designed to immobilize a suspect for a brief period of time to allow officers to restrain them. If a Taser is deployed directly against a suspect, immobilization does not take place and the shock only acts as a pain compliance tool which can also fail or even worsen the resistance.

Other tools that an officer might have immediately available include pepper spray. This effective spray, when applied directly to the face, can cause a suspect to stop or slow down as it interferes with breathing and vision, as well as causing pain. There is no guarantee that pepper spray will work on everyone, not that a person will stop attacking if sprayed. If used in very close contact the officers might be also exposed and be at some disadvantage from the chemical's effects. It is not an appropriate

tool to be used against an immediate deadly threat.

A recently developed less lethal restraint device shoots weighted lines designed to wrap around a suspect's legs to immobilize them. It is not designed for deployment at less than ten feet and would not disable a person with hands and arms in an attack posture.

Other options include less lethal projectiles such as bean bag rounds from a modified shotgun, but those devices are not immediately accessible and carry the possibility of serious injury to a suspect.

Alternatives to firearm use in stopping a violent attack or subject resisting arrest are valuable and lifesaving. When time and circumstances make their use a wise decision, officers are happy to have them. Nevertheless, the only magic bullet for dealing with an immediate deadly threat remains an actual bullet.

Limitations of The Reasonable Man Standard in Judging Police Decisions

In civil lawsuits where one party alleges that another party caused them harm negligently or intentionally the standards by which this can be proven are well established. Among these are whether the alleged wrong-doer went against the law, the policy governing their actions, established industry standards and practices, or good old common sense. Going against any of these standards, known as the standard of care, could result in a loss to the defendant and restoration to the plaintiff.

The common sense part is known as the “reasonable person” standard. What would most people do when confronted with the choice the defendant had to make? We understand, of course, that this can’t mean what the average citizen would do in cases where specialized knowledge is needed. For example, an eye surgeon being sued for an error made during surgery would not be judged by a survey of 100 random people coming out of Walmart asking “What would you do if, if you encountered a hemorrhagic occlusion of the retinal vasculitis during cataract an intraocular injection?” Obviously, the reasonable person in this scenario is a reasonable ophthalmologist. Nor could that same random group answer what they would do in determining what type of material would guarantee that a certain structure would bear up under various pressure and atmospheric conditions in a case alleging misfeasance by an engineer or architect.

In the same way, if a police officer is being sued for the results of a decision they made, the questions would be about what law governed the situation, what the department policy and training were that governed such

situations, and what a reasonable police officer would have or should have done.

Sometimes a situation encountered by a police officer is so unique that law, policy, and experience has not specifically addressed what the right response should be. It is for these situations that the courts have created an immunity, called qualified immunity, for police officers. Since an officer is obligated to take action as required by their legal responsibilities and professional ethics, they must engage in the situation with their best effort based on their experience and training. To facilitate those decisions, the law has allowed room for a bad outcome that resulted from the best decision the officer could make at the time.

Part of the anti-police elements of police reform is to remove qualified immunity from the law and some states have succeeded in doing so. This means that some cases that would normally be dismissed now must proceed to trial, often at a waste of the courts' time and resources.

At trial on such a matter where the law and policy are undeveloped, the standard of care can default to the reasonable person standard. Establishing what a reasonable officer would have or should have done is a great challenge to defense attorneys because, as in the case of any profession, it is challenging for an ordinary juror – or judge or attorney for that matter – to understand what is required in making a professional judgment on a complex matter such as the use of deadly force in a rapidly changing emergency.

A recently noted study on police decision-making attempted to take into account all possible variables and found that there are over 50,000 individual factors that play into a police officer's decision on a critical event. How is it possible for a person without police experience and

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training to understand the infinite complexity facing an officer's decision? That's not to say that we should, therefore, give so much leeway to officers that there is no accountability, but we must allow as much information as possible to be given to those making prosecutorial judgments, judicial declarations, and jury decisions so that the reasonable officer standard can be as fully understood as possible.

Complicating these factors are the biological limitations of an officer to be both consciously aware of all of these variables, and to have the facility to express them all in the documentation of the event. Reports are all that stand between the officer and the actors in the justice system who will judge the officer months or years after the event. Video footage may appear to be self-explanatory and witnesses may be objective in their perception of an event, but without the appropriate narrative and context, even this evidence can be misleading, especially in an adversarial proceeding.

This writer followed a case in Oklahoma where an officer was criminally charged after a shooting. I offered to comment publicly on the case, but the officer's attorney felt that it might not be helpful and declined.

During the officer's trial, the judge would not allow a use of force expert to testify on the human performance realities of decision-making under stress, leaving the jury to rely on their own beliefs from a lifetime of watching television and movies to determine the reasonableness of the officer's actions. They rendered what I believe a decision contrary to justice. Any officer who has been involved in a shooting incident will tell you that media portrayals, and even law enforcement training scenarios, not only fail to represent an actual event but can present contradictory information.

If only we could take Elvis' advice in his song – before you accuse, criticize, and abuse, walk a mile in my shoes.

New Research Validates that Police Don't Have Superhuman Powers

Until recent years, most of what we know about human performance came from sports studies and the military. The realities of body movement, stress, reaction time, and neurochemistry were not applied to police encounters with violent offenders. Perceptions of how police officers should act when encountering resistance to arrest tended to be based on their depiction in the media. This dearth of information for prosecutors, judges, jurors, and even police trainers resulted in unjustified discipline, firing, and even criminal prosecution.

Even today this lack of science that can explain police and offender behavior in dynamic seconds of an encounter remains a significant source of error in judicial proceedings against officers. Answers to questions like "Why did the officer have to shoot him so many times?", "Why did the suspect have entry wounds in the back?" and "The suspect only had a cell phone, why did the officer have to shoot her?" are all found in the science of physics and biology.

Dr. Bill Lewinski, researcher and founder of Force Science Institute, has overseen studies on the speed of movement and response times to perceived threats. Understanding that the body responds to sensory inputs as they are interpreted by the brain is essential to understanding human performance. Most misunderstood is the element of time. While events seem to happen instantaneously, they have a sequence that is usually measurable in the milliseconds it takes for an offender or an officer to make a lethal decision. The price of failing to make the right decision within that tiny window of opportunity is high.

In a press release, Lewinsky stated "Where we once measured movement speeds in the hundredths of a second, we are now able to measure those speeds to the thousandths of a second using accelerometers, gyroscopes, and motion sensors." Finally, the police profession is getting the scientific attention that football, baseball, and basketball players have gotten for years.

One example is the "run and shoot" study. Using an inexperienced subject to simulate an armed, fleeing subject, the subject runs away, turns to present a weapon, then turns back to flee with their back toward the officer. Lewinsky summarizes the results, saying "The shooting and turning times were fast. Whether they were shooting over their opposite arm or under, these inexperienced shooters were discharging their weapon faster than humans could reasonably be expected to see the threat and respond...much faster." An officer dealing with a fleeing armed suspect will take up to three seconds to identify and recognize the threat, unholster, and fire their weapon, during which time the suspect will have been able to fire on the officer and resume their flight. When suspects are shot in the back, this information is critical in examining the officer's reasonableness in responding to this armed encounter.

Another example of timed studies involved inexperienced shooters seated in a simulated vehicle seat and drawing a weapon to fire through a driver's side window at an approaching officer as in a traffic stop. Again, the attacker's ability to fire was about half a second where the officer's ability to recognize the threat, draw, and fire was around two seconds. The reaction and response time for officers to use any defensive measure, lethal or not, puts them at a consistent disadvantage.

Add to these factors, examined under controlled circumstances, factors such as dim light, multiple suspects, hostile bystanders, and the

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ever-increasing specter of prosecution and condemnation, and the complexity of those force decisions increases dramatically.

Every officer investigated for their use of force decisions must be given the benefit of investigators, reviewers, and prosecutors' knowledge of the science behind the event. Without the benefit of this kind of careful examination of the forces of nature at work, the lives, careers, and freedom of our law enforcement officers will be taken without justification.

19. PROSECUTION OR PERSECUTION?

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LAPD Officer Sued For, What Else, Doing Her Job

When watching an officer involved shooting (OIS) video, many people wince and race to say the officer's actions were wrong or what they would have done "better." Those trained to do the job, cops, say, "that's exactly what I would have done." Now, an LAPD officer is being sued for doing the right thing.

This happens when radicals try to fix something that isn't broken—they break it. While organizations should always strive to improve, American law enforcement agencies as a whole are not broken. In fact, the United States has some of the best law enforcement agencies and law enforcers on the planet—when their leaders allow them to be. Law enforcement does not need "reform." It's the anti-cop politicians, political groups, and the media who need to reform—they are what's broken in our society.

However, they've adopted and perpetuated the mythical narrative that cops are wantonly abusing and killing minorities. Even some good folks within law enforcement and some police allies have conceded a need for "police reform." There is no empirical evidence police reform is needed—none. There are only dubious anecdotes and outright lies about the police. Just because you don't like the way cops do their jobs does not make it wrong.

But, because of this pervasive myth, you get situations like this about LAPD Police Officer Toni McBride. Officer McBride is also a model who appears in gun magazines and is a [skilled competitive shooter](#), something I'm sure her fellow cops appreciate. Having watched the video evidence available, Officer McBride is exceptionally professional, competent, and calm under extraordinary pressure.

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On April 22, 2020, at about 5:38 p.m., Officer McBride was working in a two-person marked patrol unit in LAPD's Newton Division in downtown Los Angeles. She was the passenger officer and appeared to be eating her dinner on the run. She and her partner were en route to an unrelated, dispatched call when they on-viewed a multiple vehicle collision scene.

People calling 911 informed LAPD dispatchers that a 5- car collision had occurred. One caller reported, "The man in the car that hit everyone is... uh, the man, he's killing himself in his car." The dispatcher asks the caller to repeat. The caller says, "The man is trying to kill himself... stabbing himself." Then the caller says, "The police are here."

The dispatcher broadcasts there is a man armed with a knife at the scene. Witnesses at the scene also tell Officer McBride and her partner the suspect is armed with a knife. Officer McBrides' [officer body cam video](#), and two bystanders' videos, recorded the confrontation with the 38-year-old suspect, Daniel Hernandez.

Viewers can see officers arriving at a chaotic scene, speaking with witnesses, and ushering people to safety. One of the crashed vehicles is a large pickup truck witnesses described the suspect was driving. A witness at the scene tells officers the suspect wants to hurt himself.

Officer McBride asks why the suspect wants to hurt himself. The witness answers, "We don't know. He's the one who caused the accident." Apparently, the suspect had intentionally struck at least four vehicles, which would be an alleged vehicular assault, a felony.

Officer McBride requests back up, asks her partner if he has cover, and tells several bystanders to clear the area. In fact, in this apparently

Hispanic neighborhood, she also asks bystanders speaking in Spanish to move to safety.

The suspect, armed with a knife, steps into view from the far side of his truck, facing Officer McBride. She yells at the suspect to “stay right there.” Instead, Hernandez strides toward her, the clutching the weapon. Officer McBride shouts four times for the suspect to drop the knife. The suspect continues to advance on the officer in a menacing fashion with his arms flared out from his sides.

Officer McBride fires at him twice. The suspect falls but gets back up and lunges forward. She shoots two more times, and he falls again. While on the pavement he rolls as if trying to get up and still refuses to drop the knife. She fires two final shots. Each of the two-round volleys were in response to the suspect’s continued aggression. He never let go of the knife.

With the suspect down, not moving but still gripping the knife, the officers move in slowly. They remove the knife, secure the suspect, and call for paramedics. Officer McBride also notifies dispatch of a safe approach route for responding officers and gets with her partner to clear the suspect’s vehicle. Earlier, she expressed concern someone might be in the vehicle injured.

From beginning to end, Officer McBride exhibited she is a proficient and conscientious police officer. But that’s not enough these days. While it’s difficult to condemn people who criticize police after a loved-one has been killed in an OIS, wrong is wrong, and suing a police officer who hasn’t done anything wrong is wrong.

Ironically, the family, through their lawyer, Arnoldo Casillas, is trying to

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use Officer McBride's exceptional shooting skills, an important police skill, against her. According to Dan Zimmerman, [writing](#) in [TheTruthAboutGuns.com](#) reported "they contend that she responded like the competitive shooter seen on video, racing to get off shots." Casillas added, "She loves to shoot all these things as fast as she can." That's the idea, counselor; hesitation gets cops killed.

Other comments suggested Officer McBride should have gotten behind her patrol car "to buy time." Some say she should have done more to deescalate the situation. Others say the suspect wasn't close enough when she shot him. So, she's supposed to bet her life that the suspect was suddenly going to change his mind and surrender?

With an edged weapon (as opposed to a firearm) moving to cover provides no advantage. Telling the suspect to "stay right there..." and telling him to drop the knife four times while he continues to advance on her with the weapon is what de-escalation looks like.

Anyone watching that video could see that man was not going to stop unless someone stopped him. Think about the initial reports: Witnesses said the suspect intentionally crashed into four cars and said he was in his truck "trying to kill himself... stabbing himself." The suspect's walk toward Officer McBride had possible suicide-by-cop written all over it.

Regarding distance, the suspect was closing fast and could have picked up speed at any moment. Officers keep many possibilities in their mental Rolodexes that wouldn't occur to most people. What if her first shots missed? You might say not her because she's such a good shot. True, but it's different when the target wants to kill you. Remember, even after her first shots hit him, he kept charging, and even tried to get up again after her second shots.

What if her gun had a malfunction? It would take time for her to clear it before she could fire again. What if she decided to relinquish her stationary position and tripped while moving behind the car? These and other risks lurk in the back of officers' minds during high stress incidents.

In a society where even highly placed politicians and city councils call for defunding, reallocating funds, or outright abolishing the police, legal attacks on officers who are doing their jobs correctly are devastating for public safety in American communities.

Very few of the most qualified candidates are going to choose to be police officers. They watch the news and see an officer in Atlanta sitting in jail awaiting his murder trial after doing as he was trained. And they watch the news and see an LAPD officer being sued after doing as she was trained.

Why would anyone want to become a police officer in many jurisdictions, especially in some of America's largest cities? Governments hire police officers while at the same time many despise cops. Would you decide to work at a place where you knew the people who hired you hate you?

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The Quest for Perfection in Policing

To err is human says the poet, but nothing less than perfection is allowed for today's police officers.

It seems that the notions of probable cause and reasonable suspicion have been replaced by standards of certainty previously expected only of juries. With the spread of the elimination of qualified immunity, police officers are increasingly expected to enter violent, chaotic circumstances and make the perfect decision every time.

There is, of course, a high expectation because stakes are often high. In war, there is tolerance for collateral damage in combat operations. In violent encounters involving our police officers, there is little allowance for error. The courts have consistently abided by Constitutional guidelines of reasonableness. This standard doesn't require perfection. It requires that a reasonable person, with the same knowledge as the person being judged, would find the action as within the range of normal.

Proof beyond a reasonable doubt (not beyond a shadow of a doubt), is required for conviction of a crime. Probable cause basically means that a thing is more likely than not and is necessary for an arrest or the issuance of a search warrant. Reasonable suspicion means that behavior or circumstances would arouse an informed observer's belief that something deserves further investigation because of its association with illicit behavior.

All this means that police officers must always act reasonably, but that includes the possibility of being wrong. The reality of human limitation will result in unfortunate outcomes. Heart surgery has a 6% risk of death. The

death rate for vehicle crashes is 11 fatalities for every 100,000 persons, roughly .001 percent. The Center for Disease Control reports that Over 76 million doses of COVID-19 vaccines were administered in the United States from December 14, 2020, through March 1, 2021. During this time they received 1,381 reports of death (0.0018%) among people who received a COVID- 19 vaccine. An interesting disclaimer states that no direct cause of death should be implied. There is a chance that a death will occur while in flight at a rate of 0.005 per 100,000 flight hours. Although contested, the figure of 400,000 has been used in calculating deaths related to medical errors.

Let's cipher from estimates from police-involved deaths. At approximately 1000 deaths per year among 750000 law enforcement officers and assuming an average of one contact per day by 500,000 of those officers, we can estimate that citizens are contacted by police at a rate of over 17 million times per year. This results in a very liberal estimate of the chance of being killed by a police officer in any given year is .001 percent. This even includes fighting with an officer, confronting an officer with a weapon, and being arrested for a felony since studies show that officers use great restraint in utilizing deadly force.

Back in the 70s one of the trendy management programs to improve industrial efficiency was called Zero Defects. Anyone who has worked for the government or corporate America has survived some of these kinds of motivational programs. Lapel pins, posters, slogans, t-shirts, and educational videos encourage teamwork, pride, and productivity. Zero Defects was like that. The idea of making no mistakes was an idealistic goal with the hope that workers would improve quality and profits. In industry, we've seen quality improvement plans of one stripe or another. Some are very complex, and some are of the bumper sticker variety. While many management programs have been borrowed from industry

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and applied to law enforcement, the pursuit of perfection is not an assembly line process.

There are many protections for citizens to encourage proficiency and accuracy in policing. Police officers do not want to make contacts, searches, and arrests that will not be successfully prosecuted. Therefore, in addition to the multitude of laws, department regulations, and court decisions that guide their behavior, the threat of losing a case or having a case refused by the prosecutor is a powerful incentive for quality work. This is on top of the threats of lawsuit and criminal prosecution for misconduct. One bad case can effectively ruin a career if an officer's credibility means no case they are involved in will be prosecuted.

Can policing achieve zero defect performance? It is a great goal, but simply not possible given the inherent unpredictability of the job.

It Is Too Easy For a Prosecutor To End a Police Career

We can add to the list of ways a police officer can be fired when we include the results of a Supreme Court decision in 1963. The decision in *Brady v. Maryland* (373 U.S. 83) rightly ruled that prosecutors must disclose exculpatory evidence that the government has in its possession to the defense as part of its case. Exculpatory evidence is anything that might provide evidence that the accused could use to achieve a verdict of not guilty.

For example, if law enforcement is aware of a possible suspect, even if that suspect is never interviewed or contacted, but finds enough evidence that the defendant was the guilty party, the name of that suspect must be given to the defense. The defense may then pounce on the possibility that their defendant may not be the guilty party since another suspect was not properly eliminated by a thorough investigation.

Evidence that may tend to reduce the credibility of a witness's testimony must also be released. A statement made during an investigation that is contrary to the testimony given at trial or was changed in subsequent interviews may help the defense challenge that testimony.

Since challenges to witness credibility is important to both sides in a trial, the attorneys can seek to reveal evidence of past unreliability or falsehoods. This includes police officers. Prosecutors who are aware of credibility problems with officers who may testify in a case must, therefore, disclose that to the defense. To facilitate this, prosecutors are required to maintain a list of officers who have been accused of misconduct, especially in cases where the officer is accused of making false statements or other dishonest acts.

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The problem for many officers is that they have no way to appeal being placed on a Brady list. An officer who is not able to testify in court cases loses their value and can be fired. A Denver Post investigation requested the Brady list of each of the state's District Attorneys but some DAs did not provide their list because they believe such lists are not a matter of public record. The reporters also found that there is no uniform policy across DA offices in the state about what qualifies for an entry on their Brady list. Some DAs don't even know why an officer is on the list.

It may come down to a judge's ruling in a particular case whether an officer's reason for being on the list is relevant to their testimony in a given case. While the rule makes sense to bring an investigation's shortcoming or misconduct to light for a fair trial, its arbitrary application from agency to agency can spell the end of a police officer's career with little recourse.

In 2020, Lansing, Michigan Chief of Police Daryl Green discovered he was on a Brady list based on a 20-year-old incident. He had assisted medical personnel with a combative patient and didn't believe that the event merited a use of force report. The patient complained. Green was placed on a Brady list with no notice, no due process, and no opportunity to rebut the claim. He was able to eventually get his name removed from the list.

Officer Travis Hamilton was asked by a reporter covering an impending court case about Hamilton's inclusion on a Brady list. This was the first time Hamilton was aware that a list even existed. When he filed a public records disclosure request he found that he was on a list with ten other officers, some of whom were also unaware of the list. There was no notation as to the reason for his inclusion on the list. Seven months after

his initial records request he submitted an updated request and was told that there was no such list.

After resigning over the resulting news article and controversy, Hamilton began a three-year quest to clarify officers' rights regarding this career-killing procedure. As a result, the Iowa legislature now requires policies listing the criteria for placing a name on a Brady list, written notice to the officer with access to supporting records justifying inclusion on the list, a written notice of a prosecutor's decision with the right to appeal, along with some other due process considerations.

More work needs to be done to make these procedures fair to defendants, prosecutors, and police officers and to define the level of offense and levels of proof offered before putting an officer's career and reputation at risk unjustly.

Another Murder Charge for An Officer Struggling for His Life

To speculate on the outcome of a criminal case, much less presume to know what facts the jury might see in a given case, is something an observer must approach with an open mind. Those with access to the television cameras seem to have no such hesitation.

Grand Rapids, Michigan officer Christopher Schurr has been charged with 2nd-degree murder after an April 4th struggle with a suspect, Patrick Lyoya, whom Schurr eventually shot. It is not hard for those in law enforcement who have been in life and death struggles to understand how a situation can rise to the level that an officer feels it necessary to employ lethal force.

It is also not hard to recognize the political activism at work in this case. A nationally known civil rights attorney urges everyone to “stay angry”. The local NAACP leader said that he hopes the charges will send a message that an officer’s job is to protect and serve, with the implication that this never includes using force on someone. Public comments show that those who believe the officer was in the wrong can’t wait for the conviction. They’re not saying they can’t wait until all the facts are presented – just a conviction.

A news reporter refers to Lyoya as a “victim” and another said that he “was killed over a traffic stop”. The department’s chief of police wants Schurr fired or at least have no pay while suspended. Meanwhile, local police associations are stating that it was a “ridiculous miscarriage of justice and cited Schurr’s exemplary record and community service, including a recent mission trip to Kenya.

The essentials of the event are partly recorded on Schurr's body worn camera and a civilian cell phone recording. Schurr made a traffic stop on the car that Lyoya was operating. During Schurr's dialogue with the car's occupants, he mentions that the license plates do not match the vehicle. Lyoya gets out of the car against Schurr's instructions. They struggle. Schurr repeats the command to "stop resisting" multiple times during a two-minute struggle. Schurr's Taser was heard triggered at least twice and it was a struggle over the Taser that resulted in the shooting.

During the struggle, Schurr unholsters his duty weapon and fires one round that enters Lyoya at the back of the head. There are the talking points for the cry to imprison Schurr for life – it was only a traffic stop, the officer failed to de-escalate, the driver was a different skin color than the officer, deadly force was not necessary, it's fundamentally unfair to shoot a person from behind.

Here are the talking points from a police perspective, at least for this writer. Mismatched plates can be anything from a mistake on the owner's part, to borrowed plates from a friend's car to stolen plates, to a stolen car. An officer investigating the mismatch cannot assume that is an error or an opportunity to collect a fine from a citizen. The assumption that the car might be stolen comes with a host of possibilities. The car may have been violently taken. The car may be part of an organized crime ring. The car may be used in drug trafficking in order to avoid civil forfeiture of the owner's vehicle. The driver may resist violently if they are at risk of a felony charge, or a parole revocation for the offense.

In other words, this was an investigative stop that was clearly lawful, reasonable, and fraught with dangerous possibilities.

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Compliance with an officer, including remaining in the vehicle or exiting the vehicle, is a legal requirement. The risk of the officer having to use coercion falls on the vehicle occupants, who can ensure their own safety by working with the officer within the law. Non-compliance is not a mere annoyance of a challenge to an officer's authority and ego. Non-compliance is a frequent precursor to fight or flight. The fact that there was another occupant in the car means that the officer faces potential threats from either, a conclusion that becomes more reasonable with each passing moment.

This event occurred during cold weather, meaning that heavy clothing capable of concealing weapons was worn by the driver. Control of the officer's Taser was a critical component of this event. Had the device become controlled by Schurr's adversary who chose to fight the officer, the tragic results could have been magnified. Although the Taser is not a deadly weapon, its designed capacity for immobilizing a person presents a significant threat to an officer if used against them. If the officer is incapacitated, even briefly, from any injury including from an electronic weapon, the opportunity for an adversary to seize the officer's other weapons or even their patrol car. This creates an incalculable hazard to the public at large, and an opportunity for the officer to be murdered.

If the threat of such incapacitation was imminent, an officer would certainly need to ensure that it didn't happen. When an officer operates to preserve their own life and safety it is not an act of selfishness or a call to allow themselves to be sacrificed. The altruism of survival is that an officer must stay engaged and able.

Fatigue is also an incapacitating threat. Research and the experience of athletes and combatants show that more than a minute of active fighting can lead to depletion of the body's adrenaline and muscle control. If an

officer is nearing exhaustion while fighting for their life while wearing over 30 pounds of gear, they must end the fight and win the fight.

The fact that a suspect is shot in the head or back does not automatically create the assumption that the shooting was unlawful or even unfair. Active resisters twist and turn, and a deadly threat can exist regardless of the resister's posture.

I want justice done as well as anyone does. But for justice to happen, courts and juries must be educated on the scientific realities of deadly encounters. If the evidence exists to keep Schurr a free man he deserves to have it heard beyond the rage of politicians and activists.

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Fighting Rogue Prosecutors

Most District Attorneys and Prosecutors are dedicated, overworked, and decent public servants. I would not want to paint the profession with the same broad brush that anti-law enforcement forces do with police officers. Inept or corrupt DAs are accountable at the ballot box, but for some, the election cycle doesn't come fast enough to get them out of office.

The San Luis Valley (SLV) region of Colorado is a collection of sparsely populated counties that are plagued by plenty of criminal activity. Their District Attorney is Alonzo Payne, who is listed on Bernie Sanders' website (first clue) as: "a criminal justice reformer, advocating for measures to reduce incarceration and stop the criminalization of poverty in Southern Colorado. He has advocated for economic justice measures, including raising the minimum wage and Medicare for All, and is committed to representing the proud people of San Luis Valley. Payne's effort to keep criminals out of trouble has left a bitter taste in the mouths of voters who are launching a recall effort ahead of the next election.

The unique aspect of this recall effort is that it does not come from just a handful of disenchanted citizens. In an unusual step, the city council of the SLV largest town, Alamosa (population 9500), has joined the public cry to get Payne out of office. Payne's campaign website proclaims "I will move forward with real criminal justice reform and improve the lives of all residents of the San Luis Valley" So far, the main beneficiaries of his tenure are criminals.

At the council meeting featuring presentations by City Manager Heather Brooks and Alamosa Chief of Police Ken Anderson, Brooks stated that "we have information coming to us almost daily" about failures of the DAs

office. Conversations to resolve and understand Payne's conduct have been attempted but, according to Brooks, "We've made every effort to meet with the District Attorney to share these concerns but those efforts have been fruitless". Other county officials in the judicial district within the jurisdiction of Payne's office attended, including Saguache County Sheriff Dan Warwick and Costilla County Sheriff Danny Sanchez.

Many citizens lined up to speak on the matter. Anderson spoke in frustration, according to the local newspaper's record of the hearing, "Over the past nine months, the Alamosa Police Department (APD) has conducted more than 40 drug operations. In one operation, APD confiscated half a pound of heroine, thousands of dollars in cash and weapons capable of penetrating a bulletproof vest or the side of a vehicle. Even with strong evidence, none of the 40 cases have gone to trial. Instead, they have been pled down to less serious charges with minimal jail time. In some cases, charges have been dismissed". Some prosecution was submitted to federal courts where tough sentences were handed down, so the investigations produced actionable evidence.

The notably stoic Anderson fought tears as he recounted the case of a 13 year old boy who was beaten by five other students. The boy committed suicide as the case languished on Payne's desk. "Our officers have literally had arrestees laugh as they're handcuffed, and I've had to watch this as the chief. Officers' lives are at risk every time they get up and put on a uniform. Our neighborhoods and residents are at risk when criminals are allowed to avoid jail time and walk around our community. I'm the one they call when they're scared and I'm running out of things to say.

The city council is not the only entity disgusted with Payne's performance. Even the Democrat Attorney General Phil Weiser is investigating Payne for violating the Victim's Rights Act after a state investigation found numerous

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instances of mistreatment of crime victims. One county judge cited Payne for contempt in lying about the willingness of a domestic violence victim to testify.

The list of inaction on cases and “sweetheart” plea deals continues. Alamosa Mayor Ty Coleman stated “Reduced charges. Complaints from victims. Criminals laugh while being arrested. They laugh! This must stop. It has to.” DA Payne responded in writing to the issues presented saying “I appreciate the inquiry but will not comment on a political issue with other public entities.”

One of those political issues is a set of charges alleging that an attorney and former employee with embezzlement, a charge that has all the appearances of retribution rather than a valid pursuit of justice.

The SLV community is a great example of citizens rising up against prosecutors using their discretion to pursue an agenda contrary to the safety of the community.

Cops Blamed in Riots with Indictments out of Austin

Austin, Texas Police Chief Joseph Chacon stepped up to the microphone to slam the public announcement of his officers' indictments for their actions during riot conditions. "I am disappointed to hear the D.A.'s press conference statements regarding anticipated indictments related to the 2020 protests. As a department, we asked officers to work under the most chaotic of circumstances in May 2020 and to make split-second decisions to protect all participants. There were significant portions of times that the crowds were riotous and violent," he said. "I am not aware of any conduct that, given the circumstances, these officers were working under would rise to the level of a criminal violation by these officers."

As the old saying goes, a D.A. could get a grand jury to indict a ham sandwich, an indication of the sway a prosecutor has in seeking charges. This particular district attorney is notoriously in the camp of many around the country whose hope and purpose is the persecution of police officers.

Protests related to the death of George Floyd spread to over 2000 towns, some of which resulted in a record-breaking loss of up to 2 billion dollars and dozens of deaths. The extent of violence and destruction is that over 14,000 people were arrested in connection with the nearly six hundred identified riots that sometimes accompanied the many peaceful protests. Many prosecutors routinely dropped charges of those arrested even when assault and property damage was evident. Some prosecutors announced in advance that there would be little criminal prosecution.

The Austin Police Association (APA) president Ken Casaday released a statement claiming politicization of the announcement. "The district

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attorney is using this case to drive voters to the polls, He is driving people to vote for a far-left radical ex-city councilman who is running for Congress. Greg Casar did more to ruin the city of Austin through spearheading the defunding of the police movement more than anyone else in the history of the city of Austin, and DA José Garza is following in his footsteps. If there are officers who have done something wrong we understand, but these officers were only doing what they were told to do with the equipment the city of Austin provided them during those days of the riots.”

Recalling the intensity and persistence of frightening disturbances across the country. Police officers, often understaffed, fatigued, without appropriate protective gear, and restricted by restraints from judges and politicians, faced immeasurable dangers. During the height of the protests, APA reported on Facebook “We are so proud of the Officers of APD! Yesterday, they took on massive crowds who were rioting and blocking Interstate 35 and other roadways. The protest began peacefully, but quickly got out of control when Antifa types started to agitate the crowd.” In May of 2020 Fox news 7 of Austin reported that “Protesters threw rocks, bottles, paint, and other dangerous items at police officers. Officers responded with pepper spray, rubber bullets, and bean bag rounds in an attempt to control the crowds of protesters. A few fires were also set near APD headquarters. One vehicle was doused with gasoline, a dumpster for a gas station nearby was also set on fire. Restaurants and stores on Dirty Sixth Street were also damaged and vandalized.”

At the time Casady urged officers not to report for duty “unless they get the equipment needed to protect themselves and citizens during those protests. Now, they’ve taken our abilities to deal with riots and people that are creating havoc in our city. They’ve taken our CS gas away ... which hurt nobody on the interstate that day. The people left in about five

seconds. It was a very effective tool.”

An August 13, 2020 headline in the Texas Tribune read “Austin City Council cuts police department budget by one-third”. A year later, a September headline on the KVEU television website read “With 60 homicides this year, Austin reaches all-time high”. Of course, police critics refuse to acknowledge a cause-effect relationship between the two headlines. But Travis County District Attorney Garza apparently thinks prosecuting police officers from the front lines of rioting by imported antagonists is good for Austin.

Elections have consequences, and public safety is among them.

Ten Questions to Ask When a Prosecutor Charges a Police Officer

Police in the United States do not technically charge anybody with anything. We hear about “pressing charges” and we hear officers on television dramatically say “I’m charging you with murder” but in reality, the police can only send a set of facts to somebody who can decide about charges, and that’s the prosecutor. Whether elected or appointed, prosecutors are a key link in the criminal justice process. Even traffic citations don’t become a true charging document until signed by the prosecutor. Until then it is merely a recitation of facts and an invitation for the alleged violator to come to court

It’s a fine point of justice jargon but the principle is an important one. In order to ensure due process in criminal cases, a review of arrests and investigations by an impartial judicial official is essential. The concept of due process arose early in man’s efforts to regulate society. The law of Moses, in addition to the Ten Commandments, discussed the amount of evidence necessary to impose punishment, the necessity of judges to arbitrate disputes, and the appropriate compensation to impose on wrongdoers for their victims. In more modern times, the Magna Carta of 1215 outlined protections against the arbitrary and unilateral imprisonment and punishment by those of royal influence. The royal class, claiming Divine Right, thought that since God had obviously put them in charge that to defy them was akin to defying God himself. Freedom-loving folks disagreed.

Americans from early times had great suspicion of government abusing its power, especially through the use of force applied through its armed government agents. The 5th and 6th amendments to the Constitution

outlined the principles of government conduct toward the accused. Among those principles was the requirement of grand juries and evidence amounting to at least probable cause.

While the initial determination of probable cause must be made by an officer who chooses to take someone into custody, the determination of the arresting officer's justification is subject to a quick review by other officials. Just another way that police officers are held accountable for the exercise of their authority.

The question then is who is reviewing the reviewer? Judges and grand juries are dependent on the information brought to them by the prosecutors. Prosecutors have their audience to perform for. Making charges against police officers is one way that activist prosecutors can appeal to a public with an appetite for suspicion of law enforcement.

For the citizen observer, the prosecution is often the only voice explaining their decision. The police must remain muted, and the emotional pleas of the family whose member was shot by police lead the news reports. There are some things to watch for as clues to a politically motivated prosecution.

The prosecutor is tough on cops but not tough on crime.

The prosecutor is in an area with significant anti-police sentiment – usually a minority of citizens but with loud voices.

The media leads with emotional stories of the victim's personal life. Cops who use deadly force against someone who was about to turn their life around, just had a birthday, or had a great smile are doomed even if the suspect has a record of violence

The prosecutor files charges years after the event

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The prosecutor files charges after other investigations concluded the officer was justified

The prosecutor talks about failure to de-escalate even when the officer gave multiple verbal commands and hesitated to use deadly force

The prosecutor minimizes the circumstances, the suspect's weapon, or appearance of a weapon

The prosecutor claims that a vehicle attempting to hit an officer or escape from a violent crime was not a deadly threat

The prosecutor claims that police should be held to a higher standard, which means a lower standard of proof for the officer being charged.

The prosecutor makes sure to be the headline One must support the prosecution of truly rogue officers whose negligence causes others to suffer, but disregarding the realities of a deadly force encounter cannot spell justice for the officer, the prosecutor, or the public.

The Camera Doesn't Lie- Or Does It?

Most police officers had some understandable skepticism about body-worn cameras (BWC) recording all of their activity. Despite the critics, the reason was not that police officers were afraid that all of their nefarious, violent, racist, and corrupt activity would be discovered. The reasons were much more practical.

The cumbersome nature of being wired up for duty every day complicates the already tedious process of “donning and doffing” the patrol officer’s gear. In addition to the 30 pounds or so of ballistic vest, equipment belt, and other protective gear we now add batteries, cameras, microphones, and wires that must be threaded through the uniform depending on the type of camera used. Some types even get triggered to turn on when the sidearm is removed from the holster. Some are voice-activated, and some are tied to the car’s dash camera which gets activated when the overhead emergency lights are switched on. Most must be switched on by the officer according to department policy when making a citizen contact of some sort or engaging in other activity.

Keeping equipment attached and intact during a struggle with a suspect or physical activity like a foot pursuit or rushing to a rescue is a concern when getting into uniform. An officer has a lot on their equipment belt including their radio, keys, and other items. Cell phones may be secured in pockets or attached to the shoulder epaulets where a microphone may be located. Add a camera and you have a lot of things just itching to fall off during a fight or chase. Remembering to hit the on switch when someone is shooting at you might possibly slip one’s mind, but would not be forgiven as a breach of policy.

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Another concern is privacy, and not the officers', but the citizens. Even advocates of BWC recognize that citizens may be less likely to approach officers with information or requests, believing that it will all be recorded. Victims may be less likely to want to have officers in their homes with the possibility that their chaos might be on the evening news or YouTube.

Officers also know that life on the streets can be rough. That means harsh language, the use of force, and chaotic and tragic scenes will be subject to review. The idea that the police help shield the general public from the gory and awful aspects of tragedy has simply gone away. A morbidly curious and voyeuristic public will want to see what no one should have to see.

Officers know that the camera does not see and hear everything at a scene but that a jury will think that it does. A camera cannot see what the officer's eyes see. It cannot perceive with the experienced and trained brain of a first responder all the nuances of human behavior that go into an officer's decision to arrest or not. It cannot detect the mood of a hostile crowd or a threatening bystander.

Although not the immediate concern of the officer on the street, police administrators must calculate the high cost of retaining hours and hours of video as potential evidence. Investigators must review hours of video, determine what must and must not be released to the public, and arrange for the blurring of images of persons in the video whose identities must be protected.

Despite all of these challenges, BWCs have been accepted by officers as a great asset. Several studies have shown that officer behavior has not been dramatically affected by being tethered to a prying eye during their work day. Importantly, research shows that the BWCs have affirmed the

remarkable professionalism, lawful conduct, and restraint that is a hallmark of quality policing. For those critics who were hoping for a “gotcha” moment to prove all of the fantasies that cops are universally inept and corrupt, there has been nothing but disappointment to find that thousands of law enforcement officers are doing amazing work every day.

No Contact, No Complaint

You don’t hear much about “de-policing” lately. It refers to a police officer’s reticence to take on any proactive police work, only going to calls as directed, and doing the bare minimum in whatever they do. The mantra is “no contact, no complaint”.

Critics may decry this attitude but it is one they have created and, in many ways, required. For example, the city of Denver, Colorado recently joined Kansas City and the states of Virginia and California in eliminating jay-walking laws. With the goal of reducing police contacts – alleging, of course, that police are harassing the homeless and minorities – crosswalks are still the recommended place to cross a street, but playing chicken with traffic is now perfectly fine.

Another de-policing mandate is keeping police from making traffic stops. In the words of Berkely, California activist Darrell Owens, prohibiting police from traffic enforcement is a way to “make sure nobody does anything that justifies this cop pumping 4 rounds of lead into me”. An associated rule, also popular on the west coast, is to prohibit police from chasing anyone if they do attempt to stop them for a traffic violation (or for that matter, any number of offenses).

Critics who hear of an offender eluding and resisting police, resulting in a forceful arrest, use of a Taser, or a shooting will seldom point out that the

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law requires yielding to a police officer's signal to stop. Also ignored is that fleeing from an officer is often because the driver is engaged in current or recent dangerous criminal activity, is wanted on a warrant, is under the influence of an intoxicating substance, or has other reasons to resist violently. The narrative is not the violence of the offender, but that it all started because the officer tried to stop them for a malfunctioning taillight or expired license plate.

Another area of effort to help police stay low and out of touch with citizens is increasing the legalization of drugs. Psychedelic mushrooms and high THC content candy are thought to be safely used in the basements of those treating themselves for various maladies, to be punished only if purchased without paying the lucrative taxes on them.

As a bit of a libertarian, I think it's a good thing for society to consider whether we are over-regulated and how frequently we want armed government agents to check up on us. History teaches us that society must establish some standards for our mutual benefit, and we have defaulted to our police whenever we make a new rule to be enforced in ways that we later find distressing. Our experiment in democracy and freedom is, admittedly, a work in progress.

The problem with that is society still expects its police officers to interact with people in need and people who pose a threat to them. They still call 911 when a homeless person is in their yard, or a suspicious person wanders onto their residential street. Police officers used to be expected to do what the courts have called "community care-taking", and officers have traditionally taken that responsibility to heart. That means checking on a person who seems to be disoriented or ill or responding to a relative's request to check on an elderly person that doesn't answer their phone calls.

Now an officer has to consider that every contact could go sour. The person who is resistive might be in the throes of a medical emergency. Should the officer simply let them walk away to their own fate, or can they use restraint to care for the person and call for medical help? If an officer is attacked while checking on someone's well-being must they simply leave? What if someone else is at risk? What happens to the neighbors if the police decide it isn't worth the risk or trouble to make contact with someone? Officers have been criminally charged for defending themselves after being attacked with an edged weapon because the other person was mentally ill or deemed to have been too weak or elderly to do much damage.

Most police officers keep doing what they know is best for their community. But if they decided to stay at the station or keep their blinders on when in the patrol car, who could blame them?

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The Biology of a Tragedy

How could that happen? The question that even law enforcement officers ask after a controversial shooting may never have answers. What we know about the human mind and body can provide some potential insights into the shooting of Daunte Wright by veteran Brooklyn Center, Minnesota officer Kim Potter.

On New Year's Day 2009 transit police at an Oakland station responded to a disturbance and detained Oscar Grant. While Grant was prone and officers attempted to restrain him, Officer Johannes Mehserle drew what he mistakenly thought was his TASER and fired a round from his duty firearm into Grant, killing him.

In 2015 a Tulsa reserve police officer, Bob Bates, shouted "TASER" before shooting Eric Harris who was fleeing from an undercover operation. Bates is heard after the sound of a gunshot saying "I shot him, I'm sorry."

There have been other mix-ups of less notoriety. Given the frequency of these weapons drawn at the ready but rarely fired, although no consolation to survivors on either end of the gun, such fatal errors are rare.

As a strong advocate of letting investigations take their course, detailed commentary is premature. But the questions that the public has are urgent. Demands for quick answers are prompting police leaders to release information quickly, a decision necessary in today's environment, but seldom wise from an investigator's standpoint. Police Chief Tim Gannon released a portion of the body-worn camera video of the incident, along with his assessment that the shooting was an accidental discharge. Both

Gannon and Potter have resigned.

Typical immediate analyses will include blaming the department for poor training. If there is a training deficit at the root of this incident, it must be reevaluated in the light of human performance. As we look at what we know about the event – and there is surely much we do not yet know – it is clear that the limitations of human biology are at play.

When the brain perceives a threat to its body or identity, it kicks in brain chemistry that creates significant changes in the way the muscles, vessels, and nerves of the body perform. The awareness of a threat comes from the five senses, and how those sensations compare to the experiences of the person that are filed away in the conscious and subconscious mind.

In this case, the officers were at high alert. Daunte Wright – described in many news articles as being shot on a traffic stop – was wanted on a warrant for failure to appear on a gun-related charge that had resulted from a contact with Minneapolis police. Warrants are not discretionary for officers. Officers would expect the very real possibility that this person, who had already been involved in a firearms-related offense and was not cooperating in the disposition of that charge, would be in possession of a firearm and would resist. This observation is not made to imply that Wright is to blame for his demise (although compliance would have created a much different outcome) but to describe the origin of the officers' threat perception.

No training is going to keep the brain from doing what the brain does. With a perceived threat the senses can change. Rather than becoming categorically more acute, the senses actually become more selective, unwilling to spend the body's resources on irrelevant inputs. Vision becomes focused on the highest potential of threat. In this case, having a

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resistive person attempting to get back in their vehicle would focus attention on the suspect's hands. Why would a person attempt to wrest themselves away and get back in their car? Did they intend to ram the officer's car or assault the officer with the open car door? Might they have a weapon they want to get their hands on? Is there evidence they want to try to destroy? Are they willing to drive dangerously in an attempt to flee?

The human eye is not a camera lens, recording everything in the same focus. When one wonders why the officer simply didn't see that she had a firearm instead of a TASER, the answer is that her brain focused her sense of sight elsewhere.

Another chemical change that the brain commands is the course of blood in the body. When preparing for the classic fight or flight, the body depends on the large muscle groups. Blood, whose chemical composition is changing to adapt to possible injury, is routed to oxygenate the muscles most likely to be used in a struggle or pursuit. This robs, to some degree, the blood supply to smaller muscles like the fingers. Nerves that could sense pain are dulled in anticipation of combat. It is likely that the officer could not feel the difference between the heavy firearm and the lighter, curvier contour of the TASER.

Research shows that the decision to deploy a weapon may take less time than the decision to stop deploying the weapon. Another decision that takes time — and we measure time in milliseconds during these fast-moving events — is the transition from lethal force to the less-lethal force of the TASER or other tool. The decision is complex. Was the other officer going to deploy a TASER? If so, Potter would have been ready with her sidearm, because less-lethal force with another officer present is not used unless lethal force is available should the TASER fail. If Potter's thinking process was first to draw her sidearm, then switch to a TASER

after reassessment, she may have thought that she had already switched to the TASER. We have all planned to grab the car keys after we get something out of the backseat, then shut the door locking our keys in. This example is nowhere near the consequence of Potter's thinking glitch, but it illustrates the human mind's potential to fail us when sequencing thoughts and behaviors in rapidly changing circumstances.

Our understanding of human limitations has not caught up with the ideology of our expectations. Heroes aren't allowed mistakes.

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Police Stations: Fortress or Visitor Friendly?

If you're like me, you hate trying to talk through a slot or even a microphone to communicate with someone behind a sheet of glass, whether it is at a bank, a ticket booth, or in the lobby of a police station. Unfortunately, it is a fact of life that the people working behind those prison-like barriers deserve protection.

While victims and witnesses deserve to feel safe and comfortable when they come to a police station, security concerns can be intimidating. Perhaps, once inside, there are inviting spaces but barriers to attack are a necessary part of police station design.

The homey image of a precinct station housed in brick buildings with an outside globe with the word Police stamped on it is still a reality in some places. In those iconic relics, the citizen walks in to see the desk sergeant behind a massive, raised wooden desk waiting to receive your report or complaint. Perhaps the theory is that with armed officers in the area, safety is ensured. That is wishful thinking.

Brandon Stine drove his truck to the Lewistown barracks of the Pennsylvania State Police in Juniata County, started shooting at patrol cars, and shot and killed Trooper Jacques Rougeau Jr., 29, and wounded Lt. James Wagner, 45.

A woman waiting in the lobby of the Westborough, MA police department set fire to clothing in a donation box, then fled. She was later arrested. Damage is estimated at \$250,000.00.

A man in Youngstown, OH walked into the lobby of a police station and

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demanded to see the Chief. When asked to leave, the man refused and attacked the desk officer and struggled for the officer's gun before being subdued.

A 50-year-old man is accused of driving his car into the Eaton, Colorado Police Department and throwing rocks through the station's windows before he was arrested after crashing his car.

In Independence Township New Jersey, a car crashed into police headquarters after leaving the scene of crashing his vehicle into a private home. He was arrested on multiple charges after blasting Guns n' Roses and pointing his fingers toward the ceiling of the station.

In Warren, Michigan a 29-year-old Warren man is receiving a mental health evaluation after entering Warren police headquarters Thursday morning carrying a large sword and allegedly making verbal threats to the front desk officer on duty.

Another police station attack occurred in Bristol, Connecticut. Suzanne Laprise drove to the police station and opened fire against bulletproof glass at the desk officer apparently hoping to be shot by police in a suicide attempt. She was subdued with a less lethal weapon with no further injury.

Benson, Arizona police arrested 47-year-old William Stephen Bagger accused of setting off a small homemade explosive outside the department, possibly as retaliation for a recent arrest.

An Oakland, CA police sergeant in the Internal Affairs division drove up to City Hall to begin his shift when a man with a pistol began shooting at the officer, who returned fire, killing the shooter.

Alarming, all of these attacks occurred in 2023 alone. The riots sparked by the death of George Floyd in 2020 saw attacks on police stations around the country. In Aurora, Colorado, rioters chained exits to a police station, trapping officers inside for seven hours. Later, incendiary materials were found indicating a plot to set fire to the building with the officers unable to escape. When assisting officers were removing the chains and ropes to free the trapped officers, rioters fired mortar-style fireworks and attempted to assault the escaping officers with fireworks and discharging fire extinguisher chemicals.

In Oregon, the police and adjoining buildings were boarded and fire-charred in Portland from agitators among protestors. In Minneapolis, rioters forced the abandonment of a district station that was subsequently destroyed by arson.

It would be nice to be able to saunter into the neighborhood station and chat with the friendly, gray-headed desk sergeant. But those days are gone.

California wants to decrease officer safety by banning K9s from arrests and crowd control

In Birmingham, Alabama, sixty years ago, Eugene Connor, known by his nickname "Bull", was in charge of the city's police and fire department. These were intense days throughout the south as acts of civil disobedience were being organized and carried out. Bull Connor, an avowed segregationist who closed the city's parks rather than obey a court order to allow blacks to use them, notoriously used police dogs and fire hoses to quell any uprising.

Those snarling, snapping dogs are embedded in the imagery of the civil rights movement of the 1960s. The iconic photos of Selma, Birmingham, Chicago, Watts, and other marches and riots include helmeted police officers with nightsticks in the air and tear gas rolling from the pavement. Those are images that history should not forget as a reminder of the progress we have made.

In large part due to those images policing in America drew the attention of politicians on the federal level. The 1960s were not far from the era of the Great Depression, during which time the federal government stepped in to intervene in daily life not seen since the Civil War (and the 1930s were not so far removed from the Civil War era). The role of the federal government was tested in the courts and many programs were determined to overstep the bounds of the Constitution.

In post-WW2 America, the black experience included fighting in segregated military units only to come home to find that the freedoms for which they fought, and the prosperity of a nation with newly flexed

international muscle and pent-up economic energy, were out of reach. With little generational wealth and widespread government-enforced separation from whites in housing and public accommodation, the call for civil rights became a major political movement.

Even though the 14th Amendment mandated that all rights afforded under the Constitution and federal law applied to state and local governments as well, the application and enforcement of the 14th Amendment was not widely applied to matters beyond slavery until the 1960s. Until then, the 10th Amendment regarding states' rights ruled. This meant that local law enforcement was of little concern to federal courts and Congress.

As white political and economic rule was threatened by activists demanding equal treatment, disturbances percolated and erupted at a time when the Vietnam War was also being called into question. The citizenry could not consider these movements in the casual reading of newspaper reports days or weeks after major events as they had for the first 180 years of nationhood, but was confronted by them every night on the news now that 90% of Americans had a television as the focus of family life. Never before had war and riots been displayed so vividly or so frequently.

All of these images have been regurgitated by anti-police politicians in California who are attempting to ban K9 use in arrests and crowd control. This misguided use of history is a frequent tool of those who desire the elimination of law enforcement. The civil rights era brought about the 1967 President's Commission on Law Enforcement and Administration of Justice resulting in the seminal report *The Challenge of Crime in a Free Society*. The report made monumental suggestions for the reorganization of policing, reforming juvenile justice, and increasing education and training for police officers. The result was the Omnibus Crime Control and

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Safe Streets Act of 1968 which, in part, authorized massive funding for state and local policing.

The major gains in professionalism, training, education, and technology that have been achieved over the past half-century are worthy of celebration. There is no doubt that the job of perfecting our justice system is far from over. There is no doubt that equal treatment of all citizens has yet to be obtained. But if we continue to focus on the stains of history, we may be doomed to live in those failures with no hope for the future. Where police operations need improvement we must improve, but punishing today's police officers for the sins of their grandfathers is no way to build a more just society.

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As a walking piece of police history, I remember the days when my duty belt consisted of my Colt .38, a pair of handcuffs, some tear gas, and a baton ring. How things have changed! I also added wrestlers' knee pads for doing CPR while kneeling on broken glass, and an athletic cup for unfair street fights and more confidence when jumping fences.

My rural deputy friends look like a one-man band bristling with accessories on their tactical vest. One thing I learned about equipment is that if it is not accessible when you need it, it might as well not be there. That's why I started carrying a flashlight even during the day (after searching for a fugitive on the day shift in dark basements and sheds) and started wearing my baton all the time instead of tucked beside the seat in the patrol car. It was way too far away from the upper floor of the bar where the fight was going on to run and retrieve!

But the deputy simply has too many tools to be relegated to a belt. I admit that as my career advanced, so did my waistline and my belt space, but today's officers are ornamented like a Christmas tree. When I was a public relations officer, I often took audiences on a tour of my equipment belt. That could take much longer nowadays.

Let's take a look. On the uniform epaulet may be attached a shoulder mic for the radio, a rank insignia, a second cell phone (using a personal cell for police business subjects it to seizure as evidence), and possibly placement of a body-worn camera. In addition to the shoulder mic, many officers have an earpiece fitted to one ear. The earpiece prevents citizens from being distracted by radio traffic, allows the officer to focus away from the noise that is often present at incident scenes, and keeps a

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suspect from knowing that the officer just got confirmation from dispatch that an arrest warrant exists.

Most body-worn cameras are located in the center of the chest. Some are even connected to the duty weapon holster so that they are activated automatically if the gun is drawn. Some Taser models have had built-in cameras during Taser use as well. The wiring for these devices is part of the tedious task of putting on the modern uniform layers of undergarment, ballistics vest, uniform shirt, and load-bearing vest.

For the outer vest – which may be of ballistic material (I use that term rather than bullet-proof vest because none of them really are bullet-proof) or just a vest with pockets – the deputy needs a place for their Taser or other electrical conductivity weapon (ECW), holders for multiple ammunition magazines for both handgun and patrol rifle, a trauma first aid kit for immediate attention to gunshot or other major bleeding wounds, an extra ECW cartridge or two, perhaps the radio, multiple sets of protective gloves, a second set of handcuffs as well as flexible handcuffs, collapsible baton, mini-flashlight, pepper spray, and maybe even a canteen and an energy snack.

The equipment belt is still built for utility and may hold the duty firearm and other items. The multi-pocketed pants that officers wear can hold anything from their reflective vest for accident scenes to extra radio batteries. A multi-use tool with a knife blade that includes a seat-belt cutter and window break tool, along with the Swiss Army knife-type collection of little helpers comes in handy. Many officers also carry a backup weapon somewhere on their person in case their primary weapon malfunctions or is taken from them. They also need room for additional writing instruments, a notebook, a dental mirror for checking around corners, and

other items of personal preference.

Deputies and troopers may be far from assistance and drawn into rescues and pursuits that take them far from the supplies that are in their patrol vehicles. Many will look at the combat-ready police officer and assume that the tactical vest is a product of ego or paranoia, missing the reality that this well-equipped officer is ready for any emergency they are likely to face and often to face alone.

Uniforms: Function or Theater?

The Montgomery County, Maryland police recently announced that they are exploring a “lighter” uniform look that is less intimidating. A notable experiment in Lakewood, Colorado put their officers in sportscoats rather than the traditional uniforms. They returned to the uniforms when they discovered that the public wanted their police to look like police. Uniform controversies are not new.

Given the legacy of oppressive redcoats at the dawn of the United States, the founders wanted no part of the royal military in their new government. There was even debate about whether there should be a standing army. A few federal agencies were early in their inception including the U.S. Marshals and the Secret Service. The FBI evolved from an unarmed investigative force much later in our history. Uniforms for law enforcement were not standard or even expected.

Local law enforcement was vested in the elected sheriff, with municipal town watchmen eventually becoming formed into paid police. As seen on television westerns, the only mark of most lawmen was some kind of badge hanging from their shirt or vest. In various shapes, the badge has an ancient history of being associated with loyalty and even magical power. The oval badge is often called a shield, as a miniature representation of the ancient soldier’s shields before the days of modern ballistics, and representing the force of arms of a tribe or nation.

Uniforms became more acceptable after the Civil War where virtually every male in the country had served in one. With the increase in larger metropolitan police forces like New York City and Boston, Massachusetts, uniforms became standard as a way of identifying them in a crowd, aided

by distinctive headgear. Since there was no national police force and no affiliation with the military (contrary to most countries), each agency selects its own appearance.

The value of wearing a uniform is in its utility. It serves to be a clear indicator of the wearer's identity and authority. Beyond that, an officer needs immediate access to certain equipment. They also need protection from the elements and risks of the job. From the simple shirt, pants, shiny shoes, and equipment belt has evolved more complex solutions for the officer's daily job. This is especially true for law officers working in remote areas.

Whereas the equipment on the belt was once a pair of handcuffs, a holstered sidearm, maybe a baton ring, and some ammo pouches, today's uniform must accommodate body camera equipment, a Taser, multiple rounds of ammunition, a tourniquet, expandable baton, latex glove pouch, high-intensity flashlight, and radio. Rugged boots suitable for walking around in broken glass, muddy fields, and burned-out structures often replace the spit-shiny oxfords. Add a ballistics vest and we have the officer carrying 30 pounds or more on their body just to go to work.

Adoption of modified battle dress uniform (BDU) to a civilian police design has given officers more utility with space for equipment and ruggedness for duty. We might like the sharp military inspection ready look, but officers are often off the concrete and asphalt and into harsh environments where dressing in your Sunday best is impractical. Few citizens noticed the change from the gold-stripped polyester dress pants to the more user- friendly police BDU.

If a police officer's uniform looks "intimidating", that may be unavoidable and not necessarily undesirable. They aren't there to deliver pizza, they

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are present to deal with any sudden disturbance or act of violence. Recent research has shown that there are health benefits to load-bearing vests, like those worn formerly only by SWAT members. Police officers have notoriously frequent back problems from sitting against equipment pouches pressed against their lower back when seated. Allowing load-bearing vests that can not only prevent chronic injury but also allow an officer to carry more vital equipment should outweigh any public relations problems. The public, which has shown over and over that they want and appreciate quality policing, can be informed and educated about the utility and benefits of any uniform change.

No one objects to a firefighter in bunker gear, a surgeon in scrubs, or a builder with a helmet and tool belt. A police officer deserves to have a uniform that is practical and safe.

What's All That Stuff?

One of the things I did, to most kids' delight, when I was "Officer Friendly" visiting schools, was to give them a tour of my "batbelt". Even today, as a School Safety Officer, the question "What is all that stuff" is common.

As a walking piece of history, I can tell you that there is more to carry now than ever. When I started, I carried a revolver and ammo, a nightstick, a flashlight, some Mace, a radio, and a set of handcuffs. Those are still the essentials, but if you've noticed more cops wearing vests with more things hanging than a Christmas tree, you know there is more to carry.

Let's start with the sidearm. My revolver held six rounds. In my double ammo pouch, I had an additional dozen bullets. To reload, I had to dump the loose rounds in my hand, eject the spent shells from the cylinder of my Colt Police Positive, and load each round. Under pressure, that is not an easy task. Before transitioning to a semi-automatic over a decade later, I acquired Speed Strips™ that held the cartridges in a row, and allowed loading two at a time. Then I used the Speed Loader™, a cylinder that held all six cartridges that could be injected into the revolver cylinder, but were bulky on the belt.

Transitioning to my Glock semi-automatic sidearm, I now had 18 rounds in the magazine and carried two spares with 17 rounds each. I went from having 18 available rounds with two reloads to 52 rounds. While most gunfights are resolved with just a few rounds, there are situations where more ammunition might be called for, especially in jurisdictions where assistance may be scarce. Therefore, many officers carry a second concealed weapon, or more than two "spare" magazines.

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I replaced the old CN (Chloroacetophenone, known as tear gas) chemical spray (brand name Mace) after FBI tests confirmed the efficacy of OC spray – the OC stands for Oleoresin Capsicum. The tear gas formula relied on flakes suspended in a liquid. Sprayed near the eyes it causes irritation, blurred vision, pain, and breathing strain, hopefully disabling an attacker soon enough to keep them from doing harm. The challenge with CN is that it takes a little time to have an effect, and the flakes often contaminate the officer as well. OC's effect is more immediate and sticks to the other person better than CN, reducing, but not eliminating cross-contamination.

My nightstick was my old Army MP wooden billy club until I started carrying the legendary PR24™ side handle baton, and then to a collapsible straight baton that was much easier to carry on my equipment belt. The PR24, in the hands of one properly trained, is a very effective tool for restraint and, when necessary, as an impact weapon. After its use in the Rodney King arrest in 1991 that was caught on video and replayed repeatedly, many agencies stopped carrying it as it was unfortunately associated with brutality.

Handcuffs haven't changed much, but the addition of plastic zip-tie restraints allows officers to carry multiple sets of restraints tucked inside their equipment belts.

These devices have a metal strip that reinforces them more than the zip ties available at the neighborhood hardware store.

From the thick "bulletproof" vest that was kept in the trunk of the patrol car, I was supplied with the more modern, thinner, and more flexible

ballistics vest that was suitable for daily wear. During the years that I was a part-time officer and a little more aware of my age and fragility, I added an athletic cup and wrestler's knee pads to my protective gear for vaulting over fences and kneeling on pavement.

Modern officers have added tourniquets and bleeding control packs, the now ubiquitous body-worn cameras, cell phones – personal and agency, and their electronic control weapon (usually TASER™) along with other miscellaneous gear choices. The load-bearing vest, which had been used only by tactical teams, has been proven to have back health benefits in addition to their capacity for more gear. Add to that the more common use of so-called tactical pants with their many cargo pockets, and today's officer will have almost everything they need without humping back to their patrol unit for equipment.

The extra 30-40 pounds of protective and response gear may be a literal burden to carry, but for the citizens needing assistance, they're happy to have what they need at the moment they need it.

Mayor Shocked that Law Enforcement Agency Had Rifles

A subtle subset of the defund the police movement is efforts to defang the police by reducing the types of weapons available to them. During a recent decommissioning of a park police program in Chicago Heights, a suburb of Chicago, Mayor David Gonzalez shocked to find rifles in law enforcement agency's inventory. "They're meant for, I believe, military. I don't see any reason why a part time park district officer would need that type of arsenal."

First of all, Your Honor, we don't have to do much math to compare the crime rate in your suburb of Chicago to Chicago's crime rate. They are a very close match. And considering the violent crime rate, whose perpetrators don't care about city limit signs or whether their victims are in the park or on the street, you can hardly blame even a small, part-time agency for wanting the proper equipment.

Secondly, there are thousands of different communities with different needs where law enforcement is desired. The list of specialty agencies is long including school and university police, hospital police, transit police, and policing in recreation areas. While traditional municipal police may be considered "regular" cops, they don't get all the bad actors. Some of these specialty locations are uniquely attractive to criminals and pose threats to any citizen protected by any police officer regardless of their badge or uniform color.

Thirdly, access to a rifle is not an extravagance for a police officer. The unique places for basic patrol weapons, including the duty weapon, a

shotgun, and a rifle, are for versatility in responding to a threat. While most officer-involved shootings, as well as most homicides, the handgun is the weapon of choice and immediate availability. Handguns are limited in at least two ways. One is their accuracy, which suffers significantly as the distance to the target increases. The other is their effective range. The popular police sidearm Glock using a 9mm cartridge has, for example, an effective range of under 60 yards. It can certainly be lethal at much longer distances, but relying on the ability to stop a deadly threat at even half that distance is tenuous.

Despite popular misconceptions, the most used rifle type is the AR-15 which is not a machine gun. It fires one bullet with each independent trigger pull.

While most officer-involved shootings happen at distances of less than 30 feet, there are deadly adversaries putting the public at risk well beyond that distance from responding officers. Offenders using rifles can easily outdistance officers with only handguns, a particular concern with active shooters where officers must move in as soon as possible to stop the threat. Suicide bombers must be dealt with from a distance. An offender using body armor can withstand typical handgun ammunition but will be much more vulnerable to a rifle round. Safely detonating a suspected explosive device may require a distant round from a rifle as well.

The needs of law enforcement are defined by the threats that they must face in order to protect the public from violent attacks. The use of rifles for patrol officers, rather than just special units like SWAT, came about as offenders began using rifles in their criminal activities. Notably, the event known as the 1997 North Hollywood shootout was a tipping point in providing rifles in addition to the shotguns long provided as an accessory

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in patrol cars. When 2 robbers with modified rifles and homemade body armor were caught exiting a bank robbery, they exchanged gunfire with arriving officers. Because responding officers had only their handguns and shotguns the gunfight extended for nearly a half- hour with an estimated 2,000 rounds being exchanged and a dozen officers injured. In addition to the arrival of SWAT with A-15, other officers had hastily obtained heavy rifles from a nearby sporting goods store.

Patrol rifles are now a standard issue in many police departments, carried either inside the cruiser in a secure rack or in the trunk. While visibly mounted rifles and shotguns upset some tender eyes, the accessibility to the officer and security of the weapons are the primary concern for their use. No officer should be denied a reasonable weapon where the possibility of its availability could mean life or death for themselves and the public they protect.

Law Enforcement Needs Rescue and Response Tools – Don't Call It "Militarization"

Soldiers wear helmets. Does that mean that police officers should not? So do carpenters and motorcycle riders. The purpose is to protect the head from injury. In case no one noticed, police officers on the front lines of this season of protest have been the target of bricks, bottles of frozen liquid, and a variety of home-made missiles. Should firefighters run bareheaded into unsafe structures to avoid looking intimidating?

Soldiers carry rifles. Does that mean that police officers should not? Before the news was full of protests, it was full of stories about mass casualty shootings at schools, workplaces, and public places. Given the relative short-range effectiveness of handguns, shouldn't the police have at least the level of weapons wielded by those who would destroy dozens of lives using rifles? Weren't there rifles seized from lawbreakers in the violent outbreaks of the last year? Very few select law enforcement units carry fully automatic weapons. What makes a rifle look scary doesn't make it a machine gun.

Soldiers ride into hostile territory protected inside armored vehicles. Does that mean that police officers should be deprived of vehicles that are able to enter into areas where active gunfire is occurring or likely to occur in order to be deployed and, more importantly, to rescue the injured? Issued a challenge to anyone who could prove that any of these civilian law enforcement vehicles was configured with an automatic weapon, there was no one able to collect on the offer. Rescue vehicles are available for entry into high water areas as well as being a barrier for armed attacks against citizens and police officers engaged in their essential duties.

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Should police officers stand between protestors and targets of violence with no shields to prevent being disabled by caustic chemicals and objects launched against them? Should they have no protection for their knees, shins, and eyes? Agencies are criticized for the aggressive look of this protective gear if things remain peaceful. They are blamed for the protests that turn violent for provoking civilians with their protective gear. And they are condemned for not standing at the steps of the Capitol wearing their protective gear to prevent the very thing that happened.

Should tear gas be banned for crowd management? Tear gas is not an offensive weapon intended to harm or punish. It is used to protect space and to redirect crowds. In a well prepared and trained crowd management operation, it is used to protect vulnerable areas without injury to lawful protestors. Its effects are temporary and preceded by warnings to those who want to be out of the area when deployed.

When professional agitators and insurgents are a known component of violent action during peaceful protests, should law enforcement be prohibited from using video surveillance of the crowds to hold the true lawbreakers accountable at the same time they are mandated to wear body cameras to hold their own behavior accountable?

No one should question the need for careful review of law enforcement's response to civil unrest. Long before the call for police reform, this has been standard practice both internally and externally. The purpose of these after-action analyses is to examine the effectiveness and appropriateness of the tools and tactics involved. Mere Monday morning quarterbacking to place blame and impose punishment will not do. An objective examination of every event, whether violent or entirely peaceful, can reduce errors and injury. Whether that can happen in today's

superheated political environment where success is never recognized, and finding fault to lay at the feet of a particular political party or group is the goal, remains to be seen. Whether these data-informed examinations can take place before unnecessary and knee-jerk legislation is passed is unlikely. Whether there are enough people, policymakers, and leaders willing to listen to rational analysis is another unknown.

Taking useful tools from those who need them to accomplish their lawfully mandated mission can only lead to failure.

Why Police Prefer the TASER over Stun Guns

When the headline talks about police using a “stun gun”, you know the reporter doesn’t know much about the subject. While there are stunning devices on the market for both private and law enforcement use, the differences between a stun gun and a TASER used by law enforcement are significant.

The TASER device was patented in 1974 but didn’t become popular with law enforcement until the early 2000s. There are other manufacturers of similar products, but the TASER brand is so ubiquitous that it has practically become the generic label for all devices that use an electrical shock to control behavior. To include all makers the term electronic control weapon (ECWs) or conducted energy devices (ECDs). It is important to know that ECWs do not electrocute people, but uses voltage to cause muscles to seize up without serious after effects other than injuries that might be sustained from falling after immobilized.

TASER devices used by law enforcement do their job when the operator pulls the trigger. This activates a nitrogen cartridge that propels two barbed probes attached to wires toward the target. The barbs remain attached to the ECW and spread slightly away from one another. When contact is made with the target, a 5- second cycle of 50,000 volts locks interferes with the nervous system in such a way that locks the muscles of the body into immobility. While the target experiences pain with the shock, the pain is not the primary reason for ECW use. The main purpose is to immobilize the person long enough to get them into restraints. The length of the wires trailing the barbed probes varies from fifteen to thirty feet. This allows the officer to maintain some distance from the target.

Stun guns typically have two probes that may or may not be sharp to add additional defensive authority since these devices must be pressed onto the target and make full contact. The voltage may or may not immobilize the target and rely mostly on the pain and psychological shock of the stun gun to cause them to retreat. Stun guns have fixed probes and unlike the law enforcement ECWs, those probes do not spread. Probe distance is essential in ECWs in order to complete the electrical circuit for the voltage to have an effect. Lacking this, the stun gun cannot reliably cause immobilization.

Stun guns must back solid and sustained contact with the target to have an effect. This can be difficult if the user is engaged in a fight with an attacker. A sharp movement by the attacker can thwart its use. Like the TASER, some stun gun devices have a laser light sight to create the sniper effect of a red dot on an adversary that may cause them to flee. Stun guns can also be triggered to create an imposing mini-lightening bolt to arc across the probes that is very intimidating.

Law enforcement ECWs can also arc, but, on most models, only if the cartridge that contains the probes are removed or already discharged. The laser light on the ECW can be used as a warning to “paint” the target and often brings compliance from the mere thought of being “tased”.

ECWs can fail if the probes do not penetrate heavy clothing, don't achieve an adequate spread, or if one of the probes fails to make contact. A highly active arrestee can prevent the probes from making their target. An officer can manually attach a new cartridge or use the exposed conductors of the ECW for a contact shock, known as a drive stun, to either complete the circuit when one probe has engaged or as a pain compliance technique accompanied by verbal commands.

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Once attached, the probes can be activated for additional 5-second cycles up to department policy limits or it become obvious that the cycles are not causing compliance.

ECWs are not a substitute for deadly force. If confronted with a deadly weapon by an assailant, an officer should not rely on the ECW, but engage their firearms. If there is time and adequate backup with available deadly force, an officer may attempt to deploy an ECW knowing that if the device fails other officers can engage the armed assailant.

ECWs are very safe based on a multitude of studies. Although in custody deaths after ECW deployment have been recorded, complicating factors like drug use are the true cause. Many tests and studies have shown that there is little to no risk of the heart being stopped or harmed by ECW use. ECWs have proven to reduce death and injury to both officers and offenders compared to other restraint strategies. The ability to immobilize a person resisting arrest laying hands-on is a major factor in the safety of these devices.

The public can be assured that good training and clear policy prevents overuse or misuse of ECW technology for safer policing to officers and arrestees.

Sunglasses and Stern Expressions

We all know the image of the trooper peering in the driver's side window asking for license and registration. The stereotype is the officer leaning from the doorpost wearing mirrored sunglasses, no hint of joy in his heart, and a cop mustache. It may not be far from reality and there is a good reason for it. Well, maybe not the mustache, but the sunglasses and straight face.

The interaction between a nervous driver and a cautious cop is a mix of body language, microexpressions, sensory inputs, emotions, vocal tone, and expectations. It is the officer's responsibility to manage all of that to the best of their ability.

So why the stern expression? Just as words communicate, so do body movements, especially facial expressions. Humans have a set of mental templates that help them define situations so they can mold their own behavior accordingly. When a driver, as well as passengers, see an approaching officer the neurons that fire in the brain are likely to be centered on the fear response. Even after years of being the one peering into the driver's side window, I still feel that way when I get pulled over. We all associate flashing red and blue lights with some kind of emergency unless they are Christmas decorations. We see an armed government agent walking toward our car and begin calculating what is wrong. A taillight out? Do we match the description of a fleeing felon? Expired tags? Did we miss that speed limit change or stop sign? The average brain is not going to be filled with good and comforting thoughts.

If the driver then encounters a smiling, gregarious, officer with a smile on his or her face what happens to the brain processing this image that is

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contrary to expectations? There will be cognitive dissonance, a period of mental puzzlement when reality conflicts with expectations. This is accompanied by tension as the brain tries to sort things out. Why is the trooper grinning? Why are they happy? This feeling that something isn't right can create much more volatile emotions than just the normal fear factor. This is a good reason for an officer to have a neutral, professional approach, and ditch the good 'ol boy howdy grin.

On the officer's side, a smile creates a bit of biochemistry that is inconsistent with the necessary alertness that police officers must maintain. Even if the officer wants to tell the motorist of a low tire or no tail lights as a safety courtesy, they know that officers have been attacked and killed on even the most benign of circumstances. Escapees, felons, and drug transporters can have a flat tire or run out of gas, so even the public service of assisting a motorist can turn deadly.

Experiments show that clenching a pencil in one's teeth simulates the muscle movement of smiling. Even these forced movements create feelings of happiness. Therapeutically, smiling regardless of one's feelings at the moment has the effect of tricking the brain into feeling happier. That's great if you're having a bad day. Not so great if you are approaching someone who might possibly want to do you harm. An officer's smile can delay recognizing and responding to a threat.

Although avoiding mirrored lenses and removing sunglasses after the initial contact is best for community relations, sunglasses have tactical value. They can help by keeping a driver and passengers from seeing the officer scanning the vehicle for weapons, contraband, and signs that it may be stolen. Just as a suspect's glance at an officer's weapon is a classic sign of impending attack, an officer's attention to some incriminating

evidence in the vehicle may tip off a suspect who would then be tempted to fight or flee. Better to keep them guessing. Changes in lighting can be mitigated by sunglasses. Going from daylight to the interior of a vehicle can take critical moments for the eye to adjust. Those moments can be critical in recognizing and responding to a threat. Although conventional sunglasses don't protect against a laser pointer that might be used to temporarily blind or distract an officer, it may cause a potential harmer to abandon the tactic. There are special glasses that appear to be normal sunglasses but do provide laser protection. Glasses of any kind can present some defense against a cigarette butt or a liquid tossed toward an officer's eyes.

The motorist who is tempted to think that an officer is just trying to be a cool super trooper with their sunglasses and stern face, the greater probability is that the officer is just trying to remain professional and alive. As for the mustache....

The Patrol Officer's Office – the Police Car

As I review law enforcement news daily I am reminded of the role of the police car in the lives of officers working the streets of America. Just as the steeds of the cavalryman of old were essential to the troopers of the day, so are the glass and metal cages surrounding our troopers today.

That advent of the police car over foot and horse patrol meant faster response times and more area covered to keep eyes on the beat. It also meant officers zipping by their public rather than sauntering along with conversations along the way. Many officers are encouraged to park their cars and walk the streets from time to time, but the problem of finding time to do that in the press of calls, reports, and investigations is often a challenge.

Cars aren't just for the purpose of getting from one place to another speedily. If that were the case then the bold markings wouldn't be necessary. The public wants to know that the police are around, and to be able to identify them. Thus, police departments spend time choosing and designing the logos to mark their cars. Some states have laws that requires that police cars be marked, because as much as we want to be able to recognized the police, we don't like the idea of them sneaking around too much, either!

From muscle cars with a police package to today's SUV and crossovers, patrol cars change with the times. The gas shortage of the 1970s made auto makers switch to fuel efficient cars before the technology to have both power and efficiency coexist. Officers in that period went from big engines to 4 cylinder Ford Fairmonts that seemed like part of the Matchbox toy car collection compared to the Plymouth Fury of just a year

or two earlier. From the LTD to the LTD II, to the Dodge Diplomat to the upside down bathtub Chevrolet of the 90s, to the ubiquitous Crown Vic, every veteran cop had their favorite ride. The Dodge Charger and Ford intercept, along with Chevy's Tahoe, dominated the last decade. Along the way, agencies needing speed enforcement vehicles opted for Mustangs or Camaros to keep pursuits winnable on the interstates.

Specialty vehicles such as pickup trucks for rural and wildlife officers, or vans for crime scene or prisoner transport are also typical fleet purchases that have advantages and disadvantages. Purchasing, equipping, and maintaining police fleets is an expensive operational cost to police agencies. Allowing fleets to age past their safe, useful life, is a short-sighted cost savings that endangers officers and the public. Smaller agencies often buy used patrol cars from larger agencies whose fleet management plan calls for rotating their rolling stock based on mileage. An agency that retires cars at between 50,000 and 100,000 miles can be a boon to smaller agencies who can squeeze a few more thousand miles from a used car with a good service record if not pushed too far.

The patrol car is a vulnerable place for police officers. While it is their office, it can also be their coffin. Few police cars have much ballistics protection. Thinner metals don't allow doors to be much protection against bullets, and only specialized vehicles have glass that is rated for stopping projectiles. The amount of equipment and electronics does not allow for especially quick exits when under attack while offering little protection beyond the engine block.

Assailants understand the vulnerability of the police officer in their car. Doing reports behind the wheel while parked is a good way to stay visible to the public, it is also a good way to be a sitting target for an ambush. Officers have been ambushed while on car stops, while at stop signs,

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while arriving on the scene of a crime in progress, or on stationary observation.

Spending a shift in a patrol car increases the odds of being in an accident. The number of officers killed or suffering debilitating injury from being slammed into, swept away in floodwaters, intentionally rammed, or crashing during adverse conditions is greater than the number of officers getting shot.

A citizen approaching an officer in their police car can expect to be eyed with caution. Pulling up beside a police car should be avoided, as an alert officer will feel confined and vulnerable even by the friendliest citizen. Don't be surprised or offended if the officer wants to move to a different spot and get out of their car to visit with you. No officer wants to be trapped in their office, even if it has wheels.

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Business Relies on Quality Policing

Dateline Portland, August 2021: “Portland business owners frustrated by vandalism, property crime as police say they lack resources” A reporter for Fox 12 news in Portland quotes a Portland Police Bureau lieutenant lamenting that PPB officers barely have time to respond to crimes against persons, and rarely have time to investigate property crimes. Reporter Audrey Weil investigated concerns about the lack of police response to criminal activity that is costing businesses in both property repairs and lost customers who may fear going out at night. When Weil related to the lieutenant that business owners are frustrated that vandals are getting away with their crimes, the official said the police are frustrated about it, too.

One business owner, whose restaurant window was shattered by an angry customer, spent an hour and a half trying to get through to the police on their non-emergency number. She also showed the reporter a surveillance video of a man smashing a car window with a skateboard. Getting something smashed used to be unusual, she said, and now it's almost a daily occurrence.

Lt. Greg Pashley is quoted in Weil's report as asking citizens to continue to report property crimes in order to show the need for increased staffing and funding. Pashley recognizes that a loss of trust in the police can result in persons giving up on reporting crime, resulting in a false statistical picture showing a decrease in crime. Crime statistics are almost entirely comprised of crimes reported to the police, so the “shadow” crime rate can be much higher in areas where citizens lose faith in law enforcement.

Dateline Minneapolis, August 2021: Business owner Ken Sherman says “This city is run by gangs. The only thing a bad guy is afraid of is a

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badder guy.” Sherman was interviewed by a local business oriented publication Twin Cities Business reporter Adam Platt. Sherman has run several successful businesses in the region for decades. He had already sold property in areas of town where he was losing employees who were simply afraid to be in the parking lots to get to and from work. Even sensing that the downtown area was moving in that sad direction, he invested in a restaurant. After George Floyd’s death, things got worse with the absence of police presence. Even off duty police hired as security would do little to intervene. Sherman now employs his own security detail. When people say they should call the cops, the answer is “what cops?”

Dateline Aurora, CO, July 2021: “‘It’s very worrying’: Aurora business owners concerned with rising violent crime.” Fox31 news reporter Vicente Arenas spoke with caterer Dan Maranya, who stated that “It’s tremendously concerning. It’s very worrying .I started a new business this year, and we regularly visit some of these places that have really bad violence” including a murder in the parking lot of one of their grocery suppliers. Aurora Mayor Mike Coffman is quoted as attributing the crime problem to Aurora police in this Denver area city. Aurora police have been criticized over several high profile incidents.

Dateline San Francisco, July 2021: San Francisco’s Organized Shoplifting Surge Prompts Target to Cut Operating Hours. A change in California law and prosecutorial attitudes has resulted not only in Target’s retail operation closing down before dark in San Francisco, but major changes in operation by Walgreens as well. Other retailers are closing their stores completely, or simply moving out of California.

The bottom line to all of these stories, which are just the tip of the iceberg from similar events all over the country, is that property crime matters.

When the FBI statistics are released every year the headlines are all about the most serious offenses. These are known as Part 1 crimes and include murder, aggravated assault, sexual assault, robbery, burglary, larceny, arson, and motor vehicle theft. Part 2 crimes garner fewer headlines and include lesser violent crimes and a host of other misdemeanors, including the property crimes noted in this article's accounts.

Property crime affects consumers, homeowners, and businesses. The cost of goods increases with business losses and increased insurance costs. Offenders are emboldened and increase the frequency and severity of their crimes. Many property offenders are violent offenders also. Solving property crime often solves violent crime, which means that property crime that goes without a police response or reasonable investigation is a lost opportunity to stop violence. Politicians and activists who impede law enforcement by resistance, punishment, and cutting off funds are hurting businesses and individuals, and not just their wallets.

Can Local Law Enforcement Prevent Another 9-11?

CNN analyst Philip Mudd was working for the CIA and assigned to the White House when hijacked commercial airliners were driven from the sky into American's minds forever. Watching as the reports unfolded, Mudd remembers his observation repeated by almost every American: "I knew the world would change".

Eventually moving from the CIA to the FBI as an analyst, he noted the difference between dealing with foreign suspects and domestic. Although never in local law enforcement, he recognizes the critical role they play in preventing violence. Speaking to the International Association of Chiefs of Police, Mudd is most worried about "a thousand tiny fires" from self-inspired home grown extremists bent on violence against American institutions.

Mudd learned in thousands of daily briefings that there was a transition from the threat of Al Qaeda and ISIS, that as those groups weakened, there was a rise of homegrown threats of violence from individuals radicalized through social media. Ethical and legal questions arise in gathering information about with whom an individual associates and what they say they espouse. Mudd reminded his audience that it is not illegal to be an extremist or radical. What matters is behavior that indicates a plan to use violence.

He reiterated the need to abide by the slogan "see something, say something" in gathering information about potential attacks. Officers and investigators need to see if financing is realistically available for an attack, whether there is access to weaponry to carry out an attack, and what means of communication is being used. Understanding the

communication patterns can uncover any network of persons who are plotting violence.

Mudd used the analogy of cutting off the arm of a starfish compared to destroying a spider web. The starfish will grow a new arm, a destroyed web leaves nothing. As an example, he stated that although getting Bin Laden was important, the real success was in identifying the network and dismantling it. The same is true for drug cartels and gangs, except terrorism is driven by idealism from the top down.

The home grown terrorist stereotyped by the loner clacking away on the internet in the basement will have an emotional attachment to a movement, whereas members of a terrorist group are motivated by idealism and can articulate why they believe what they do that motivates them. The home-grown potential attacker won't be able to clearly explain their beliefs, only that they have the right or obligation to use violence to "take back the country".

In line with the priority to be concerned about behavior rather than speech or group memberships, Mudd advises law enforcement, parents, and school officials to watch for behavior changes in a young persons speech, changes in friends, changes in the way they dress, and increased isolation. Getting small bits of information over time is as important as getting the name of a ringleader. Like a kaleidoscope, Mudd said by way of metaphor, the picture comes into focus not so much from the big pieces of information but the small grains of sand.

Imminent threats that come to light must obviously be a priority in fighting terror threat. Finding out where operational, rather than ideological, leadership is will better enable law enforcement to intercept a threat. The goal is to stop people from engaging in violent behavior. The message

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law enforcement must send to the public and political leadership is that their efforts are to stop violent acts, not suppressing adverse political opinion and free speech. Political leaders must be guiding the law enforcement efforts with clear messages of expectation.

Messages from political leaders, Mudd passionately emphasized, is as important as anything in preventing violence. The message should be loud and frequent that violence is not acceptable in a democracy that ensures the right to vote, speak out, and run for public office. He hopes that young people are inspired to citizenship, but fears a lack of consistent ennobling rhetoric from leadership. A plot can be crushed quickly but changing the narrative that people are hearing takes much longer. He worries about messaging that says violence is acceptable.

A message I heard is that the message from political and social leadership to prevent violent uprisings and attacks must be that violence against the government is not acceptable as the first means of making change. Those who speak against law enforcement, and those who damage law and order by silence or damning by faint praise, are perpetuating the sparks for a thousand tiny fires.

Other Duties as Assigned

Rescuing animals in distress is for animal control. Running into burning buildings is for the fire service. Emergency medical services render aid to the injured. Social workers deal with mental health crises. Jumping into the water is for rescue divers. Even with these vital specialties, the reality is that a police officer is the first one on the scene of trouble in matters beyond the duty to prevent crime and apprehend criminals.

Here are a few recent examples of officers going above and beyond to serve.

In Lawrence, Kansas a man was poised to jump off a bridge over the Kansas River to his intended death. A Lawrence police officer, keeping his distance as promised to the man, kept a compassionate conversation going until a second officer was able to pull the man back from the brink.

In Wisconsin, a bobcat didn't quite make it across the road when hit by a vehicle. The frightened cat was not killed but got caught up inside the grill of the car. Portage County Sheriff's deputies were called and requested assistance from a conservation warden. The cat hissed and swatted at the officer but was eventually freed for observation, then returned to the wild.

An Anne Arundel County police officer was driving through a residential neighborhood in Pasadena, Maryland when he spotted flames and smoke coming from a residence. He pounded on the door and yelled for the occupants. The homeowner and his dogs were able to get out safely as the flames engulfed the home. In San Antonio officers broke down an apartment door as a fire raced through the complex to rescue a man still inside. The man suffered from smoke inhalation and was treated at the

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scene.

In Dallas, TX an officer was waiting in the drive-through lane at a McDonald's when he was approached by a frantic woman asking for medical help for her child. The officer rushed over to the child and found the child unresponsive and not breathing. The officer began rescue efforts and was able to get the child's breathing restored. The child was hospitalized for observation but suffered no known health issues from the event.

Alligator sightings in Florida are not unusual, but when a nine-foot gator roamed the streets of Tampa during mating season, several callers notified the police. By the time of their arrival, the creature was angry, growling, and whipping its tail. Officers managed to rope the gator, then one sat on it and the other grabbed its head and sealed its mouth with duct tape, then threw a towel over its eyes to help calm it. Wildlife officers relocated the lusty reptile to a more suitable habitat.

University of New Orleans Police rescued a child from a burning vehicle after the driver wrecked while trying to elude the officers. The vehicle was engulfed in flames when it was located by the UNO police. They were able to pull the child from the backseat and the driver and child were transported to a hospital.

A Weld County, Colorado deputy responded to a fearful disabled veteran who had broken an arm in a fall on her icy driveway. The woman was fearful of going outside and wanted to know if someone could help her. The deputy heard some details of the call and, while en route, stopped at a convenience store to buy some ice-melting salt. The deputy salted the slick driveway and alleviated the resident's fears. "This guy saved my life,"

the veteran said. "He made me feel safe. He went beyond his job duties."

Water rescues are not unusual before professionally equipped divers arrive. Miami-Dade officers saved a boy trapped in a submerged vehicle while investigating a crash near one of the city's canals. The three-year-old was trapped in his car seat as his father pled for help. Officers made several dives before finally being able to free the child and perform life-saving efforts.

Stories of officers changing flat tires, buying shoes for the homeless, getting a meal or hotel for a stranded motorist, or simply sitting with a heartbroken child for a while pop up in the news or social media from time to time. These are not isolated events. Police officers with compassion, courage, and training step in to prevent all manner of tragedy more frequently than gets attention. Ready to serve, these officers know that their job description always bears the asterisk of "other duties as assigned".

Cops and Fire

There is a usually good-natured rivalry between police officers and firefighters. Police officers say they are glad to serve because firefighters need heroes to look up to. They say that kids dressed as firefighters on Halloween can't go to the door until a kid dressed as a police officer makes sure the scene is safe. All firefighters want to be cops, they just can't pass the police exam. And so it goes.

Despite the jealousy that police might feel for firefighters sleeping, watching television, and cooking at the station, and their adulation from the public, when it comes to converging on a deadly fire, the red and blue are on the same team. Of course, firefighters claim that the police show up because they secretly want to be firefighters!

There are often times when police officers discover a fire in progress or are the first officials on a scene. The mobility of officers on patrol compared to the response of fire equipment from the fire station, no matter how efficient and prompt, transporting a crew, then setting up at the scene takes time. Despite warnings and even some department rules prohibiting it, officers have often entered into the literal hot zone in attempts to rescue persons in flaming structures and vehicles. In that thin zone between courage and foolishness, officers rush in without protective gear unable to bear just standing by waiting for those properly equipped even if just minutes away.

Such a dramatic scene unfolded in July of this year in Old Bridge, New Jersey, when Police Officers Matthew Jaikissoon and Sara Micich arrived at the scene of a fire where black smoke billowed from the door and window of an apartment. The 911 call reported that there were children in

the residence. A man on the front lawn was yelling “baby, baby!” and the officers charged into the structure, forced to exit within a minute as smoke made the interior invisible and choked the officers. Outside they immediately saw a man in a bedroom window holding the body of a child. Officer Jaikisson pulled the child from the window as Officer Vinny Galgano began CPR.

As firefighters arrived on the scene, police officer Nicholas Petrone, having once entered the building and driven out, borrowed a respirator to re-enter the building to carry a female resident to safety. Assistant Fire Chief Vincent Lovallo was able to rescue a baby from the residence and two other children escaped on their own.

Police in Kenosha, Wisconsin in April of this year attempted to stop a vehicle whose flat tire was degraded to the point that the wheel was causing sparks on the pavement. The driver did not stop for the officer’s emergency equipment and the sparks caused the vehicle, a minivan, to catch fire. Still in motion, the vehicle became engulfed in flames, eventually stopping. The Kenosha police officer pulled a disoriented 84-year-old man from the blazing vehicle.

Kenosha seemed to be a hot spot in the summer of 2023, pun intended, as a county deputy responded to a report of a vehicle crashing into a building. The call was dispatched to the Kenosha City police, but sheriff’s Deputy Joseph Thomas happened to be close to the scene as dispatch reported that a person was trapped in the vehicle which was on fire. Thomas forced entry into the burning vehicle, cut the driver’s seatbelt, and pulled the driver from the car, then warned the residents of the home. The driver was charged with suspicion of operating while intoxicated.

Another Wisconsin deputy, this time in Washington County in October of

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this year, responded to a collision in which the female driver reported being trapped in her car with her three children. On arrival, the deputy noticed that the engine compartment of the vehicle was on fire. After unsuccessfully attempting to extinguish the fire, the deputy broke out windows in the car to rescue the occupants. The children were uninjured, and the mother suffered only minor scratches.

Without question, the fire service is the best answer for putting the wet stuff on the red stuff, but their colleagues in blue are willing to step in when seconds count.

Stopping Crazy Drivers

It is a decision every patrol officer must eventually make – to chase or not to chase. A 4,000-pound missile of iron traveling at high speed is a deadly weapon from a millisecond of a poor decision or plain bad luck. If an officer pursues, will a resulting crash be blamed on the police or the wanton, reckless driver? If the officer decides it is wisest not to pursue, will a resulting crash be blamed on the police for failure to intervene?

Most police agencies have severely restricted their pursuit policies because of the inherent dangers of chases. Even though the U.S. Supreme Court recognized the danger to the public and the justification of police pursuits, the threat of lawsuits and injury to officers and civilians is beyond the tolerance of risk managers.

In a 2007 matter, the court heard a case involving a reckless, speeding driver pursued by a Georgia deputy sheriff who crashed resulting in severe injury to the suspect driver. The pursuit was stopped by the deputy using a maneuver often referred to as a PIT (Precision Immobilization Technique) or T.V.I. (Tactical Vehicle Intervention). This technique involves the officer choosing a moment when they can use their own car to tap the rear corner of the suspect vehicle, causing it to spin out and stop. It is not always successful and can result in the suspect vehicle's occupants being injured.

The officer must determine if the risk of the PIT, or any other intervention, is less than the potential risk of the driver continuing their dangerous behavior. Other interventions include firearms, T.D.D., roadblocks, and developing technologies.

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In searching for answers to safer termination of pursuits, around 1996 the use of T.D.D. (tire deflation device) began to gain wide acceptance. Noting that officers had been struck by vehicles while deploying T.D.D., the National Law Enforcement Officer Memorial Fund through its partnership with the National Highway Traffic Safety Administration conducted a ten-year study of officer safety regarding T.D.D. deployment. The study found that 42 line-of-duty deaths were directly linked to the spike strips between 1996 and 2022.

The devices consist of hollow spikes in a configuration that can be tossed across the roadway before the suspect vehicle passes. The spikes embed in the pursued vehicle's tires and rapidly deflate them. The T.D.D. must be withdrawn before other pursuing law enforcement vehicles pass over them.

Rapid deflation can cause a vehicle to lose control. Suspects sometimes choose to run over the deploying officer to avoid the strips. Sometimes uninvolved drivers are unwittingly confused by the operation and cause injury to the officer. Ideally, the officer is able to deploy the device from a protected position, but that isn't always possible.

New devices such as a magnetic dart with a tracking device can be launched from a patrol car and used to locate the suspect vehicle without being in immediate pursuit. Another device is designed to be lowered from a patrol car against the rear wheels of a suspect vehicle which gets scooped into netting and slowed. All of these techniques require proximity to the suspect vehicle, increasing the likelihood of a collision.

OnStar, a remote service offered on some car models, will cooperate with law enforcement to cause a confirmed stolen vehicle being pursued to slow to a stop to enable police to apprehend the driver. Other

technologies may someday routinely allow police to activate a remote kill switch to stop fleeing drivers, but privacy concerns have outweighed the law enforcement advantages even though most vehicles over the last decade come equipped with the ability to be remotely shut off.

Ultimately, the decision whether to pursue is on par with a decision to use deadly force. The officer must, in the heat of the moment, make countless calculations about speed, traffic density, trajectory, and the possibility of success. The officer must use some everyday knowledge of physics, psychology, and a bit of fortune-telling to make the call.

The Challenge of Domestic Violence Calls

On July 21st of this year Eastland County, Texas, Sheriff's Office Deputy Sheriff David Bosecker, a 21- year law enforcement veteran, was shot and killed while responding to a domestic violence call. As he arrived on the scene a male subject opened fire on him, fatally wounding him. Other responding officers took the subject into custody. The man was charged with capital murder.

Ask any experienced police officer if they would rather go to a bar fight or a family disturbance. They'll take the bar fight every time. In the most recent homicide statistics from the FBI, there were over 2000 family-related murders in 2019, among the killings in which the suspect and their relationship to the victim was known. When other interpersonal relationships are counted, the percentage of persons murdered by those whom they know is over half of all homicides.

Family violence can include abuse and neglect, sexual assault, and violence for intimidation. The definition differs from state to state. Some define domestic violence (DV) only when the parties are in an intimate relationship, others include any family member. Some laws require an assault or credible threat, others include kicking the dog or smashing the computer. If children are present during an act of DV, the perpetrator could be charged with child abuse.

Many states have mandatory arrest laws that require a police officer to take custody of a suspected DV offender if there is probable cause. Other states favor arrest but do not require it, many still leave the decision to the responding officer's individual discretion. Research initially indicated that arrested perpetrators had lower rates of repeat offending, but those

assumptions have been challenged by subsequent research.

One of the challenges of mandatory arrest is that victims often don't want their partner in jail, they just want to assault or abuse to stop. Calling 911 can ignite increased violence in a perpetrator, and having a wage earner in jail for a few days can cramp the budget, not to mention other legal costs. It is not unusual for DV victims to return to the perpetrator hoping that things will change.

The danger to officers on DV calls is well established. In 2022 there were at least 21 officers murdered in a DV- related call, along with thousands injured or assaulted. Rather than being hailed as a rescuer officers are often assaulted by a victim or other family member of the perpetrator.

A court may, on request or automatically after an arrest, issue a restraining order (RO) for the safety of the victim. In some jurisdictions, the orders are always mutual meaning they apply to the victim as well as the perpetrator, while some order only the perpetrator to stay away from the victim. The orders are usually temporary (TRO) for a period of time until a hearing can be held during which each party can make a case for keeping or dropping the RO. In some states, a restrained person can be barred from their own home, restricted from their banking assets, and denied child custody.

ROs can be just a piece of paper to a restrained person with no concern for the consequences of violating, especially if they expect to go to prison anyway, expect to die, or think they will not be caught. A US Department of Justice (DOJ) victims of DV reported that the act of applying for a civil protection order was associated with helping participants to improve their sense of well- being. In the initial interviews, 72 percent of participants reported that their lives had improved. During follow-up interviews, the

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proportion reporting life improvement increased to 85 percent, more than 90 percent reported feeling better about themselves, and 80 percent felt safer.

Perpetrators of DV may come from any social strata from the wealthy and influential to the poor, but, according to the DOJ, 65 percent had an arrest history. Researchers noted that many of these men appeared to be career criminals, with more than half having four or more arrests. Charges included violent crimes, drug- and alcohol-related crimes, and property, traffic, and miscellaneous offenses. Of the 129 abusers with any history of violent crime, 43 percent had 3 or more prior arrests for violent crimes other than domestic violence. The implication for police officers' safety on DV calls is that there is a significant possibility that they will be dealing with a repeat offender who has plenty of motive for not going to jail.

When dispatch radios a family disturbance in progress, officers know that this call could be the most challenging of the shift, or a career.

Cops Stopping Suicides

Dealing with a suicidal person is one of the most challenging jobs facing police officers. Even though many agencies are trying to relieve law enforcement from mental health calls, the frequently dangerous circumstances of these calls put police on the front lines of intervention. The need for compassion for a person in a suicidal crisis coexists with the extreme danger of persons in possession of weapons. A person bent on self-harm may or may not be willing to harm others in the process.

There is one completed suicide every 11 minutes in the US. It is one of the leading causes of death and has shown a 30% increase from 2000-2020. Most of the public's concern seems to be aimed at teen suicide, but the highest risk group is age 75 and older. The second highest age group at risk is males aged 25-34. Suicide is the 2nd leading cause of death for ages 10-14. Males make up 80% of completed suicides. For every completed suicide there are 3 hospitalizations for self-harm, 8 emergency room visits, and 38 self-reported attempts. The number of deaths that appear to be accidental but are intentional overdoses, car crashes, or firearms discharges is unknown.

While the value of human life is beyond definition, those who calculate the economics of death say that the cost of suicide is in the billions when medical costs and loss of productivity are tabulated. Most suicides are isolated affairs where the person completes the fatal act with no audience. The ones that are witnessed or self-reported come to the attention of first responders, sometimes in the hope of rescue, sometimes in the hope that a police officer will complete the fatal act for them in what is known as suicide by cop, victim precipitated homicide, or law enforcement assisted suicide.

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A National Institutes of Health study indicates that 13% of officer use of fatal deadly force (and 11% of non-deadly shootings) are of subjects who present a lethal threat with the intent of being shot and killed by police. On the positive side, hundreds of lives have been saved by the skill and compassion of police officers.

Firearms are the most common method of suicide, followed by hanging/suffocation, then poisoning (by overdose or toxic gas). Other methods include cutting injuries, exposure to vehicle or train traffic, and jumping from heights. There are suicide "hotspots" that develop a reputation for being a suicide site and attract suicidal persons. Studies show that when a hotspot is barricaded or made inaccessible, nearby sites that are just as lethal tend to go unused.

The Golden Gate Bridge spanning the San Francisco Bay as it joins the Pacific Ocean is a notorious hotspot. Since its first suicide jumper just months after its 1937 opening, an estimated 1800 people have attempted to die, with perhaps only 35 known to have survived (all of whom report regretting the act). The time between the decision to consummate the fatal act and the act itself can be as quick as 5-10 minutes. Slowing down the behavior can be life-saving, as one retired California State Highway Patrol Sargent can testify.

Kevin Briggs has been known as the Guardian of the Golden Gate Bridge, credited with successfully interceding in 200 attempts during his assignment to the bridge from 1994 to his retirement in 2013. Briggs typically begins a conversation with someone he believes is posturing for a jump, asking them how they are doing and what their plans are for the next day. He asks if they are there to hurt themselves, then gives them an

invitation to make plans for them to do something together the next day and then decide whether to return or not.

Despite the critics' fears that police officers make things worse with mental health cases, there are hundreds of quiet victories every day where compassionate but cautious police officers and other first responders make a difference between a moment of life and the decision to die. A critical moment that can end with a hug or handshake, and another chance at life.

Intoxicated Drivers Increasing Death and Injury

Before the hour hand on your clock moves from one number to the next, three or four traffic fatalities will have happened somewhere in the U.S. One in three of those will be due to an impaired driver. After a historic downward trend, deadly car crashes are on the increase.

Distracted driving (i.e. cell phones) kills nearly 10 people every day, but the main killer is still the intoxicated driver. The increasing use of marijuana and pharmaceuticals are competing with alcohol – or combining with alcohol – to kill many of the expected 32,000 drivers and passengers in crashes this year.

Ideally, drivers would self-regulate and simply not drive if they are possibly impaired. There are charts and graphs that attempt to calculate the type of beverage, whether the drinking was on an empty stomach or not, and the time it takes to clear the alcohol from the body. There are even some devices that are available to consumers to measure alcohol in their system using a test of breath. The problem with all of these measures is that individual metabolism varies widely, and breath samples taken without appropriate safeguards can be unreliable.

The national standard to be considered “legally drunk” is a blood alcohol content (BAC) of .08%. At this level, the law presumes that the amount of alcohol in the system results in impaired driving. Many motorists do not realize that lesser levels may not be a presumption of impairment, but in connection with other factors such as involvement in an accident can result in a drinking-related charge. In other words, the court will presume you are too intoxicated to drive at .08 but can make a case that you are impaired at lower levels.

In addition to the variety of factors that impact BAC such as stomach contents, health, weight, fatigue, emotional condition, time of day, and type of beverage to name just a few, can create impairment with “a couple of beers” within an hour before driving. The use of over-the-counter and prescription medication is an often overlooked cause of impaired judgment when driving. Consumers ignore or downplay the warning on medicine labels, and law enforcement may be unable to detect or measure a particular medication or dosage to prove legal impairment.

Combining medication with alcohol can be lethal, even if separately they seem benign. The irony of alcohol and other medications is that one of the first effects is a reduction in the functioning of the part of the brain that would normally allow the person the realization that they are impaired. There are still people who claim to be better drivers after a few drinks!

Adding to the lethal mix is the increasing presence of marijuana users behind the wheel. Whether legal or not and whether recreational or medicinal, marijuana is a mind-altering substance regardless of the increasing public opinion that it is benign and safe. Whereas alcohol is water soluble and processed in the digestive system and liver to be metabolized to near zero BAC before the next day (although alcohol can be detected in the urine for up to five days), the THC in marijuana is fat-soluble and therefore remains in the body much longer and can accumulate with each use and can be detectable for up to three months in the urine.

When traffic safety is discussed, the number of dead is always a frightening statistic. Add to that the 7,500 injured every day and multiple billions – yes billions – of dollars in crash-related costs, and it becomes clear that keeping the motoring public safe from impaired drivers is vital.

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Other driving behavior such as inattention as already mentioned, and speeding which contributes to about 30 fatalities daily, make a compelling case for traffic law enforcement. Misplaced efforts to reduce traffic enforcement by defunding law enforcement or restricting traffic stops and other enforcement efforts can only allow more careless and lethal driving to create bloodshed on the roadways.

Dealing With Explosives

There are two things cops know about bombs. One is that they don't look like an oversized red firecracker. The other is that they don't come attached to a digital countdown clock.

The insidious truth about criminal explosive devices is that they can look like anything. Ted Kaczynski, better known as the infamous Unabomber, killed three and injured nearly two dozen others over twenty years. His creativity is a lesson in the ways that explosives can be hard to identify. One of his bombs was inside a book, another in a 3-ring binder, one was in brown paper wrapped with string, another disguised as a present, and yet another was packaged was left in a parking lot with a return address on it of the intended victim. When a well-meaning person found the package, they delivered it to the person at the return address, which was exactly what the devious Kaczynski intended. In that case, the intended victim reported the package as suspicious and avoided injury, although a security officer to whom it was given was injured in the resulting explosion.

Explosive devices, like the notorious roadside IEDs (improvised explosive devices) of recent wars, are generally simple and constructed for death and injury. Placement of the devices is part of the bomber's plan to increase the damage when detonated.

IEDs or HMEs (homemade explosives) can be set off by a wireless signal, a trip wire, by pressure, and even the old-fashioned lit fuse. They can complicate already tense situations by being planted in advance of other criminal activity. As a distraction device, they can create noise, fire, and damage to draw attention away from another crime in progress.

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In one event this writer experienced, a campus police officer noticed a suspicious bottle of liquid in the parking lot near a football stadium. At the time, there had been a rash of dry ice bombs, which use dry ice placed in plastic bottles, used as pranks or back-yard projects. The device had caused hand and eye injuries. There is also always a risk of bleach or urine in devices to make any injuries worse. Because of the timing and placement of the device which was discovered just as a football game crowd was converging on the parking lot, the area was cordoned off, the fire department was called, and additional assisting law enforcement units arrived.

Was the device intended to injure spectators? Was it a distraction so that a location on the other side of the community could be robbed? Was the device designed to test the response time and capability of emergency services to help in planning a more substantial attack? Was there more than one device? The public was inconvenienced and there was criticism that law enforcement overreacted for such a device, but the potential consequences were too great to treat lightly.

A common misstep in responding to bomb threats in schools and businesses is immediate evacuation. The preferred protocol is to do an assessment of the threat and have those familiar with the premises do a visual search for suspicious devices. This is not because we can assume that a threat is not real, but because the dangers of evacuation are real. Most bombs that do get placed in schools or businesses are not such that major building collapse will occur, such as the case with the Murrah building at the site of the 1995 Oklahoma City bombing. Most devices are anti-personnel, meaning that they are designed to injure human bodies, not structures. Therefore, protecting in place will most likely provide the protection of walls in classrooms and offices even if a device were to go

off.

Since people are often the target of HMEs, they might be placed in locations where evacuees from the building would go, such as in the parking lot or next to exits where they could more easily be placed than inside the building where they might be detected. What if the Murrah building had been evacuated into the parking lot where the massive explosion actually occurred?

Officers responding to drug houses, illegal outdoor marijuana grows, barricaded suspect situations, and school shootings can encounter explosive devices. The risk of so-called secondary explosions may be timed or remotely detonated after the initial emergency response for the specific purpose of harming first responders.

The Aurora, CO theatre shooter had his apartment booby-trapped to harm police officers searching his home after his inevitable arrest or death. In addition to the attack with firearms, the Columbine High School shooters used handheld thrown HMEs and had pre-planted propane bombs disguised in backpacks and gym bags to increase the lethality and impact of their attack.

The presence or suspected presence of explosive devices used by criminals adds complexity and danger to many crime scenes. It is another challenge to the skill and courage of our first responders.

The Barricaded Suspect

In San Jose, California police shot a man armed with a machete who had barricaded himself in a home with others including 2 children. In Oklahoma City police responded to a barricaded murder suspect but were able to take the person into custody after breaching the door. Once inside, police discovered a body inside the residence. A North Little Rock, Arkansas police responded to a disturbance involving a weapon. On arrival they found an injured party and that the suspect had barricaded himself inside the residence. He was arrested several hours later.

Deputies with the Gallatin County, Montana Sheriff's Department responded to a report of a man threatening people with a gun and a report of gunshots. The officers arrived at a mobile home park to look for the suspect, they heard a challenge from inside a mobile home telling officers to leave the area. Deputies report seeing a man holding what appeared to be a gun in the window of the home, then saw a laser light such as those used in sights for guns aimed at them. The suspect eventually agreed to meet with the officers but had to make dinner first.

A suspect in Valinda, CA was found dead by suicide after firing more than 100 rounds at deputies. Neighbors had to be evacuated during the standoff which involved police negotiators, mental health workers, and SWAT officers. Tactical vehicles were deployed to shield neighboring houses from gunfire. The operation lasted from Friday to Sunday.

Those are just a few of the examples retrieved from an internet search of "barricaded suspect" within the last month. Like a grown-up version of tag, those sought by police often retreat to a home base where they feel safe. Some think that the Constitutional right to be free from government

intrusion into their homes means that police cannot touch them once they secrete themselves behind the walls of a residence. Most of the time, they are correct.

In 1604 Sir Edward Coke made the famous statement “the house of every one is to him as his Castle and Fortress as well for defence against injury and violence, as for his repose” which has been shortened to “a man’s home is his castle” and articulated the Castle Doctrine which affirmed the right of privacy and protection in one’s home.

Police operations must give due consideration to the principal even in tense situations like a barricaded suspect. In general, police may enter a residence without a search warrant if a person who resides there is the subject of an arrest warrant and is known to be present, or if there are emergency circumstances such as where entry must occur or lives might be lost.

Besides persons who are wanted or who have fled into their homes after committing crimes, the police are often called to do a “welfare check” on persons whose relatives or friends are concerned about. These are voluntary contacts that often result in finding that the person of concern is fine, but also can result in finding a person deceased, injured or ill, or mentally unstable. In one study of the use of deadly force involving a mentally ill person conducted in a major city, it was found that 95% of the shootings occurred on the person’s own property or home territory. Knocking on a door can be deadly.

Whenever possible, even after an emergency entry, law enforcement should seek a warrant. For example if on the property because of a fire, they cannot remain on the property indefinitely without a warrant once the emergency circumstances are over. Suicidal barricaded persons where no

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one else's life is at risk pose a special concern. The natural inclination of police officers, who value life and have a sense of community caretaking, is to stop the person from harming themselves. There have been successful lawsuits and even criminal charges against police officers who, in their attempt to intervene with a suicidal or mentally ill person, entered their home and injured or killed the subject when they resisted being taken into protective custody.

If the person has committed no other crime, is not in possession of weapons unlawfully, and is no immediate risk to others, police must decide to disengage until a lawful condition is met to make entry into the home or take the person into custody. While there are more instances of law enforcement partnering with mental health or social work co-responders, these personnel are also limited in what they can do to intervene.

Negotiation is a preferred method of dealing with a barricaded person, but that method depends entirely on the barricaded person's willingness and ability to talk. When others may be inside the walls of the barricaded person, every second that ticks by can lead to success or deadly consequences. Police officers face the danger of attacks both physical and legal when making the complex decision to force entry into a man's castle.

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The Cop's Holiday Spirit

There are a lot of great things about being in law enforcement. There's a sense of purpose, experiences of saving lives, bringing peace to chaos, the internal assurance that the world is an incrementally better place with you in it. Granted, there are days and seasons when it takes deliberate and disciplined thought to affirm those reasons to keep on keeping on.

There are those quiet moments on midnight shift when there's no paperwork locking you in your cubicle and you bounce through the alley looking for burglaries in the glow of the in-car computer terminal. The waves from the early morning delivery drivers tossing newspapers or delivering groceries. The first whiff of the first donuts from your favorite coffee shop. The dawn that creases your eyelids and promises the end of your shift.

There is the camaraderie of fellow officers regardless of the badge or patch that they wear. There are the insider jokes, the eye-rolling about the administration, the funniest drunk tale, and the latest pursuit story. The careful humor over the radio where you know you're being recorded but only an insider will know what you're really saying. All these things make it hard for most cops to hang up the uniform and become a normal civilian when the time comes, whether that's retirement or a job offer that pays better, won't get you killed, and gets you weekends and holidays off.

But holidays can be rough on the men and women in blue. Although most types of crime increase in the warmer months there are a disproportionate number of memories from those holiday shifts around Thanksgiving and Christmas. While the decorations glisten and the ads are all warm and fuzzy, the tragedies that happen during the holiday season are deeper

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and darker than they would be any other time. The drunken dads seem more pitiful. Fatal crashes will forever mark the holiday season for family members. Suicide rates are greater in the spring and summer months, but when it happens during the holiday season it's hard to have those happy holiday moments.

Cops see the poverty-stricken often, but slim holidays are particularly sad. Families that are doing the very best they can do but fall short with one bad turn of luck. Many officers and agencies are involved in meal and toy collection and delivery. The fun of watching a child during a shop with a cop event is tempered with knowing their struggle the other 364 days of the year.

Domestic disturbance calls are always a high-risk event, but a holiday DV call can be even more intense. Maybe the family is getting together for the first time in a long time and long-simmering tensions are not forgotten. Alcohol melts away the filters of common sense and loosens the tongue to say what should remain unspoken. Visits from the in-laws and outlaws last longer than the host can tolerate. Family homicides are close up and personal, wounds showing high emotion.

Travelers that crash and get stranded, households displaced by a Christmas tree-sparked fire, and EMS calls for family members who were struggling to stay alive for the holidays but didn't make it long enough to wave goodbye to people who knew it might be their last visit can punctuate the cop's holiday. Some officers are able to stop by their homes for a dinner break with family. Some join community dinners for those with no other place to be. Some simply spend another special day on patrol or on-call with no hope of having a holiday of their own or hugging loved ones today.

There are those holiday shifts where no one crashes in your zone, where no drunk driver ventures out. Sometimes the radio interrupts the shift only to check the time and your location. Sometimes the decorated streets, businesses, and houses are still and beautiful and offer hope for peace. Those are shifts when the officer exhales a thankful sigh as they pull off their ballistics vest and drop their equipment belt at the door of their own home at the end of their day.

But even a quiet holiday shift will not erase the memories of the ones that were not so quiet. The ones punctuated by flashing red and blue lights from police, fire, and EMS vehicles invading the Christmas lights. The ones where neighbors peek out of their frosty windows out of curiosity and concern or step into the street in their robes and nightgowns. There is no forgetting holding a child shivering from cold or fear or pain. There is no joy in booking some knucklehead who couldn't manage to give a day off to their selfish criminality. The holidays bring light to most of us. But they bring dark shadows to the world of first responders.

Hero Report

If a police officer hurts a suspect it can be national headline news. The daily heroic performance of the other 800,000 cops might be a blip on the local news station at best. In case you've missed it, here are some things that law enforcement officers are doing every day.

March 14th in Covington, VA a 1-year veteran officer responded to a domestic disturbance at a gas station where a suspect had just shot his father-in-law. The officer, Caleb Ogilvie, a Marine Corp veteran and father of 4, was shot and killed in an exchange of gunfire in which the suspect was also killed.

On Sunday, March 13th, a Texas Deputy Sheriff with the Bastrop County Sheriff's Office was engaged in a routine investigation. Deputy Sawyer Wilson had occasion to contact Michael Stark who, apparently unknown to the deputy was a parole violator with a long and violent criminal history. Deputy Wilson survived a shot to the chest due to his body armor but was shot in the side and arm with serious injuries. While in the hospital, Wilson is reported to ask to help in the investigation and search for Stark who was arrested 13 hours later.

Albuquerque, New Mexico police responded to a neighborhood to a report of a gunshot victim on Monday, March 14th. On arrival, APD officers heard additional gunshots and while searching for the source encountered a gunman who fired on the officers, injuring two. The gunman was shot dead.

On March 8th in Portland, Oregon officers Justin Raphael and Tyler Wyatt arrived on the scene of a shooting with a victim lying near death on the

ground. Not knowing if a shooter was still in the area, officers chose to enter the vulnerable area to give aid to the victim. Using major wound kits they carry; the officers were able to staunch the bleeding and get the victim to advance care where he survived.

Sgt. William Drew and Officer Nathan Rodgers of Montgomery County Maryland were heading home after midnight on March 5th when they saw a burning, crashed car. Drew broke out a window and was able to pull the unconscious driver from the flaming wreckage while Rodgers used an extinguisher to fight the blaze.

Two Pierce County, Washington officers were wounded Tuesday, March 15th in a SWAT operation to arrest Jeremy Dayton who was wanted for an assault with a firearm charge. Deputy Dominique Calata was in grave condition Tuesday night. The other wounded deputy, Sergeant Rich Scaniffe, was out of surgery Tuesday evening and in stable condition.

In a less dramatic display of protecting and serving, an unidentified Michigan State Trooper saved a confused swan wandering around a Detroit area highway on March 14th.

Columbus Ohio police officers were investigating reports that a car was firing randomly at motorists along Interstate 71 on Friday, March 11th. Responding officers came under fire and a brief gunfight between the suspect and police resulted in gunshot injuries to the suspect and several rounds shot into a police cruiser.

An armed man in Joplin, Missouri was shot by a Joplin police officer on March 8th after the suspect shot two Joplin PD officers. Cpl. Benjamin Cooper was slain at the scene of a confrontation with an armed man in a shopping area. Also shot was Officer Jake Reed who was transported to a

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hospital but did not survive.

A routine early morning traffic stop on Sunday, March 13th by Phoenix police turned violent after a pedestrian nearby opened fire on the officers. The suspected gunman was arrested after a manhunt. One officer was treated for a bullet wound and the other for injuries from flying glass.

In Salt Lake City's airport, John D. Baydo, 32 came up behind two SLPD officers who were walking foot patrol inside the airport and punched one of the officers in the side of the head in an unprovoked attack.

On March 6th a major highway was closed to traffic because of a marathon race in progress. Kristen Kay Watts, 52 drove through barricades and past police officers headed toward hundreds of racers. Florida troopers blocked the roadway as Watts continued at a high speed toward them, crashing head-on into a patrol car operated by Trooper Toni Schuck who is recovering from injuries sustained in the crash. Schuck is being praised for putting herself between the drunk driver and the racers, potentially saving dozens of lives and injuries.

That covers less than 10 days on the calendar and only a tiny fraction of the heroism, service, and sacrifice that happens every moment in the law enforcement profession. How was your week?

Cold Weather Cops

One of the great things about being a police officer is the opportunity to be outside in the air and elements. One of the bad things about being a police officer is being outside in the air and the elements.

Officers who work in areas that experience all four seasons learn to make adjustments for their seasonal work. It is easier for those who live in primarily cold climates to make allowances for the temperature, wind, ice, and snow. Then there are those who experience unseasonably cold weather from time to time and can be caught without proper gear or the proper mindset.

Of course, there are plenty of jobs that require outdoor work in harsh weather, but for first responders, there is no option to wait for better weather, and a wrong decision could be fatal. Although most crime statistics show an increase in crime during warmer months, exceptions may be domestic violence since people are more likely to be at home longer and car theft where “puffers” (cars left running to warm up while unlocked while running) are ripe for picking.

Heavy winter clothing is good for avoiding hypothermia, but not so good for subduing resisting arrestees. Clicking handcuffs over coats and sweaters is slower due to having to adjust sleeves and unsnag the ratchets. Pressure points and areas for striking can be inaccessible or well-padded. Taser probes may not reach their target through heavy winter clothing, and cops and bad guys both wearing coats can turn into a Sumo wrestling contest.

Footwear is a critical component for cops in any weather, but making the

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adjustment from normal boots or shoes to bulky winter boots affects the ability to drive and run. My experience in Midwest ice storms proves there is nothing short of spikes that create control on frictionless roads while working a crash scene where the ability to quickly jump over a guardrail to avoid out-of-control traffic is a consideration.

Balancing body temperature from chills to sweat is tricky. Keeping the patrol car too warm creates a shock when you finally have to get out on a call. Sweating in the car or from exertion can translate into chilly discomfort. Fogged-up glasses are a hazard when entering a warm house on a domestic or a bar for a fight call. Overall mobility is slowed with the layers required for outside work, and stationary positions like directing traffic or guarding a crime scene provide no external warming opportunities and little physical activity to keep the blood flowing.

Working a crash on a snowy or icy day is inevitable. Having a high-energy snack, a thermos with coffee, cocoa, or soup, and being sure to wear a high visibility coat or vest can save the day. One might have to violate the dress code to switch from the campaign hat to a fuzzy one with earflaps, but it would be worth the write-up. A wise strategy is to remember your mother's advice use the bathroom before you go out. Toileting is arduous enough with bulky equipment in a nice warm place without going in nature.

I was once called out on a day off to respond to a hostage situation resulting from a botched bank robbery. I had enough experience with Colorado winters to don my insulated underwear, grab a sleeping bag, and stop to fill a thermos with hot coffee before taking up a position on a nearby roof for several hours in single-digit temps.

Gloves are another essential for cold weather patrol. Insulated gloves can keep the trigger finger warm and supple, but getting that gloved finger inside the trigger guard is another matter. During Army winter survival training I was issued big white mittens that could operate an M-16 because the trigger guard on the weapon had a hinge that opened up to accommodate a fat mitten. Not so with duty sidearms. Either the officer wears thinner gloves with less warmth, gloves with the trigger finger sleeve cut off, or practice whipping off the glove as part of drawing the gun.

Hats off (or flaps down) to the men and women working in the ice, snow, wind, and cold rain. Stay warm, and stay safe.

Police Work is Like A Box of Chocolates....

You never know what you're going to get.

One of the things cops like about the job is the variety. It may seem that the days are filled with traffic stops, theft reports, and resolving disputes, but an ordinary call can become unique in a split second. Then there are some calls that start out weird.

While working campus law enforcement we had a report of a blowgun attack. It was a drive-by, random knucklehead who thought that spitting darts at unsuspecting bystanders would make his weekend more exciting. The fear in his eyes when he was caught never matched the terror in the girl's eyes waiting for the paramedics to take the dart from her arm.

Also in the random attacks by sharp objects department, a Texas woman was driving in San Antonio recently when a spear pierced her windshield which, fortunately, was stopped by her steering wheel just inches away from her. The investigation continues.

In Florida, a date over drinks turned to attempted murder after a man ended up in the hospital from drinking cocktails spiked with Raid roach spray. The woman invited the man to her home in DeLeon Springs. Experts say that insecticides like Raid contain poisons that can restrict breathing, induce seizures, cause vomiting, and result in victims going into a coma. The woman fled from police but was found by a police K9 where she was hiding in bushes near the home. She was charged with a felony.

As an example of attacks with other unconventional weapons, a man with a

history of assaults on law enforcement charged a Connecticut detective in an unprovoked attack. Detective Kari Travis suffered several blows resulting in stitches and bruises after the man struck her, knocked her down, and continued the attack even after being shot by the detective.

While a veteran Miami, FL detective was interrupting a carjacking at an accident scene, she was intentionally struck and pinned against a vehicle by Andrew Wardell, 49. Wardell was charged with attempted murder after using a stolen vehicle to assault Detective Marvalyn Lee Chin, a 19-year veteran officer, against a parked vehicle, then striking another officer as he attempted to flee. Lee Chin suffered serious injuries in the attack.

A police officer chose to use his patrol car as a weapon to stop an active shooter. The Nassau County police officer came across a female “waving the gun around at innocent people, putting them in fear for their lives” and ended the threat with the most immediate means available by striking the woman down with his vehicle.

In a more conventional use of a patrol car to stop a crime, a Georgia Trooper stopped a truck that had struck several onlookers after doing donuts in the street and driving toward a crowd of people. The trooper used a tactical intervention to ram the truck and stop the reckless driver.

In Kentucky, police rescued a woman who had been chained to the floor of a house after attacking her with a machete then leaving her alone in the residence. The woman managed to get close to a window that she was able to break and yell for help. Firefighters and police had to break into the barricaded home using a ladder to reach her on the second floor of the home, then used bolt cutters to free her.

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In Denver, CO an officer was cut by his own badge that was ripped from his shirt and used as a weapon in a surprise attack during a routine wellness check at an apartment complex. Being called to check on someone's well-being is a routine police call, but one where the outcome is never known. While the officer was talking to the caller, the suspect came out of the building and began assaulting the officer, including ripping off his badge to inflict a six-inch gash on the officer's neck, then attempting to gain control of the officer's gun and a second officer's TASER.

An officer cannot afford to make assumptions about what will greet them even during the most routine of activities. Any officer that says they've seen it all won't know if that's true until the next call.

Summertime and the Living Ain't Easy

Ah, the sound of children playing in sprinklers and the smell of 4th of July gunpowder. Hit the road with the camper and see the sights. Crank up the AC and pour the sweet tea. And maybe check your ammo.

Since the morning of summer solstice and the time of this writing five police officers have been murdered and one killed in a duty-related car crash. Another 55 citizens have been murdered in mass shootings during this period. Although this year's statistics on officer assaults are not yet compiled, an average of 5000 officers are seriously assaulted every month, and that tabulates only those injuries that come to the attention of the FBI. The Fraternal Order of Police reports that 194 officers were shot in the first six months of this year. Injuries and assaults are vastly under-reported and do not include the kicks and punches and attempts faced regularly by police officers.

Here are some samples of what police have experienced in the past few weeks:

In Rush Spring, Oklahoma, a suspect handcuffed and detained by police managed to steal a patrol car and ran over the officer before crashing nearby. The officer was not seriously injured.

In Atlanta, Georgia, several police motorcycles were in flames from an arsonist while the vehicles were parked at a training facility. It is unknown if this relates to recent protests over the planned training center that has been a point of controversy.

A simple call of a trespassing complaint at a grocery store turned lethal as

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a Taos, New Mexico officer was shot while responding to the call. The shooter was killed a short time later by Taos police during his attempt to carjack a pickup truck, firing at the driver. The wounded officer was treated and released.

A North Carolina trooper collapsed from heat exhaustion in Knightdale as the heat index soared to 108 in the region. A good Samaritan saw the officer in distress and used the trooper's radio to call for assistance. The trooper was treated and reported to be in good condition.

Easton, Massachusetts officers quickly jumped into a swamp and waded out to rescue a woman who yelled for help. She had been stuck in the muddy milieu for three days when hikers who could not see the victim but called 911 after hearing her screams. She suffered serious injuries and was located fifty feet from shore in thick brush and swamp.

Laredo, Texas SWAT officers rescued three children being held hostage by a man armed with a rifle who was barricaded in a mobile home. After failed attempts at negotiation, the police team breached the home, rescued the children, and arrested the suspect without further incident even though the suspect had the rifle within his reach.

A North Carolina state trooper stopped to assist what appeared to be a stranded motorist. The driver responded by shooting the trooper, who was able to return fire and kill his assailant. The trooper was shot in the chest but was saved by his protective vest. The officer was released after hospitalization.

A Gates Mills police officer pulled a man to safety from a burning vehicle that had crashed into a utility pole. The vehicle had been spotted driving

erratically by the officer who lost sight of it but continued searching until coming across the vehicle with flames coming from the front end and spreading.

In the “other duties as assigned” category, Minnesota deputies used a drone to search for a missing crash victim and rescued a man who had collapsed on active railroad tracks. Montgomery, Alabama officers lassoed an agitated cow charging in the area where 200 children were gathered for a summer church activity at Taylor Road Baptist Church. Chandler, Arizona police carried a woman down the stairs of a burning apartment building. The elderly woman was using a walker. A Madison, Wisconsin officer broke a car window to rescue two dogs in distress from the heat. Firefighters who had responded for a water rescue were themselves rescued by a New Jersey State Police helicopter after the rescuers went over a waterfall. A Pinellas County Sheriff’s deputy saved a struggling manatee by holding its head above water for over two hours. In Sacramento County, California, members of the Deputy Sheriff’s Association provided a new canine companion for an eight-year-old girl whose puppy had been intentionally run over. Glendale, Arizona officers rescued a trapped German shepherd from a canal by bribing it with a home-made muffin.

Limited time, type, and space won’t allow all of the stories that could be included here. The headlines range from wild car chases to officers swept away in water, to violent armed encounters and ambushes.

How is your summer going?

No Safe Space for Cops

Whether it was the break room at the battery factory, the hay truck parked under the shade of a tree beside the field, or the truck stop café with the diesel left running, there was always a place I could find to get a little thinking done or get my mind off work.

Not so for police officers. In 2009, uniformed Lakewood, Washington officers gathered around the table at a coffee shop with their laptops to catch up on reports on a quiet Sunday morning when they were assassinated by a gunman. The killer was found and shot by Seattle Police two days later. In June of this year, a gunman drove his truck to the Lewistown barracks of the Pennsylvania State Police in Juniata County and begin firing at marked patrol units, killing one Trooper and seriously wounding another. The killer was shot dead by police after a manhunt and intense gunbattle.

Also this month, the Colorado Springs Police Operations building was assaulted by a rock thrown through its front doors. A man was arrested at the scene. In September of last year, a man broke into a Chicago police training room during a SWAT class by climbing a fire escape and threatened officers who then shot and wounded him. In September of 2020, a man walked into a Los Angeles Police station lobby and begins arguing with the desk officer. The man started to walk away and was approached by the officer. The man turned and began a vicious attack, knocking the officer down and attempting to use the officer's own gun to shoot the officer. The man fled and was apprehended after a struggle several blocks away.

A Los Angeles sheriff's deputy stopped an SUV that was driving recklessly.

The SUV violently rammed the patrol car while the deputy was still inside. The deputy fired and killed the assailant. A Kentucky officer was injured by flying glass when a suspect in a vehicle paused, raised a rifle, and fired a single shot into the police car. The shooter was apprehended.

Two Denver officers were fired on in separate incidents, one of which was an apparently random ambush of an officer seated in a marked patrol car shortly after 4:00 a.m. The officer was saved by his ballistics vest which took several rounds. Although severely bruised from the bullets' impact, the officer was able to return fire and kill the shooter who fired 18 rounds in the attack. In Kentucky, an undercover fugitive search operation was interrupted when a hapless would-be carjacker attempted to assault the occupants of the unmarked police unit and steal the car in the middle of the day. The suspect was shot and killed.

A Colorado State Patrol vehicle was stolen by a suspect who had been pursued by local deputies in a rural part of the state. When the suspect was stopped after causing numerous crashes, he stole a marked patrol vehicle. The suspect was pursued then crashed into another vehicle and caught fire. The suspect died after being rescued and hospitalized.

A quote attributed to a number of famous people (thanks, internet) says "Even paranoids have real enemies". For those who are inclined to mock the officer who insists, on or off-duty, on keeping their backs to the wall and an eye on the door, you'd have to know what cops know to understand. A citizen talking to an officer who keeps looking around when the citizen is trying to maintain eye contact may feel offended by the officer's inattention, but the officer is keeping them both safe by maintaining situational awareness.

Don't be surprised when you approach an officer who is seated in a

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patrol car to say hello or ask for directions if they get out suddenly before you get to the driver's side door, or keep their hand on their weapon during the conversation. Don't be insulted by the security measures in police stations that make it difficult to have personal contact with officers. These are unfortunate facts of life for the police, who must recognize the potential for lethal attack anytime, anywhere.

March Madness isn't Just for Basketball

Yes that magical time of the smell of refreshing rains, the chirping of birds returning to the budding trees, and tender flowers pushing their way through the thawing soil.

It's also time for gang members to pick up some extra cash for not committing crime. Of course they have to go to mediation, job training, and therapy, so we have yet to see if they need to negotiate for a pay raise to make it worthwhile.

In South Carolina, a deputy was shot by another deputy but it was all in fun. A training exercise was using fake ammunition, giving a playful cop the idea to shoot a buddy. The buddy jokingly fired back, forgetting that he had already turned in all of the fake ammo and was now once again carrying his fully load service weapon. The injured deputy, whom we presume was being asked to dance like the old bully cowboy, was shot in the leg.

In New Mexico, the Albuquerque police helicopter was assisting on a shots fired call when they became the target of the gunman. The pilot shut off the lights and engaged in evasive maneuvers, but was able to assist officers on the ground to apprehend 30 year old Ryan Koplín.

Other assaults on officers include shots fired in front of a pub at Columbus, Ohio officers who were investigating a shots fired call, a Citronelle, Alabama officer whose nose was fractured during a confrontation with a man holding a full soda can which he launched into the officer's face, and 23 persons were charged in the attack on a police training facility, with bricks, rocks, Molotov cocktails, and fireworks

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launched at officers in Atlanta, Georgia.

Two Newton, Massachusetts officers were assaulted during a domestic violence call. The suspect attempted to disarm one officer and hit both officers in the head rendering one unconscious. In Fort Walton Beach, an officer was trapped in a fleeing suspects vehicle while being assaulted by the driver who told the officer "you're going to die today". The officer was rescued after the vehicle crashed and the felonious Antonio Marquis Belle-Betts , 27, was arrested.

A Detroit police officer suffered broken bones, a lacerated liver and a collapsed lung when he was run over by a tow truck driver. The driver had a suspended license and outstanding traffic warrants. Chicago police officer Andres M. Vasquez Lasso was shot to death on duty responding to a domestic violence call. Master Trooper James R. Bailey of the Indiana State Police, was working a multi-car accident when he received word of a pursuit headed his way. He deployed road spikes to intervene in the pursuit but was killed with the fleeing driver struck him. The driver has been charged with murder.

A parolee who was granted early release from robbery convictions because he had "several credits during his incarceration under good conduct and program participation guidelines," shot and wounded three LAPD officers who were among those searching for him. Jonathan Magana, 32 was located but refused to cooperate with officers and opened fire. He subsequently shot himself and died.

Seattle voters in overwhelming numbers, whose elected representatives have been engaged in a ceaseless barrage of restrictions and criticism of its police even in the midst of a hiring crises, have show support for hiring more cops and paying them better. With Mayor and Council seats up for

election in the near future, the hopes of restoring respect and support for the PD remain. Meanwhile, the Washington state legislature has decided that maybe police should be allowed to chase some lawbreakers after all, but only after two children were killed by a driver the law prohibited officers from pursuing.

Daytona Beach police were attempting to break up a group of motorcyclists engaged in dangerous driving. While pursuing a number of the bikers who fled, one driver turned to give an obscene gesture to a pursuing officer just moments before running a red light and being struck by a truck. Sometimes natural consequences come swiftly.

That's a glimpse of the arrival of March as Spring approaches in the law enforcement world. How's your month going?

Remember the Midnight Shift

Just remember me. I may not have my name engraved on a memorial wall or be saluted once a year with misty eyes and trumpets played. I don't want to compete for glory or take away anything from those whose last heart beat was beneath a badge stilled at their last breath or lovingly adorned before they are laid to rest. Remember me in the glow of the patrol car's console as I bumped through alleys on a quiet midnight shift, balancing a cup of coffee. Part of me is glad for the quiet respite from the back-to-back demands of dispatch. Part of me wishes something would happen because I'm wired for those adrenaline infusions that keep my soul alive. From some subliminal habit my mind balances a practiced calm against the constant scanning of my senses. A thousand cues are processed as sounds or silence, shades of shadow and reflections of light keep every atom at attention. I am ready to chase, ready to retreat, ready to rescue. To the happily ignorant observer I'm a dulled door shaker just waiting for the donut shop to open. But remember me as the warrior who, while my family and yours slept warmly, shared the darkness with the evil I was quietly hunting.

Just remember me. I may not have a war story of dodging a hail of bullets. Not many of us do. Remember that I was willing; why else would I wrap my torso in Kevlar every day? My life is a walk among weapons. Guns and knives are plenty, but I see the ball point pen, the cell phone, the ashtray, the boot, the mini-van all poised for a kill. Just to go to work requires attaching tools of destruction to my body, itself a weapon and shield. An officer of peace adorned with a half dozen ways to kill, inflict pain, and subdue. This same one who proudly assured those who hired him that he wanted to be a police officer to help people now heavy hearted that victory often means another man in chains. Remember me as a tormented

crusader for all that is good, tainted by all that is not.

Just remember me. I may not show you my scars. I may not be among the many of my fellow warriors disabled by distress, but I am touched by their early deaths, their PTSD, their failed families, their addictions, and their bitterness. Remember that I could still smile and be quick with a joke and enjoy a good conversation. But know that I was always fighting pain. I cannot have pure grief for a fallen comrade at a police officer's funeral without weeping for my own mortality. I cannot shake the reality that death is my constant companion. I cannot enjoy the luxury of looking at my own delightful children without thinking of the dead and broken ones. It is a discipline to sit down and eat a meal soon after binding up the wounds that left skin and blood on the asphalt, to touch a loved one in a loving way after you've touched the dead. Remember me as one who carried on with life surrounded by reminders of its brevity.

Just remember me. I may not have as many enemies as I imagined, but it was not because I watched too many cop shows that I always had my eye on the door in the restaurant and I never carried anything in my gun hand. Nobody knew that I was calculating my odds on being able to take on anybody in the room, that I was looking for snipers and pickpockets at the ball game, that I was always a little disappointed that there was not a robbery in progress when I went to the bank to cash a check, and that while I was singing hymns in church I was scouting trajectories to minimize crossfire just in case. Remember that I was 24/7 even when I didn't want to be.

Just remember. It is what I tell myself. If I don't celebrate my walk in this life I may, in my current comfort, forget the others still on the front lines of the ongoing battle. I mostly sit at a desk now. I have finally aged into my premature gray hair. My fingers are on business cards and laptop

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keyboards much more often than on Miranda cards and handcuffs these days. But I must remember the midnights. God forbid that I lay my head on my pillow and forget the men and women watching over the night to own it for me. Shame to me if I drive the highways and fail to remember why they are smooth and safe, or go to the voting booth and fail to appreciate why it is such an easy exercise in this nation. May I never leave a prayer unsaid for a siren sounding in the distance. I must not forget that nearly every block and section of the land tells a story of when a hero was there. They are my brothers and sisters whose hearts have beat beneath a badge. I am proud of them.

I remember.

Police News Roundup – How was your week?

Summertime and the living is dangerous. In Hillsborough County, a corrections deputy was being strangled by an inmate using a towel around her neck. She was saved when other inmates intervened. In California, two El Monte police officers responded to a possible stabbing at a motel and came under gunfire immediately on their arrival. The suspect was killed by another officer on the scene. Corporal Santana leaves behind his wife, a 9-year-old daughter, and twin 2-year-old boys. Officer Peredes leaves a wife, a daughter, and a son. The gunman was on probation on a previous firearms charge.

A mother's scream created what is known in law enforcement as exigent circumstances when Miami-Dade police officers arrived to a report of a disturbance in a normally quiet suburban apartment complex. When the officers asked the apartment's occupants to open the door, they were met with more screams. They forcibly entered the apartment to see the woman's son attacking with two knives. The officers commanded the suspect to stop, but had to shoot when he continued his attack. The knife-wielding man died at the hospital later.

Meanwhile, back in the state of California, two Arizona men are behind bars in San Bernadino after using a flame thrower to take over a street for drag racing. The device, used in agriculture rather than a military device, was used to melt asphalt for better traction. The California Department of Transportation estimated that the act caused \$150,000 in damage. Drag racing and the takeover of streets have become increasingly common along with unruly crowds.

In Washington state, where restrictive laws restraining police officers have

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given unrestrained permission for criminal activity, a kidnapping suspect being pursued by police called 911 to complain that he wasn't supposed to be chased. The man, Isaac Sissel was being chased by Seattle Police after Sissel was wanted for taking his girlfriend and her cat hostage last month. Dispatch recording revealed that Sissel said, "It is an illegal pursuit and my license is suspended, and this is an illegal pursuit ... They're not supposed to be able to pursue."

In Durham County, North Carolina, deputies discovered that their location was being tracked by a GPS device that had been surreptitiously attached to their patrol vehicle. Officials fear that the purpose of the device was to monitor the deputies for an ambush.

A traffic stop in Los Angeles by a 27-year-old California Highway Patrol officer erupted in gunfire after a struggle between the officer and the driver of a white Ford Fusion. The driver and occupant were later arrested after a manhunt located them at a homeless encampment. The officer was shot and in critical but stable condition. He is expected to recover, but that good news is always shrouded in the possibility of permanent disability, chronic pain, and psychological distress.

State troopers with the Utah Highway Patrol stopped a vehicle for illegal window tint and discovered that a 7-year-old girl was hidden in the back seat in a smuggling attempt by the driver and occupants. Alejandro Marcos Carrillo-Lira, age 33, and Brandon Alexis Vargas Cardoso, 21, were booked on one first-degree felony count each of aggravated human smuggling. The alert officers realized that the driver's explanation was not consistent with the men's statements and discovered the little girl was being smuggled across the country. Glad these officers were enforcing what the anti-police crowd says are minor and unnecessary stops.

Duncanville, Texas police officers killed a would-be child killer who was armed with a handgun and fired into a community field house where 150 kids were attending a summer camp program. Officers arrived about two minutes after the report of shots fired, exchanged gunfire with the shooter, killing him at the scene.

A fugitive in Wicomico County Maryland murdered Sheriff's Deputy First Class Glenn Hilliard was killed Sunday evening while fleeing on foot from an apartment complex. The killer was caught after a manhunt. Deputy Hilliard was a 16-year law enforcement veteran, a husband, and the father of three children.

That's a sampling of a few days in the lives of our men and women protecting and serving with honor and courage. How was your week?

The tragic, heroic, exasperating law enforcement summer of 2022 so far

There are plenty of occupations that aren't on a 9-5 schedule, but America still seems to run on the assumption that weekends exist and summertime is for relaxing. Here are some things that your police officers have been doing in the dog days of August.

In Indiana, K9 handler Seara Burton was shot while her canine partner, Brev, was sniffing for drugs on a traffic stop of a moped. The operator fired on Burton and a fellow officer. At the time of this writing, Burton is still fighting for her life after the August 10th shooting.

Michigan Trooper Nicholas Talbot used rescue equipment from his patrol vehicle to help save a ten- year-old swimmer trapped in the current at the base of Four Mile Dam in Alpena Township on August 11th. While the boy followed the Trooper's instructions to secure himself, a volunteer firefighter, Christopher Kinsey, used the flotation device from the Trooper's equipment to swim to the distressed youngster and get him to shore.

The headline of an article posted on the WMTW television station news website tells a succinct story: "Maine woman shoots herself in the butt with officer's gun during the struggle". Tameika Girardin, 24, had been arrested on August 16th for burglary and was being escorted by officers when Girardin began fighting while handcuffed. When she grabbed for the officer's holstered weapon, she caused it to fire, striking her rear end.

A Saturday trip to a local Home Depot store by an off- duty Elko, Nevada police officer was interrupted when the officer noticed a man pushing a cart full of merchandise past the registers and into the parking lot. The

officer called in a theft in progress and identified himself as a police officer when confronting the suspect in the parking lot. Christopher R. Prado, 42, abandoned nearly \$1400 of merchandise and fled into a nearby apartment complex where officers located him based on the off-duty officer's information.

Joplin Police Officer Rick Hirshey, a 21-year veteran, returned to school as a school resource officer at St. Mary's Catholic Elementary and Preschool. He returned to work after being shot in the face in a March attack that killed fellow police officers by a man they were investigating for a reported armed disturbance. The suspect shot arriving officers and fled in a stolen police car and was subsequently fatally shot by officers after a pursuit.

August 6th found two Connecticut police officers rescuing a suicidal woman from the precipice of a parking garage, pulling her to safety.

Back to school at Lincoln High in Stockton, California nearly started with a bang Monday, August 15th as a brawl between students escalated as a 17-year-old student drew and brandished a loaded handgun. A police officer at the school disarmed and arrested the juvenile.

Carla Jefferson, age 51, was arrested on August 8th by St. Petersburg, Florida police for making harassing phone calls and misuse of the 911 system. Jefferson has logged more than 11,000 calls to 911 in 2022, none of which were to summon help but all were to curse and criticize law enforcement.

Four juveniles, ages 12, 13, 15, and 16 were caught in a stolen car in Whitehall, Ohio on Monday, August 15th after it rammed a police vehicle.

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After the collision, the driver attempted to drive away but was pinned in by another patrol car as officers ordered the occupants out at gunpoint. Police Chief Mike Crispen reported, with disgust, that the 16-year-old driver smiled and laughed while being arrested "It seems these juveniles are not concerned with the ramifications to their actions and they think this is funny," Crispen said.

In Dallas, police officers noticed that many children in their Northwest Division had inadequate footwear. In 2017 they began an annual effort to help the local kids and this school year were able to provide athletic shoes to over 500 kids. Funding was from a cooperative effort between police and local industry.

How was your summer?

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Decriminalizing some crimes can be a good idea

It seems like changing crimes into acceptable behavior has been a trendy hobby among west coast legislatures. Shoplifting, trespassing, and drug possession have been decriminalized, refused prosecution, or restricted from enforcement. Possession of what used to be called hard drugs earns a ticket instead of jail in many places. Police are prohibited from making traffic stops or chasing those who flee on foot or in vehicles. Tools like neck restraints, impact weapons, and chemical sprays are removed even during riot situations.

It's the American way to watch the pendulum swing in the world of criminal justice. Laws are passed that seem to be soft on crime, crime goes up, laws get harsher, crime goes down, laws get softer again. These adjustments need to be made, if not to change rates of victimization, at least to generate political support during election cycles. It has been tragi-comically obvious in the past few years that the same block of activist politicians stripping funding and support from law enforcement are now boasting about how they are increasing funding and expanding police numbers.

These balancing acts and up-and-down trends have been going on since the beginning of laws. Now comes decriminalization that this pro-law enforcement writer might be able to celebrate. California's new law allowing jaywalking will take effect in January, allowing a person to cross a street outside of the regulated crosswalks if it is safe to do so.

There is no shortage of statistics to show that California is a leader in pedestrian deaths and injuries, so critics of the new measure fear that number will only increase without enforcement. The new law doesn't

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prohibit jaywalking enforcement, but the violation must cause immediate danger. In other words, the actions of careless pedestrians that contribute to California's statistics would still be subject to a ticket even under the new, liberalized law.

The new law is tainted, of course, by accusations that jaywalking contacts with police were disproportionately against people of color and made to generate ticket revenue. No way Cali lawmakers could pass up an opportunity to take a swing at law enforcement. The sponsors promoted the law partly to reduce police-citizen contacts, and while the motive might be suspect, it might not be a bad thing.

When we expect armed government agents to enforce a law, society must accept the consequences. If we give them responsibility and the power to fulfill that responsibility, we also expect the citizen to comply. If the citizen does not comply with a law passed in a democratic process for which law enforcement is responsible, the use of coercion is authorized and necessary. Were it not, there would be two classes of citizens: one class that takes all of the consequences of law-breaking, and another that can feel free to walk away and flaunt the enforcer who is impotent to stop them. If we say we want NYPD to enforce a law against selling individual untaxed cigarettes, then we should not be shocked that if a suspect refuses to submit to a lawful arrest he will be forced into custody. If we want our police to make kids wear bicycle helmets, we must allow them to exercise their authority to do so rather than accept an obscene gesture as the culprit pedals away.

The essential question of any law is to what extent we are willing to interfere with an individual's liberty in order to enforce the law equitably. The golden rule of individual freedom is whether your right to swing your fist interferes with my right to stand and not be struck. Maybe allowing a

citizen to make a judgment about whether to cross a street at the crosswalk or not is in the best interest of liberty.

Justice Brandeis made a famous dissent in the 1928 case *Omstead v. United States* in which he stated, “The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They conferred, as against the Government, the right to be let alone – the most comprehensive of rights, and the right most valued by civilized men. To protect that right, every unjustifiable intrusion by the Government upon the privacy of the individual, whatever the means employed, must be deemed a violation of the Fourth Amendment.”

Maybe California got it right. Maybe we don't need to government's permission to cross the street.

Hero Report

If a police officer hurts a suspect it can be national headline news. The daily heroic performance of the other 800,000 cops might be a blip on the local news station at best. In case you've missed it, here are some things that law enforcement officers are doing every day.

March 14th in Covington, VA a 1-year veteran officer responded to a domestic disturbance at a gas station where a suspect had just shot his father-in-law. The officer, Caleb Ogilvie, a Marine Corp veteran and father of 4, was shot and killed in an exchange of gunfire in which the suspect was also killed.

On Sunday, March 13th, a Texas Deputy Sheriff with the Bastrop County Sheriff's Office was engaged in a routine investigation. Deputy Sawyer Wilson had occasion to contact Michael Stark who, apparently unknown to the deputy was a parole violator with a long and violent criminal history. Deputy Wilson survived a shot to the chest due to his body armor but was shot in the side and arm with serious injuries. While in the hospital, Wilson is reported to ask to help in the investigation and search for Stark who was arrested 13 hours later.

Albuquerque, New Mexico police responded to a neighborhood to a report of a gunshot victim on Monday, March 14th. On arrival, APD officers heard additional gunshots and while searching for the source encountered a gunman who fired on the officers, injuring two. The gunman was shot dead.

On March 8th in Portland, Oregon officers Justin Raphael and Tyler Wyatt arrived on the scene of a shooting with a victim lying near death on the

ground. Not knowing if a shooter was still in the area, officers chose to enter the vulnerable area to give aid to the victim. Using major wound kits they carry; the officers were able to staunch the bleeding and get the victim to advance care where he survived.

Sgt. William Drew and Officer Nathan Rodgers of Montgomery County Maryland were heading home after midnight on March 5th when they saw a burning, crashed car. Drew broke out a window and was able to pull the unconscious driver from the flaming wreckage while Rodgers used an extinguisher to fight the blaze.

Two Pierce County, Washington officers were wounded Tuesday, March 15th in a SWAT operation to arrest Jeremy Dayton who was wanted for an assault with a firearm charge. Deputy Dominique Calata was in grave condition Tuesday night. The other wounded deputy, Sergeant Rich Scaniffe, was out of surgery Tuesday evening and in stable condition.

In a less dramatic display of protecting and serving, an unidentified Michigan State Trooper saved a confused swan wandering around a Detroit area highway on March 14th.

Columbus Ohio police officers were investigating reports that a car was firing randomly at motorists along Interstate 71 on Friday, March 11th. Responding officers came under fire and a brief gunfight between the suspect and police resulted in gunshot injuries to the suspect and several rounds shot into a police cruiser.

An armed man in Joplin, Missouri was shot by a Joplin police officer on March 8th after the suspect shot two Joplin PD officers. Cpl. Benjamin Cooper was slain at the scene of a confrontation with an armed man in a shopping area. Also shot was Officer Jake Reed who was transported to a

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hospital but did not survive.

A routine early morning traffic stop on Sunday, March 13th by Phoenix police turned violent after a pedestrian nearby opened fire on the officers. The suspected gunman was arrested after a manhunt. One officer was treated for a bullet wound and the other for injuries from flying glass.

In Salt Lake City's airport, John D. Baydo, 32 came up behind two SLPD officers who were walking foot patrol inside the airport and punched one of the officers in the side of the head in an unprovoked attack.

On March 6th a major highway was closed to traffic because of a marathon race in progress. Kristen Kay Watts, 52 drove through barricades and past police officers headed toward hundreds of racers. Florida troopers blocked the roadway as Watts continued at a high speed toward them, crashing head-on into a patrol car operated by Trooper Toni Schuck who is recovering from injuries sustained in the crash. Schuck is being praised for putting herself between the drunk driver and the racers, potentially saving dozens of lives and injuries.

That covers less than 10 days on the calendar and only a tiny fraction of the heroism, service, and sacrifice that happens every moment in the law enforcement profession. How was your week?

Evil: The Forgotten Cause of Criminality

The Utopian idealists who parade folly as compassion want us to believe that everyone is good at their core. Any behavior defined as criminal is excusable because of the deficiencies of society, mental illness, poverty, or racism. In their eyes, evil only exists in prisons and among law enforcement.

Although the belief that every criminal behavior holds within it an excuse rather than a moral component of right and wrong, common sense and the ordinary experience of most humans reveals that people have choices to make and paths to take.

Every religion and philosophy has an element of recognizing right and wrong. For Bible-based religions, wrong is sin and right is righteousness. Evil is manifested in wanton violence and good is manifested in kindness to others. In Islam, what is good is what Allah has commanded and what is bad is what has been forbidden. In human interactions, good and bad are relative. In Buddhism, negative actions and thoughts such as greed, anger, and ignorance create evil that impairs enlightenment and activates Karmic consequences. Hinduism recognizes evil as a cause of suffering in ourselves and others. Those who hold no belief in the intelligent creation and design of mankind still hold that our conduct is constrained by the need to co-exist, and humanists define evil as human action that causes unnecessary suffering.

Political utopian thought is not a fringe element in American society. When legislatures reduce sentences, judges release violent offender suspects without bond, and when police must allow trespassing and shoplifting because the perpetrators can't afford commodities or space,

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compassion trumps accountability.

To be sure, the discussion on the balance of compassion and consequences is a necessary one, but deconstructing the criminal justice system is not thoughtful, research-based reform, but armchair policy making by those who believe that they will suffer no consequences from wholesale forgiveness of criminal behavior. Classical criminology has served western culture well for centuries. It posits that people avoid pain and seek pleasure. People will make a free will decision to avoid things that cause pain (the probability of punishment) balanced against getting away with behavior that brings them pleasure, such as raping your daughter or stealing your Hyundai.

Famed psychologist Dr. Phil (McGraw) has a habit of saying that we teach people how to treat us. This is a truism for individual relationships – we'll get what we put up with – but it is also true for society at large. How a person calculates the pain v. pleasure equation is partly dependent on what they observe in others who engage in criminal pleasure-seeking behavior. If everyone seems to be getting away with it or society passively puts up with it, the scales are tipped in favor of a decision to go for it.

If people would choose to self-regulate there would be no need to establish legal boundaries for behavior. And most people do operate within the law. But, as Alexander Hamilton is said to have stated in the Federalist Papers "If men were angels, no government would be necessary", so here we are.

It is important to recognize that American jurisprudence has a good deal of flexibility in dealing with offenders. There are alternate sentencing and treatment options, case management for addicts and juvenile offenders, and defenses that include insanity and diminished capacity. Prosecutors

have much power to determine what and how to prosecute, as do police officers as they exercise discretion in their daily encounters.

The idea that wholesale forgiveness, release from accountability, and blaming society and mental illness can result in increased public safety seems not to be working. Certainly, we as a nation must continue to seek to cure social ills and provide services to restore mental health in individuals. But ignoring the suffering of those who feel the brunt of property and violent crime shifts the balance of justice in favor of the offender. That is patently unjust, unfair, and unsustainable.

Broken Windows, Broken Justice

Since the mid-1980s, a lot of attention has been given to the Broken Windows Theory of crime proposed by James Q. Wilson and George Kelling. The timing of the publishing of their theory coincided with an increase in violent crime and fear of crime. Violent crime became a national issue, reaching a peak under Bill Clinton's presidential campaign. The Clinton administration's crime policy was heavily invested in the broken windows theory as an essential component of community policing. President-elect Biden will likely resurrect the banner of community policing in response to demands for police reform.

In a nutshell, Wilson and Kelling proposed that if a neighborhood looks run down and appears that no one cares it gives tacit permission for small acts of disregard such as vandalism, littering, and drinking in public. Once these offenders see that they are not accountable for these violations of order and decorum, the level of offense increases until the area is no longer safe.

Wilson and Kelling were wise in using the broken window metaphor. Everyone has noticed the eventual degradation of an abandoned building or car. First, a broken window goes without repair. Then more windows are broken. Doors are pried open. Narcotic use and squatters making a nest. Property owners decide that there is nothing worthwhile to do with the property and leave it to crumble or burn. Even the police may decide that since no one cares, there is little incentive to pay much attention to petty crimes.

New York City especially embraced the theory and assigned police resources to the enforcement of offenses that had long been considered

not worth their time. How could you justify stopping public drinking and riding the subway without buying a token when there were rapes and robberies to solve? But if the theory held, suppressing and preventing quality of life offenses would gradually shut off the pipeline to violent offenses.

Although not all analysts credit this strategy with dramatically lowering NYC's violent crime rate, the raw statistics showed dramatic success. Other components of the Clinton era crime policies were tougher rules on juvenile offenders, longer prison sentences for some crimes, and funding for adding more prison space.

Now we have a new brokenness: the criminal justice system. With policing funding cuts, reduction in investigative stops, incentives for police officers not to take enforcement actions, suggestions that rioters and looters are justified and exercising Constitutional rights, and increasing prosecution of police officers for justifiable uses of force, lawbreakers are being given permission to ignore the law and its consequences.

As an example, in August of this year, Multnomah County District Attorney Mike Schmidt decided to drop charges on most of the 550 persons arrested by the time he took office. At one point only 45 persons were prosecuted even though 150 of the arrestees were charged with felony crimes including assault and arson.

In June of this year, New York City police were told to stand down in the face of assaults and property damage during civil disturbances. Even though Mayor DeBlasio and top police officials denied that such an order was given. Whether those orders didn't come from the top echelon or

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not, the lack of support for NYPD by the Mayor makes it quite believable that someone in authority feared repercussions if law enforcement was permitted to enforce the law.

This month the Los Angeles Police Commission ruled that LAPD officer Toni McBride, who was ambushed while responding to a traffic crash, shot her attacker who was advancing with an edged weapon. The suspect fell after two shots, then got up to resume the attack and was shot by McBride 4 more times. The commission said that the 5th and 6th shots were excessive. Really.

Also this month, A grand jury has indicted a rookie San Francisco police officer who fired a single shot at a man who had attacked him and his field training officer with a bottle, and who was apparently trying to stand up after the training officer shot him multiple times. A bottle can be an edged weapon, blunt instrument, or thrown as a distraction device during an attack.

We believed that the broken windows theory gave rise to crime, and that crime was reduced by paying attention to the small erosions of law and order. Responding to disorder allowed police to reduce violent crime significantly. Now we have a broken system, where lawbreakers are forgiven, even admired, and often ignored. With this erosion, is it any wonder that cities are now seeing dramatic spikes in violent crime?

We worked hard to fix the broken window, only to allow our justice system to become shattered. When will our leaders allow that to be fixed?

Force Continuum Doesn't Start with the Police Officer

The use of force continuum is a largely abandoned policy to guide police officers in the lawful use of force. That particular model relies on stages of subject behavior followed by authorized police behavior. It is a reactive policy that relies on a succession of failures until an officer finally gets the upper hand. Refreshed models and training guides still attempt to identify appropriate police reactions to subject behavior. Nearly all of them begin with the lowest threshold being “officer presence”.

As mentioned in a recent NPA article, writer Steve Pomper states “How many crimes, property and violent, do cops prevent simply by rolling down an alley or walking a beat in a high-crime district? How many would-be burglars, assailants, rapists, even murderers had to alter their criminal trajectory when they saw a patrol car or officer appear around a corner?”

When a police officer shows up on a scene of a suspected law violation, whether rolling up on an event in progress or responding to a 911 call, it has always been expected that their mere presence would cause the parties involved to stop or slow down their disruptive or unlawful behavior. Even though embedded in policy and procedure expectations, and verified by the experience of millions of police contacts, a frequent and perhaps prevailing attitude today is that the arrival of the police increases the illegal and violent behavior of subjects. Thus, the call for increased competency in so-called de-escalation strategies.

Those with no trust in the police are attempting to solve the problem of use of force by eliminating police presence in the first place. The cessation of stop and frisk strategies (long specifically authorized as

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Constitutional reasonable by the US Supreme Court), the discouraging of proactive policing, both explicitly and implicitly, as well as the demoralizing of police officers who have concluded that doing any optional police work is a threat to their careers, all work towards keeping cops in their cars with blinders on.

What “officer presence” as the first step of compliance misses are two laws that are already long a part of every communities’ law. The first is prohibiting the unlawful act in the first place. The second is the requirement to submit to an arrest. Some states may still say “lawful” arrest, giving an arrestee the legal right to resist the unconstitutional seizure of a person, but most of those laws have been altered to make resisting any arrest against the law. (It is a dangerous license to allow resistance because the arrestee can’t know what the officer knows, plus there are many remedies for a false arrest that exist.)

Every motorist, pedestrian, bystander, and wrongdoer knows what the law is governing their behavior: don’t assault, don’t disturb the peace, don’t steal, don’t ignore traffic laws, etc. This is the first element of avoiding the use of force. Don’t do the crime. Of course, there are times when truly innocent persons are contacted by law enforcement and sometimes in an unpleasant way, but citizens also must accept that they may be driving a car that matches a lawbreaker’s description, or be somewhere unfortunately at the wrong time. Whether innocent or guilty, the second law still applies. They must comply with the police officer.

Most of the high-profile use of force controversies would never have happened had the subject contacted by law enforcement complied with these two laws. They are not merely a social convention, accepted protocol, or suggestions. They are the law.

There are now police agencies and legislative bodies that do not want enforcement of traffic laws or some other minor violations. Why? Because of their fear of "officer presence". They often refer to pretext stops, meaning that an officer finds a minor violation for which they can stop a vehicle to get a chance to investigate other criminal activity. This is another legal question that has been answered by the US Supreme Court. If someone the officer knows is a purveyor of illegal drugs who happens to be driving with an expired license, the legitimacy of the expired license offense remains regardless of whatever else the officer may have on their mind.

Removing these contacts will, indeed, result in fewer uses of force by the police for the mere fact that violent felons will not be caught by the police and therefore have nothing to resist. It will also result in yet another uptick in crime, not to mention an increase in drunk driving crashes, and vehicles operating with dangerous vehicle deficiencies.

The anti-police crowd is winning many battles, gaining ground inch by inch with bad political decisions handcuffing law enforcement from keeping their citizens safe by ceding the advantage to the criminal elements. It should be remembered that these influences are not for "reimagining public safety" or "redistributing funds", but for moving toward either the abolition of the police or the federalization of policing away from local control.

When Cops Are Benched Victims Lose and Criminals Win

Legislatures pass laws with the expectation that they will be obeyed, and the expectation that those who do not follow the law will face consequences when the law is enforced. The law is enforced by agents of the government, most of whom, because of the variety of their duties that include dangerous activity, are armed police officers.

That's the way it is supposed to work. Unless some political body between the lawmakers and the law enforcers decides that they have a better idea – like not enforcing the law. That doesn't seem to be very democratic, but city councils are performing an end-run around traffic laws for fear that police will shoot drivers who have a burned-out license plate light.

The reality is that the danger is not to drivers breaking the law but to other motorists and police officers. Officers killed while making "routine" traffic stops while unknowingly interrupting criminal activity, as well as being struck while making stops, working crashes, or helping a stranded motorist, comprise a significant number of officers killed in the line of duty.

Embattled Minneapolis police are now barred from many traffic enforcement activities due to a settlement between the city and the Minnesota Department of Human Rights. MPD officers cannot pull over drivers for the sole purpose of expired tabs, license plate issues, broken lights or mirrors, or failing to signal a turn, along with other minor violations, so, according to one attorney, traffic stops cannot be "weaponized".

“We already had in policy, that you couldn’t pull someone over because an air freshener was hanging from the rearview mirror... or if something is wrong with how your license plate is hung, [that is] also not a good reason for pulling people over. That was already done,” Mayor Jacob Frey stated.

Members of the California Senate recently passed a bill to limit police from pulling over drivers for certain minor safety infractions. Keeping the laws in place, but prohibiting police from enforcing them sounds like a dog chasing its own tail, but supporters claim “Our primary reason for supporting this is to advance public safety. To make sure the limited public resources we have, police, prosecutors, and courts are focused on the most serious crimes first.” Other brilliant California police-phobic legislative attempts include removing pedestrian safety rules and banning police K-9 use.

It is worth noting a couple of points. First is that traffic laws, including equipment and licensing laws, have national acceptance and typically conform to the Model Traffic Code used as a template by most jurisdictions. Secondly, when it comes to concerns about traffic stops being a tool of racial profiling, minorities are a greater percentage of crash victims. Thirdly, “minor” violations don’t seem so minor when the lack of a turn signal causes a crash, or a collection of items dangling from the rearview mirror keeps a driver from seeing the child at the crosswalk. This is not to mention the number of drunk drivers, illegally possessed guns, and contraband that are discovered during traffic stops.

The three “Es” of traffic safety are education, engineering, and enforcement. We try to teach people not to drive drunk, not to follow too closely, and to wear seatbelts. We design highways, ramps, signage, and barriers to guide traffic passively. When those fail, enforcement compels

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compliance. We can measure whether enforcement has an effect by using the math of the “enforcement index”. This is the relationship between enforcement and driver behavior as measured by crashes.

Although the police-phobics claim that these minor traffic laws have no significance to public safety, research indicates otherwise. An exhaustive study conducted by the Austin, TX police that was recently released, states that “Studies and research show traffic enforcement can promote traffic safety. There appears to be an inverse relationship between traffic enforcement and traffic safety. In some studies, when enforcement went up, serious injuries and deaths went down. In others, when enforcement went down, serious injuries and deaths went up”.

If politicians want to feel better about themselves by telling police not to do their jobs, that self-indulgent posturing will cost the lives of citizens they claim to represent.

Crime's Deadly Pendulum

People are dying. We can talk stats, we can talk policy, and we can lament the state of the nation, but higher crime rates mean people are hurting. Fear stalks behind the numbers and gets amplified in the headlines. Can we do anything about it? History tells us that we can.

The FBI is noted as the repository of national crime rates, but they were not the first collector of those statistics. The International Association of Chiefs of Police began the process of gathering data on crimes reported to the police in the late 1920s. Congress authorized a national database and assigned the task to the FBI in 1930. The collection, known as the Uniform Crime Report (UCR) continues to be the flagship of crime measurement in the U.S.

We know a family torn apart by homicide. We found our car stolen or without its catalytic converter. We feel compelled to install alarms and security cameras. Crime is real. Just be thankful you weren't around after the Civil War.

As history shows, the crime rate leveled off for a period, then began a rise in the 1920s through the mid-1930s, attributed to criminal activity generated by Prohibition. While the law against alcohol was supported widely enough in theory to pass a Constitutional amendment, but not widely enough to reduce demand. The dramatic increase in homicide during this period, as well as a more mobile criminal, resulted in increased powers of the FBI and greater attention to measuring crime.

The poverty of the Great Depression resulted in a rise in crime that declined when the economy improved and with the onset of WW2,

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drafting males of traditionally higher crime ages into military service. Lest we automatically assume that a bad economy equals more crime, the prosperity of the late 1960s was accompanied by higher crime rates.

The 1960s rise was not just more young people (more prone to making bad decisions) as the Baby Boomers came of age, but was accompanied by a lot of social upheaval. Homicide rates more than doubled during the Vietnam War era 1963-1973. Crime became a political issue and President Johnson expanded federal attention, research, and funding to address policing. Those efforts appeared to have an effect until the high crime era of the 1980s.

Fear of crime with the epidemic of drugs and gangs that bled into the suburbs from the inner city was addressed in the Clinton – Bush presidential race. Clinton paid attention to crime and the economy, while Bush said little about crime and reneged on his promise of no new taxes. Clinton (with notable support from then-Senator Biden) enacted a host of legislative reforms and criminal justice funding. These efforts were at least partly responsible for a dramatic decrease in crime in the 1990s as the prison population boomed and zero tolerance for juvenile crime prevailed. Some also noted that the 1973 expansion of abortion reduced the potential field of juvenile criminals preemptively.

We now enter the modern times of the Obama-Biden era where apologies were made for putting people in jail, police were demonized, and felonies were reclassified as misdemeanors or simply not crimes at all. Crime predictably rose alarmingly and remains troublesome. Following the up-and-down cycle of non-enforcement to getting tough on crime, we are now seeing a slow turn away from the permissiveness and outright celebration of criminality toward a return to asking for law enforcement to

regain its rightful place in an orderly society. If we achieve a reset of controlling crime over the next few years thousands of lives will be saved and improved.

Depending on voter activism, 2025 could be a major turnaround year. Then hold on to your hats, because according to history when we start feeling safe in our homes again, we soften our position on law and order and the cycle begins to turn again.

Will Oregon's Drug Decriminalization Reduce or Increase Addiction and Crime?

Oregon has reduced the penalty for most drug possession cases from being a felony offense to being no offense at all. The \$100 that a defendant would pay will be a ticket to rehabilitation. Such a radical departure from a criminal justice response to a health care response just might work. If so, the legalization and decriminalization advocates can look over their shoulder and say "I told you so" with great pride. If it doesn't work, the skeptics can say "Too bad, I wish it had turned out the way you had hoped".

The Plan and Its Goal

Since President Richard Nixon affixed the label of war to drug enforcement efforts in 1971, critics say the war on drugs has failed. Citing that 1 of 11 Oregonians are addicts, the state's proposal anticipates that people who are dependent on illegal drugs will embrace rehabilitation and find a cure for their substance abuse. If that works, it could become a model for other states and even other nations. The law and its operation will face many challenges.

Sustainability

Laws either reflect the public consensus or reflect the political power of interest groups. When big issues face the political process the outcome is often considered the final solution. Politicians and the public move on to the next burning issue. The enactment of this drastic decriminalization effort depends on the ongoing support of the public. It is, after all, a

grand experiment with an uncertain outcome. Adjustments to programing, funding, and the public's attitude will be necessary in the coming years. Whether that happens or not will determine what long-term successes and failures occur.

Economics

Funding for treatment for substance abuse needs a reliable source. The \$100 assessment is, in reality, voluntary and would not fund the programming in any case. Ironically, or perhaps appropriately, the program will be funded by tax revenue from marijuana sales. That revenue has been projected to grow, but a continued upward trajectory in the marijuana market isn't guaranteed. It would seem if drug use, in general, were to drop, so would marijuana sales. But we fund health initiatives with cigarette tax money, including smoking cessation plans, so maybe that will work out.

Proponents also claim that the savings in prison costs can be shifted to drug treatment. The relationship between drugs and crime is a complicated one. Since most drug possession cases arise out of other arrests, the absence of a drug charge doesn't mean the absence of a jailable offense. The effect on treatment availability and diversion will not necessarily be a reduction in overall crime. Although a significant number of prison inmates are in on drug-related charges, many are there for sales or manufacture which will still be illegal under Oregon law. And everyone in law enforcement and corrections knows that an inmate is in prison because of a history of offenses and second chances and plea bargains. To say that drug offenders will no longer go to prison is not universally true.

Criminal Justice Compulsion

Many drug reforms are already in place within the criminal justice system. Court-ordered treatment, decriminalization, prison-based programs, and probation and parole supervision are some of the ways that entry into the criminal justice system by arrest has been the pathway to substance abuse recovery. Admittedly, rehabilitation in corrections has an unreliable history, but the voluntariness of addicts entering treatment on their own is an assumption that will not always hold true.

The protections of a convicted offender by access to lawsuits and appeals may be lost to an addict in the medical/psychiatric world. Handing over hundreds of offenders to the mental health system has its own set of ethical and procedural questions. The Constitution protects citizens against government actors, not health care providers.

Treatment Infrastructure

There aren't enough facilities and providers for a sudden mass entry of substance abuse clients. Grants are envisioned to create and sustain treatment centers and modalities. Just as Medicaid reimbursements craft what services are offered based on what money can be made, treatment centers will chase after grant dollars just as private prisons did when state prisons overflowed. The supervision of these institutions and programs that will spring up like mushrooms will be limited to state resources and expertise. Drug treatment is not settled science. Rehabilitation, by definition, assumes there is a "habilitated" state to which an addict can return. Additional therapy behind mere detoxification can be more complex than the proposed system can accommodate.

Additionally, how many persons will move to Oregon because of the availability of treatment? How many will be relocated because they perceive that there is a get out of jail free opportunity to use drugs with little risk?

What is Success?

Finally, it will be critical for the public to watch for measures of success. If one out of ten addicts turns away from regular drug use, will that be a success? If it takes multiple trips to rehabilitation programs over a period of years to overcome the addiction, will that still be success? If the addict reduces dependence on drugs but still uses alcohol and marijuana, is that success? If the prison population does not reduce, but treatment facilities are full, is that success? Oregon is embarking on a bold experiment. There are many skeptics waiting to watch that experiment fail.

Defunding the Defunders – Baltimore’s Victims Fight Back

The Baltimore Sun is reporting that businesses in the Fells Point, a historic waterfront neighborhood, are fed up with unchecked criminal activity. Established in 1763, the area was once a bustling ship building port. With over 300 buildings on the National Register of historic buildings the area is rich with eateries, museums, and events.

A letter from nearly 40 businesses in the area states “prostitution, public urination and defecation, and the illegal sale and consumption of alcohol and illicit drugs on the streets, we know these crimes are not as serious as the carjackings, shootings, and homicides that have become routine,” the letter reads. “But, as this past weekend proved, a culture of lawlessness rarely remains confined to petty offenses and invariably leads to the kinds of violence and tragedy we witnessed late Saturday night”, referring to the shooting of three men over the weekend.

“What is happening in our front yard — the chaos and lawlessness that escalated this weekend into another night of tragic, unspeakable gun violence — has been going on for far too long,” said the letter in which the businesses stated their intention to put tax payments in escrow until the situation was resolved.

Baltimore was one of the early adopters of defunding the police by elimination \$22 million from the police budget. Only the Scarecrow from the Wizard of Oz — lacking a brain — would have been surprised at the surge of crime that followed. The city reversed course, proposing at 2022 budget of an additional \$28 million. The letter stated that “it’s pathetic that we have to ask for these basics.”

Quality of life and order maintenance efforts are always among the first to suffer from funding cuts to police. From either official edicts to stop directing enforcement of parking laws, drinking in public, and littering or just being too busy dealing with increased violent crime with fewer resources, citizens note the truth of the old saying that if you give an inch they'll take a mile. The protesting businesses are lamenting the increase in a "culture of crime".

These social experiments are costing lives. As the Washington Examiner's Byron York noted recently, "Los Angeles has cut its police budget by \$150 million. Seattle has cut \$69 million. San Francisco has cut \$60 million over the next two years. Denver has cut \$50 million. All the cuts are between 10 and 20% of the cities' police budgets." Moreover, cities such as Houston, Oakland, and Portland, Maine, have barred their police from serving in certain roles (on school grounds, for example), and Atlanta's mayor has even been making noises about closing the city jail.

Defunding costs lives. Baltimore's murder rate is up nearly 20% while Marilyn Mosby, Baltimore's notoriously anti-police prosecutor cut back on prosecutions during COVID. Mosby announced that drug possession, some sex workers and other misdemeanor offenses would no longer be prosecuted.

"Clearly the data suggests here is no public safety value in prosecuting these low-level offenses," Mosby said. She touted an 80% decrease in drug arrests, but that was after announcing that she instructed the police department not to make drug arrests during the pandemic. Crime rates will go down when you decide they aren't criminal anymore. Violent crime rates remained high, with the exception of street robberies during the

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pandemic where fewer victims were exposed to public places. Mayor Brandon Scott says the violence is unacceptable and urges that “we have to be better as citizens”, blaming, of course, guns as well as poor citizenship.

Baltimore is part of the list of cities who have responded to protests, violence, and activism with the knee jerk response of cutting police budgets. They include New York City, Washington, D.C., Baltimore, Philadelphia, Los Angeles, San Francisco, Atlanta, Minneapolis, Seattle, Salt Lake City, Portland, Oregon, Hartford, Connecticut, Norman, Oklahoma, and Austin, Texas. So far, we’re not hearing of the glorious success of less policing resulting in a higher quality of life. No one is saying “why didn’t we do this a long time ago!”, and no one feels safer except criminals.

Maybe more victims – both individuals and businesses – could follow Fells Point’s lead and defund the defunders.

Are There Even Laws Anymore?

Civil disobedience has been a hallmark of individual courage to force attention to the need for change. From the American Revolution to Rosa Parks to imprisoned 84-year-old nun Megan Rice, defying the law and accepting the consequences has been a noble stand against perceived injustice.

We have entered a new and perverted era of defiance. We now have government officials deciding that the will of the people as expressed in the laws of the land can be thwarted for temporary convenience or their own perceived moral superiority.

As we look over history we can certainly see that not all laws were ultimately just, effective, wise, or served their purpose forever. Legislators are political creatures who posture and bargain for re-election and campaign funding support. Dramatic headlines create a perceived need for immediate action that results in hastily constructed laws whose unintended consequences are not wisely anticipated. For example, look no further than the damaging anti-police laws cranked out in the last 18 months.

Governing 330 million Americans is necessarily complex. For the sake of unity, equality, and consistency we have the U.S. Constitution as the one governing document that must be the supreme law of the land without contradiction. Where no compelling federal interest exists, the 10th amendment recognizes the sovereignty of individual states. "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Arguments of federal encroachment aside, that is the system.

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The 50 state legislatures, and those of U.S. Territories, act within Constitutional bounds, meeting regularly to address the needs of their constituents. Smaller units of government within each state are created by state law. The county boards and city councils pass ordinances that must be in conformance with their state constitution and statutes. At each level, there are agents of the respective governments that enforce the laws that are passed, thus the label of law enforcement.

Courts provide a check on these legislative bodies to ensure that the laws themselves are legal and conform to the Constitution. The greatest check and balance lies with voters who determine who will sit in those chairs of power to make the rules by which we live.

The fabric of this system has woven a generally peaceful society within which most citizens live orderly lives, always ready to vote, protest, or appeal to the public for change. Then there are politicians who thumb their noses at the law. New York City has decided to provide safe sites for drug users to shoot up, with taxpayer-funded needles and other paraphernalia. Now, that may be an idea whose time has come and will save lives. But it is in defiance of existing law.

Governor Polis of Colorado reduced a 110-year sentence to 10 years for a truck driver who killed 4 people in a fiery crash that he could have prevented.

Maybe that sentence was too harsh, but do we want governors to use their clemency powers to review and overturn sentences required by law after a jury's conviction?

The District Attorney in Manhattan, Alvin Bragg, announced to his staff upon taking office that short of murder and serious assault, he really doesn't want to cause other offenders to suffer jail time. And he doesn't want to be bothered with minor offenses, the kind that, when enforced under Rudy Giuliani's term as Mayor caused New York City's crime rate to drop significantly and made NYC a safe place to visit again. Sure, prosecutors need to have discretion, but not to grant wholesale amnesty to anybody that doesn't put a victim in the hospital or the grave.

We know, of course, that Philadelphia and other cities have prohibited their police officers from enforcing most traffic laws. This is in defiance of statistics that these "minor" offenses contribute to the hundreds of thousands of persons injured or killed in traffic crashes, not to mention the reduced numbers of intoxicated, unlicensed, and criminals operating vehicles that will now be ignored.

Add these perpetrators to the rioters whose destruction was overlooked in favor of their wokeness and to the violent offenders released without sufficient bail to keep them off the streets, and one wonders why the "reformers" are shocked by the increase in crime.

It seems that the one area being aggressively prosecuted is criminal charges of police officers, even if the prosecutor has to dig up old cases already cleared. Whether 2022 becomes the banner year for law-breakers remains to be seen, but things seem to be in their favor.

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Police need to recruit candidates with ESP

Yes, ladies and gentlemen, it is time for a new breed of police officer. The antiquated idea that police officers must use split-second observations to respond to potentially lethal threats will no longer reign. The simple answer is to recruit only police officers who are clairvoyant.

Officers with the skill of seeing into the minds of others with extrasensory perception (ESP) along with other psychic abilities will be tested under real-world conditions. These new officers, to be known as PsychCops, must qualify with a new testing program in order to pass muster.

First, they must be able to see and identify objects under low light conditions. According to a federal publication on firearms training, at least 90% of officer-involved shootings happen in less than daylight conditions. Non-psychic law enforcement officers (NPLEOs) can only use their natural senses to determine if a suspect is carrying a deadly weapon or a cell phone. The NPLEO has less than a half-second to decide if they must use force to avoid being killed. The PsychCop will know even before entering a dark building or approaching a car at night whether a weapon is present and how many adversaries they might be facing. They'll also sense that bystanders are either friendly or hostile and will know exactly when a backup officer will arrive.

Second, to be a PsychCop, a candidate will have to be able to predict the trajectory of a person fleeing from a crime. The NPLEO can't predict whether a suspect will be going into a populated area, will seek refuge in a home of innocent occupants and potential hostages, or will conceal themselves to prepare to ambush the officer. The PsychCop will be able to predict whether a fleeing felon or disturbed person will be a threat to

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others or not. This will be exceptionally useful in vehicle pursuits, no longer requiring an officer to decide whether to let an offender speed away or whether to do their best to apprehend them before anyone else is harmed.

Third, with new demands that police be able to diagnose mental illness and substance use, the PsychCop is the perfect candidate. Knowing whether a person's attitude will turn violent or not will be a great convenience. The new mind-reading police officer will know how many voices are inside the head of the citizen they encounter. They'll know if weapons are nearby, and if the person is willing and able to use them. Is the citizen suicidal? Do they want the police to kill them? How will they react if I ask to talk with them, or ask if I can move a little closer? The NPLEO can never know, but the PsychCop can.

Fourth, the PsychCop candidate must be able to telepathically know the mood of members of the public to succeed in the public relations area. Even before stopping a vehicle, the PsychCop will know if a driver is suspended or wanted for a crime. They'll know if the person is already having a bad day if they knew their headlight was out, and if they are late for work or a very

important person who pays their taxes and knows the Chief.

Predicting the future has already become a requirement for police officers as some courts have blamed officers for provoking suspects into fleeing or fighting, as though the suspect is no longer accountable for their own actions. Officers have been disciplined and even prosecuted for not knowing if a dangerous suspect was incapacitated after three shots or required four to stop the threat or attack. They also are blamed when any active shooter is found to have had reports of odd behavior or contact

with the police since law enforcement should have known that this person, out of the hundreds or thousands of suspicious person complaints, will actually do harm.

The American public is excited by watching sports where well-trained athletes scramble to respond in split seconds to opponents' movements. The crowd may groan when a play is missed, but that's just an expected part of the game. Police officers must make those decisions under uncontrolled and unpredictable circumstances where the suspect is not constrained by rules and no referee is near. But police officers must be psychic.

Small Agencies Deserve Respect

There are nearly 19,000 law enforcement agencies in the United States employing an estimated 700,000 police officers. Exact numbers fluctuate as new agencies are added and others dissolve. There are many part time and reserve officers, as well as correctional officers who are sometimes counted as certified peace officers and sometimes not. The number of correctional officers is estimated at 400,000, and adding probation and parole staff there are over a million government agents on the front lines.

While about a third of the number of police officers are employed by about 70 state and local agencies that have over 1000 police officers. Only 5% of agencies employ more than 100 police officers. Most police departments across the country have fewer than ten police officers, including almost 20% of all agencies that employ only one officer or only part-time officers.

Even in agencies that have large numbers, the geographic areas covered by some state and county law enforcement can cover hundreds of square miles per officer assigned. Small agency officers and those in remote assignments often work face unique challenges compared to their urban colleagues. Support services are not just around the corner. Cases may be worked by a single officer from start to finish. Help may be miles away.

Small agencies must develop good relationships with other law enforcement partners in major cases and events. Many share dispatch duties with larger agencies, since communications personnel and equipment is a big expense and highly regulated. While best established through formal mutual aid agreements and memoranda of agreement, many times the help comes because the shape of the badge becomes

irrelevant when the call for help goes out.

Many communities have chosen to contract for police services with larger agencies rather than bear the expense of having their own police department. Most communities choose to maintain control over their own fate and hang on to their local department, even if it consists of only one or two officers. The advantages of knowing who will be coming to one's home to answer the call for help may be one reason why a higher percentage of crimes in small jurisdictions are solved than larger, better resourced agencies. Personal relationships are key to community policing, and that's a skill long practiced in small agencies.

Small town officers often know perpetrators by name and may know their parents and family. These officers may be accustomed to being called at home rather than through dispatch because everyone knows their phone number. Most police officers never know the end of the story they helped write. If these small agency officers can accept the typically lower wages of small departments, lack of resources, hand me down patrol cars, and stay with the agency over time, they have the immeasurable rewarding experience of watching how their influence in the community plays out over time.

One thing small department officers have to live with is the perception that they have little exposure to "big city" crime and danger. The criminal element may have that same outlook as they choose to hide out or operate from small towns and the hoped for anonymity of isolated spaces with limited law enforcement. Officer deaths are as frequent in lesser populated areas as in urban settings. Banks are robbed, children are abused, lovers are murdered, and businesses are burglarized in every size jurisdiction. Fraud victims are just as easily found in the country as in

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the city. Criminal elements avoid highly policed trafficways for transport of stolen goods and drugs. Vehicles crash, trains wreck, buildings burn, planes fall, and people have psychotic breakdowns in places other than New York City. The small agency officer is the responder, scene commander, and emergency services coordinator. They may be waiting for the volunteer ambulance crew and the volunteer fire department to gather at the station before heading out to help. The state crime scene team or the FBI specialists are more than willing to help, but perhaps not until tomorrow. The closest SWAT team or bomb squad may be hours away. Despite the additional perception that small agency officers are not well trained, they've often handled more on their own than their urban colleagues who have special units to take over on a call.

When we salute America's police officers, we should never forget the men and women who work in the not so uncommon obscurity of small agency policing, and the community of law enforcement that supports them.

Recruitment Video Showing Police Work Deemed Offensive

I recently went for my annual eye exam. I should have asked the optometrist if I have suffered any permanent damage from rolling my eyes so much.

Brooklyn Center, a suburb of Minneapolis, posted a recruiting video on its website that has raised the ire of a few dozen citizens, some of whom actually live in Brooklyn Center. The video is an action-packed invitation to join the crime fighters of Brooklyn Center. With scenes of officers mounting up for duty, weapons ready, to the tune of some hard-driving music, the voice-over talks about the challenges of the job. It ends with a video of an armed suspect being stopped. It's a video of police doing police work in all of its offensive glory. If I were a young person thinking about a career it would definitely grab my attention.

The ghost of George Floyd is all over Brooklyn Center, as is the fresh memory of an officer firing her service weapon which she mistook for her Taser while subduing a resistive driver at the end of a pursuit. No question that was tragic and will remain a stain on the department for the foreseeable future and beyond.

Another suspect death seems much more forgivable but anti-police narratives faulted officers. Officers were called by the grandparents of an emotionally distressed relative in their home in fear of the subject. According to prosecution reports, "the four Brooklyn Center police officers who initially responded to the scene used de-escalation tactics and seemed to have calmed down (the subject). Even when he sprang from his chair, grabbed a knife and attempted to stab one of the officers,

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three officers fired their Tasers, with no effect. Then, and only then, did they fire their guns” and “Both officers saw (the suspect) attempting to stab (an officer) with a knife,” according to the prosecutor’s report. “Officers attempted to subdue (the suspect) with tasers to no avail. With all less lethal options exhausted, officers were justified in resorting to deadly force.”

After the recruiting video was released, several citizens stated that it was “triggering” and full of “police propaganda” and that the video did not reflect the diversity of the community which is 67% black. The video ends with the challenge “be the change”.

As a critical part of the democratic experience, the law enforcement structure in the U.S. is intentionally local. Rather than an oppressive central police agency affiliated with the military as is the model around the world, local governments form their law enforcement agencies. It is the people of the area served – whether state, country, city, or special districts – who determine what their police agency should be. This is usually left to elected and appointed officials whose specialized knowledge and accountability to voters make choices in the best interests of their constituents.

So the question for Brooklyn Center is whose voice do they listen to in their recruitment efforts? Certainly, every voice should be heard. There may be merit or a kernel of truth in even extreme views. But the silent are often those who need to be heard the most. One must wonder if wholesale policies and strategies should change because fifty people show up at a city council meeting. And how many of those protesting Brooklyn Center’s video are residents of Brooklyn Center? Reports on the objections cite people and groups who may have an interest in police reform but don’t have to live and work in Brooklyn Center. It’s entirely

possible that a significant majority of residents would be very happy to have crime fighters hired for their police department. Perhaps when they see these images they see men and women headed toward a danger no one else cares to face. That the final scene of the video showing a man with a gun call resolved by an arrest and the seizure of the weapon might be greeted with applause. On the other hand, perhaps the citizenry wants clips of officers playing basketball with neighborhood kids, petting puppies, doing lip-sync dance moves, and weeping along with a homeless person.

The reality is that all of those soft compassionate skills are going to be part of those who are inspired to do things that make people safer, not merely feel better about themselves. Officers who arrest armed criminals are the same officers who can cradle a child, comfort a crime victim, care for a lost pet, and counsel a suicidal person. Of course, a few minutes of video cannot portray all that an officer will be called upon to do, but recruits deserve to know about the hard things. As BCPD Chief Kellace McDaniel, while responding to the criticism, said "Guaranteeing safety and security is the main thing we do at the Police Department."

Erasing Excited Delirium- Science or Politics

From a Force Science Institute report: "In a move strongly supportive of law enforcement, a special investigative task force of the American College of Emergency Physicians has formally declared that the violent and sometimes lethal phenomenon known as "excited delirium" really does exist."

From the American College of Medical Toxicology: "Although we support discontinuing the use of the term "excited delirium," we believe that it is useful to have terminology describing the clinical condition of a patient with dangerous psychomotor hyperactivity and agitation while the final etiology and diagnosis are being determined. We prefer the term "hyperactive delirium with agitation" to describe this initial undifferentiated presentation of patients with altered mental status who are aggressive or have vital signs suggestive of excessive adrenergic activity. "Hyperactivity," "delirium," and "agitation" are clear and established medical terms."

From the Psychiatric Times: "There is universal confusion around excited delirium syndrome (ExDS): What is it and how should it be treated? The short answer is we do not know the answers, and there are no comprehensive treatment guidelines or formal criteria, according to a panel presenting at the 2021 American Psychiatric Association (APA) Annual Meeting."

From the National Center for Biotechnology: "Although more research is needed to elucidate cause and effect, it is important to note that a lack of recognition of the condition in the context of law enforcement activities does not negate the significance of the behavioral and physical signs

referred to as EXD. For instance, one important study found that only 18 of 214 individuals identified as having EXD died while being restrained or taken into custody.⁶ If anything, the possible association with other life-threatening syndromes only gives impetus to the need for critical emergency medical intervention when encountering a person thought to be in a state of excited delirium.”

From The National Association of Medical Examiners: “The National Association of Medical Examiners (NAME) has instructed its members to stop listing “excited delirium” on death certificates. The term has been used for too long to justify police force, the group said.” But also: “Some experts warn that regardless of what words are used, police will still encounter subjects exhibiting the behaviors associated with the phrase.”

In 2009 the American College of Emergency Physicians “formally recognized excited delirium as a unique syndrome. patients who experience this condition are at a higher risk of injury and death. Tragically, ExD patients have a fatality rate of approximately 10%, with 75% of those deaths occurring on scene or during transport” as quoted by Andrew Pachon, MD; and Tiffany M. Abramson, MD in an article on EMS1.com. “First responders must recognize ExD patients are experiencing medical emergencies and are not simply non-cooperative suspects. A review of the use of force with excited delirium patients has shown that standard de-escalation tactics are likely to be ineffective. ExD patients are often described as “impervious to pain” and therefore pain compliance techniques, including distraction strikes and/or the use of a TASER device, are ineffective. As outlined above, these patients are predisposed to hyperthermia and muscle breakdown and therefore, physical restraint alone is likely to be ineffective and further exacerbate these conditions as the patient continues to fight against restraints.”

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So are we crystal clear now? Various science groups are dancing around the phrase and characteristics under the general umbrella of suspicion that law enforcement is leveraging the phrase to cover up good old fashioned brutality. But whatever you call it, the behavior cluster is real and presents an imminent threat to the person experiencing it.

When officers and EMS arrive on a chaotic scene where someone is taking off their clothes, agitated, yelling, incoherent, unresponsive to de-escalation efforts, often damaging property, and impervious to pain, usually under the influence of drugs and underlying medical conditions what are they to do? With all due regard to the researchers and commentators, the reality is that when this behavior happens in the street away from the resources and expertise of the hospital, clinical quandaries disappear, and the survival of the patient and first responders. They can't just walk away from the crisis.

As Force Science Institute writer, attorney Von Kliem has stated: "Discussions that should be aimed at identifying the best emergency response protocols for suspected ExDS cases have instead become racialized and hyper-politicized. Conversations around ExDS have become volatile, divisive, and no longer reflect purely physiological or psychological considerations."

Call it what you want, but don't say the phenomenon doesn't exist just because it happens on the streets where commentators fear to tread.

Police Antagonists a Root Ingredient of Murder

Violent crime has skyrocketed in recent months and criminologists are asking why. The increase in the murder rate means that more than 2000 Americans, the majority of whom were black, died in 2020 than in the previous year.

Researchers and commentators are quick to go to the usual suspects when it comes to reasons that crime goes up or down. Was the economy good or bad? Was there unusual weather activity? Was the nation at war? The year 2020 guesses included COVID and political strife. Crime statistics, mostly reflected in the annual FBI crime report, are reported as national in scope but the reality is that there are distinct differences in crime patterns that suspiciously reflect urban areas where police are under political attack.

The increase numbers are stunning: 95% in Milwaukee, 78% in Louisville, Ky., 74% in Seattle, 72% in Minneapolis, 62% in New Orleans, and 58% in Atlanta according to highly regarded crime analyst Jeff Asher. Disturbingly these deaths included 55 children killed in Chicago in 2020, 17 in St. Louis, and 11 in Philadelphia. In South Los Angeles, over 40 children were shot before the year was over.

In analysis by Heather Mac Donald, JD, an expert in policing and public safety, she notes that the pandemic and its trauma cannot be blamed for the increase. The timeline just doesn't match. She observes that crime fell during the initial phases of the COVID shut down in America and around the world. By the end of May, the trend reversed, and only in the U.S., not globally. If one cause world-wide were traced to be the root of a phenomena, the effect would be similar everywhere. But there was

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something different about the last half of 2020 in the United States.

Continuing MacDonald's observations from her book *The War on Cops* (2016), a New York Times bestseller, she warns that raced-based attacks on the criminal- justice system, from the White House on down, are eroding the authority of law which results in lawlessness.

In addition to the political pandering and rhetoric there are plenty of influences, as reported often here at the NPA, that are suppressing the maintenance of law and order. They include risk assessment by police officers on patrol, removal of protections for police officers, weak police leaders, and weak prosecutors.

The police profession is made up of men and women who are highly aware of the risks of their profession. To say that their lives are at risk is not an overly dramatic exaggeration. In addition to lethal injuries, thousands of police officers suffer debilitating injuries every year for which there is no national database to measure. Injuries include some that end up in the loss of their career, chronic pain, and shorter life spans. The more we know about trauma to the brain, the more we understand the extent of physical and mental stresses that can alter their quality of life. Add to that the strains of shift work and lack of quality sleep. None of these things keep our officers from answering the call of duty. It is a package of risks they are willing to accept.

We now see police officers making a different risk assessment. Is it worth contacting a suspicious person? Is it worth making that traffic enforcement stop? Will I offend someone and end up being fired? Will I be on an edited viral video after being set up for provocation and attack? Does my public want me being active or will I be punished for doing what the law allows and the job demands? If there is a controversial action I must take

will I have legal protections or am I risking my personal financial future? Will I have enough back up with force reductions and defunding? This intentional doubt and fear placed on law enforcement by police antagonists suppresses quality law enforcement.

At the same time, offenders are emboldened to resist, taunt, and even attack police officers. Prosecutors fail to punish rioters. Politicians encourage violent dissent. The media accepts the narratives of offenders while the police remain silent. Legislation continues to tie the hands of the enforcers and liberate the offenders. When society gives tacit or express permission to oppose those whom society has also commissioned to suppress crime, there will be no tie game. There will only be victory to the offenders who care little about the effects of their behavior.

If communities are concerned that the wave of violent crime will come to their doorstep there is a strategy that will prevent and reduce crime: support quality law enforcement.

Uniformed Officers Rejected From Public Places

Georgia State Patrol troopers confirmed that 54-year-old Officer Jean-Harold Louis Astree of the Fairbanks, GA police department was pronounced dead at the scene after a four-vehicle crash. Astree was driving an unmarked Fairburn Police Department Dodge Charger. Among his surviving family is his daughter, Laurali, as a student at Alexander High School, and 7-year-old Jonathon who attended his first day at Mason Creek Elementary just days after his father's death.

When seven colleagues of Sgt. Astree arrived to escort Laurali, in the company of Astree's widow, the school's principal rushed out in distress and lectured the officers saying that their presence was panicking the parents and students. Laurali became so upset at the treatment of the officers — and the fact that the principal did not speak to her or her mother — that she had to leave school to be picked up by a relative. The principal was still griping about the officers' presence at that time and is quoted as saying "I didn't see why this was necessary", apparently referring to the escort. Whether the constant anti-police rhetoric of the NEA teacher's union played into his sentiments is not known.

Kelli Lowe of the National Police Wives Association issued a call to her group's membership to ask the school board for an apology from the principal. Lowe has visited with the Astree family and some of the officers involved in the escorts. She explained that, while she can understand that the presence of several police officers can be alarming under some circumstances, the officers were clearly not postured or moving around in a way to indicate that there was any trouble or emergency at the school.

Lowe also verified that Fairbanks Police had attempted on three occasions

to contact the school and give them advance notice of the officers' plans but got no response from the school. Lowe talked about officers being required to understand various cultures and wondered why others fail to attempt to understand the culture of law enforcement families. One of the traditions often carried out by surviving officers of a line of duty death is to escort the deceased officer's children to events normally attended by the parent. Officers escort children of the fallen to their first day of school, to prom, to graduation, and to other significant events where the absence of the parent creates a need for comfort and support.

Another recent news report cites a decision by Cold Truth Soft Serve ice cream shop in Midtown Detroit to refuse service to police officers wearing body armor. Owner Timothy Mahoney, a veteran and longtime citizen of Detroit, explained that first responders wearing normal body armor were welcome, just not the heavy tactical vests worn by special units. He claims to understand the "us v. them" mentality, but doesn't explain how wearing protective gear as part of the job fosters such a division.

To counter Mahoney's comments, a former police officer with funding from Michigan Insurance and Financial services handed out free cones from an ice cream truck parked near Cold Truth for several hours.

Social media comments seem to be in overwhelming condemnation of the store's refusal policy. The day was punctuated with an unrelated murder of Detroit police officer Loren Michael Courts.

Reports of coffee shops and restaurants refusing to serve officers in uniform are not rare, although it must be said that most businesses appreciate having visits from police officers because they recognize that

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most citizens appreciated them and feel safer in their presence. A San Antonio steakhouse made a swift apology for refusing to seat a police officer because the officer was carrying a gun. A Tempe, Arizona Starbucks refused service to police officers, resulting in peace talks with the management of both entities.

Sheriff Chad Bianco of the Riverside, CA Sheriff's office said on Twitter that "the anti-police culture repeatedly displayed by Starbucks employees must end" after two deputies were refused service there. Two employees of a Cook Out restaurant in North Carolina were fired after refusing service to two Roxboro Police officers. A sign at Molly Moon's Homemade Ice Cream on Capitol Hill in Seattle states that the shop is a gun-free zone. It says specifically to police, "Please do not come inside if you are wearing a firearm." Owner Molly Moon Neitzel put the sign up after protestors took over the East Precinct. We know how well that worked out.

While survey after survey cites the rebuilding of appreciation for police after the disastrous results of defunding and anti-police foolishness, a few misguided employees or business owners are still trying to make a point. Some claim it is to open a dialog – one they would not open by refusing racial minority customers to open talks on racism or by refusing to serve Presbyterians to foster theological debate.

One thing we do know about places that refuse basic decency to police officers, they may not be able to get ice cream, but they'll be there when the owners call 911.

Erasing the Thin Blue Line Means More Crime

It didn't take long for the citizens of Los Angeles to suffer the consequences of rash political decisions aimed at satisfying police critics. Hundreds more LA residents suffered murder and violent injury during 2020, a year of knee jerk decisions by politicians. In the most counterintuitive strategy since the use of blood-letting leeches on the sick, policing was discouraged, pulled back, and defunded in a time of chaos and disorder.

In November of 2020 LAPD Chief Michael Moore announced that the \$150 million budget cut to his department would result in cuts to its air support, robbery and homicide and gang and narcotics units. A reduction of 350 sworn officers and a number of civilian staff accompanies a reduction in reduced desk hours at its stations, and special deployments. The department will cut its air support, robbery and homicide and gang and narcotics units and stop staffing teams that cover homelessness issues. Los Angeles schools had already canceled a third of its school resource officers.

Activists were calling for a 90% cut to the LAPD budget.

In an apparent attempt to convince the public that this was a move forward, the Chief stated that the changes were part of a broad reorganization geared to preserving patrol and community engagement functions. Moore was already facing sinking morale amid reports that officers had little confidence that the Chief and political leaders of the city were supporting the department. He had issued a letter of apology to his officers about comments made during the summer's disturbances and demands for police reform.

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Spring hadn't even sprung when Los Angeles began to open their eyes to the bloodshed Angelenos suffered while police operations were being cut. Homicides increased by more than a third and the increase in non-lethal shootings was over 40%. The Metro Transit Authority increased their budget by \$36 million to enhance safety on their systems. The decision was made by the governing board of the area transit system whose chairperson voted in favor of the increase. The chairperson is none other than LA Mayor Eric Garcetti, a major cheerleader of defunding his own city's police.

Agreements with LAPDs officer associations have been reached to maintain pension and insurance benefits, along with some promised salary increases.

Meanwhile, to no intelligent person's shock, Minneapolis ponders how to get rid of its police department while simultaneously spending over \$6 million dollars to recruit officers. While politicians debate, there has been a 250% increase in gunshot victims so far this year in the city.

Myopic observers seem to be afraid to point to the evisceration of law enforcement as a direct cause of the increase in violence. Everything from climate change to COVID-19 to the Trump presidency has been offered up as a theory, with the occasional nod to a reduction in police activity. It is hard to measure both the fear and "fedupness" that police officers feel in deciding to perform their duties. Optional activities such as contacting suspicious persons, enforcing traffic laws, and high visibility patrol are often curtailed to avoid confrontations that can be the target of criticism and accusations. These preventive activities long been a lawful and expected aspect of basic police work. But the public will never be policed beyond their acceptance of law enforcement. The fewer people who

appreciate and encourage effective law enforcement and are willing to make that known to policy makers, the less law enforcement activity they will see.

The grand experiment with defunding LAPD and taking police dollars to fund community groups and non-law enforcement responses is being replicated in cities across the United States. It is not just our police officers being attacked and discouraged, it is the blood of citizens who are being failed by politicians catering to the loudest voices and not to fact and reason.

How To Tell When the Police Critic Doesn't Know What They Are Talking About

The ludicrous commentary by celebrities about recent officer-involved shootings is an extreme example of the lack of knowledge of physics and human capacity as it relates to officer decision-making. The same tired arguments and misunderstandings have been going on for years. Some common topics arise when lay persons talk about police use of force, and most of them are erroneous in fact or interpretation. Here is a sample.

Clue # 1 They include the Trayvon Martin case in examples of police shootings. Martin was shot by a neighborhood watch coordinator in what a jury later accepted as self-defense. The controversy regarding police was their initial conclusion that it was a case of self-defense. The shooter, George Zimmerman, was a mixed-race 28 yr old whom the press managed to call a white male in order to emphasize the potential for a racially charged story.

Trick question to test the amateur activist: How many times did the cops shoot Trayvon Martin? If the answer isn't "zero", the person doesn't know what they are talking about.

Clue # 2 They include Michael Brown as an example of an innocent black teenager shot without justification by a white police officer.

Brown, always referred to as an "unarmed black teenager", was 18 years old, nearly 300 pounds, and was 6'4" tall. Hardly the image of the headphone wearing Facebook photo pushed in the press. Brown, who had just walked away from a strong-arm robbery caught on video in which he shoved an elderly shopkeeper (who was Asian – but Asian

victimization had't yet become a newsworthy trend) in order to steal cigars to modify for marijuana use. When confronted in a lawful contact by police officer Darren Wilson, Brown approached Wilson who was still seated in his patrol car when Brown wrestled to take control of Wilson's service weapon. This was confirmed by forensic evidence. Failing that, Brown attempted to flee, ignoring Wilson's attempts to take him into custody, and Wilson shot Brown. All forensics verified this account.

Trick questions to test the activist's knowledge:

How many times was Brown shot in the back? Answer: zero

Who was the first person believed to have started the story that Brown was surrendering with his hands up saying "Don't shoot"? Answer: Dorian Johnson, who was arrested on a warrant from another jurisdiction on a what charge? Making a false statement to police during an earlier arrest for theft. He later admitted that his initial statement was untrue.

How many autopsies were there on Brown relative to the shooting case? Answer: 3 – all of which confirmed the Wilson's narrative.

What was Wilson convicted of after the shooting? Answer: After a grand jury, federal investigation, internal investigation, and intense public and media scrutiny, there was zero evidence of wrongdoing of any sort by Officer Wilson. None.

Clue # 3 They are still dredging up the Rodney King arrest.

Trick questions:

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How many officers are still around from the Rodney King era? Answer: It was 1991, a rookie hired that year is likely already retired. Stacey Koon is 70 years old now. Laurence Powell is 60. What other profession is judged by its members from the previous generation?

In the Rodney King arrest, there were 56 baton blows alleged. How many of those blows were ultimately found to be excessive? Answer: None, according to the first jury trial, and one or two in the subsequent federal case. Recent research on reaction time might have negated even that finding.

Clue # 4 They never consider the accountability of the alleged victim.

Trick questions:

What is the appropriate response when confronted with a weapon capable of killing you or others near you or those in the path of that person's escape? If they say "talk them out of it", "shoot them in the leg", or "use your Taser", they'll need to spend half a year in the police academy and two years on patrol before they understand differently. They could also read the peer-reviewed research on the rarity of police use of force, and the multiple findings that fail to show race bias in police use of deadly force.

What is the law in every state about complying with an order by a police officer and submitting to an arrest? Answer: You must. It solves all kinds of problems and avoids your getting shot.

I applaud activism, sound journalism, and police accountability. What saddens me is public opinion and activism based on prejudice,

ignorance, and cemented conspiracy theories. It is shameful that media analysis, legislation, and policy is so often based on that same ignorance.

Six Methods of Response to Habitual Police Critics

In the tradition of no good deed going unpunished, police critics could not celebrate relief after the capture of fugitive murderer Danelo Cavalcante. In addition to the complaint that it took too long to achieve a successful end to the manhunt, that the use of thermal imaging can be controversial as an invasion of privacy, the latest gripe is that officers took a photo with Cavalcante.

Although critics, professors, and consultants offered opinions that the photo was inappropriate, unprofessional, inhumane, and could be damaging evidence, none of those arguments are valid in this writer's view. But verbal sparring with police critics and journalists in a defensive mode can be an exercise in digging your own public relations burial plot. Here are some script options.

Option 1 – Attack the accuser. “I don’t know who started asking this question but my guess it’s the same person sitting in their underwear in the mom’s basement trying to start another rumor that Starbucks is canceling Christmas. Unless someone can give me a specific reason other than sympathy with a violent killer, I’m going to have to assume this accusation is a failed attempt at satire and should be relegated to an Onion headline.”

Option 2 – Ignore it. “Next question.”

Option 3 – Reject the premise. “The question presumes that there is some kind of prohibition of this kind of photo. There is not. It violates no policy of any of the agencies. There is no grinning or mockery on the faces of the officers. There is no sign of torture or abuse. There was no delay in getting needed medical attention to the suspect. Other than being

a photograph there is no comparison to Abu Ghraib or Wild West photos of gunslinger's corpses. There is nothing to explain, defend, or apologize for."

Option 4 – Sincere apology. "Our mission was accomplished and there was nothing to be gained by taking a photograph of the officers with the suspect. We assure you that policies will be reviewed and that steps will be taken to protect the dignity of all suspects in the future."

Option 5 – Snarky apology. "Thank you for pointing out that after days of tireless efforts, thousands of hours of labor shared by multiple law enforcement partners, wise use of technology, and a successful capture of an armed murderous fugitive had a photo taken. First of all, we apologize for the appearance of the officers who looked like they had spent the night in the woods in a thunderstorm. Secondly, we apologize to the suspect's victim who was brutally murdered, for possibly embarrassing her ex-boyfriend. To all of those who were triggered by the sight of armed officers in tactical uniform, we hope that you can find some hot tea and a warm blankie for comfort."

Option 6 – Professional, factual response: "They're proud of their work. I'm not bothered at all by the fact that they took a photograph with him in custody. "They kept the community safe," Bivens — the public spokesperson for state police during the manhunt — said. "I say thanks to them and good job."" This was part of the statement from Pennsylvania State Police Lt. Col. Bivens, which was validated by his boss Col. Christopher Paris who added "The professional restraint that they showed and being able to take him alive and in relatively good health, we're very proud of that professionalism."

I vote for option 6.

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The War on Cops as a Battle for Democracy

It has been said that even the paranoid have real enemies. In an era where any theory that focuses on the loss of freedoms is labeled as a conspiracy theory, rational considerations in interpreting current events can be lost.

Let's begin with the real views on differing theories of government. Regardless of labels of leftist v. right-wing, Democrats v. Republicans, there are those who believe that individual freedoms and self-improvement are inferior to government control of populations. I am convinced that the revolutionary thinking of our Founders lay in their investment in the individual. The clear statement of the Constitution is that our rights are God-given and not graciously extended by a benevolent government. The debates among the revolutionaries forging our Constitutional democratic republic were primarily about the balance of constraints on a national government and the rights of states that establish smaller divisions of government within it. One of the first of the ten amendments, without which the Constitution would never have been ratified, was number 10: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

From this essential principle state and local governments created independent law enforcement agencies, regulated by the states and required to abide by the Constitution under the 14th Amendment. The number of federal agencies, now numbering about 75, also grew. Now, local law enforcement is being painted as the enemy of freedom rather than its actual role as a guarantor of freedom.

In July of 2008, candidate Barack Obama said "We cannot continue to

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rely on our military in order to achieve the national security objectives we've set. We've got to have a civilian national security force that's just as powerful, just as strong, just as well-funded." Knowing that the vast military force cannot, by law, enforce civilian domestic law according to the Posse Comitatus Act of 1878, the encroachment of federal law enforcement as the most powerful police agency, was envisioned to supplement (eventually to supplant) our locally controlled law enforcement.

At least that's my theory. It is no surprise to me, that Biden's Attorney General immediately began orchestrating civil rights investigations of dozens of police departments. No one wants agencies to engage in patterns of unfair police practices, but those alleged practices rarely get litigated. Police agencies under these accusations have little alternative than to submit to consent decrees – court orders without the benefit of a balanced judicial proceeding – that essentially turn local law enforcement into vassals of the federal government. This can last for years and cost millions of local dollars.

Accusations of racism as an epidemic within law enforcement practice are being leveraged against local control of policing. Agencies have been scrambling to evaluate the extent of bias in their enforcement efforts, making a good faith effort to examine the issue under the bright light of public scrutiny. Enemies of local policing have seized the opportunity to translate every possible event into a narrative that is intended to break down the well-established trust of communities' law enforcement. As a diabolically generated result, advocates of defunding, supplanting, and impeding policing have caused myopic politicians to punish the police for being the police. Removal of sovereign immunity, appointing anti-police activists to police oversight groups, and removing access to tools for the protection of officers and response to violence is slowly eviscerating

many police departments. These efforts are being touted as reform and pursuit of justice, while ordinary citizens suffer increasing victimization and fear.

A rational citizen must have anticipated the well- documented increase in violent crime that follows tearing away police from being able to prevent, respond to, and investigate crime. So how can elected leaders ignore the obvious outcome of their campaigns? Missouri state representative Cori Bush is celebrating the defunding of the St. Louis police department, saying the “decision to defund the St. Louis Metropolitan Police Department is historic. It marks a new future for our city” is an example of the ludicrous rhetoric celebrated in the media.

Could it be that the politician’s fear is not that chaos will reign, but that it might not? Chaos creates fear and demands for action. If the public has already been brainwashed to believe the police are the problem, who will come to their rescue? Maybe the federal government can! No lesson from history is clearer than the license a weakened population will give to even the worst despot in return for safety.

Supporting the right of the governed to determine how they will be policed in a way that provides local accountability is a key ingredient to liberty. There is a reason that we have 18,000 local law enforcement agencies rather than one big one. We need to keep it that way.

25. DANGERS OF LAW ENFORCEMENT

[The High Cost of Policing Riots](#)

[The Naked Truth About the Unclothed](#)

[Hidden Dangers of "Routine" Calls](#)

[Watch Their Hands, Your Partner's Six and Your Language](#)

[Police in the Living Room – Dealing with Domestic Violence Calls](#)

[Age in Policing Matters](#)

[The Taser – A Dangerous Threat to Officers](#)

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The High Cost of Policing Riots

As Portland continues to simmer, Minneapolis braced for chaos, and U.S. Capitol Police reconstructs the failures of the January 6th attack, the reality of preparing for worst-case scenarios can be measured in taxpayer dollars.

Crowd control is not to stop large groups from gathering, but. A law enforcement presence is for the safety of the crowd, whether it is an entertainment event or a protest. But when a crowd is agitated, the results can be disastrous and even deadly. Protests aren't the only crowds where violence and vandalism can simmer. Sporting events, concerts, and parades can become riotous.

For agencies with enough officers available to respond to a crowd, the right protective equipment and response gear is essential. The first hurdle is personnel. Even in a large department, the number of available officers on a shift is often far less than the public realizes. If there is advance anticipation of a potential disturbance, police leaders can plan for staffing, but those plans can fall apart very quickly. Coordination of mutual aid contingencies, planning assignments, and reshuffling daily duty rosters. Overtime and leave cancelations will create a payroll and staffing debt that will create future workforce shortages or budget- busting payouts.

A police presence, even if not enough to handle a major collapse of order, is intended to give a signal that there may be consequences to those who further foment a crowd. Officers, however, can be quickly overwhelmed. Management of violent or increasingly agitated crowds involves strategies to break the crowd into smaller groups and diverting them, remove primary agitators, and stop advancement into areas

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vulnerable to damage, looting, or occupation. These can be high-value commercial areas or government offices with symbolic value. This takes coordination and staffing at strategic locations, made complex by changing conditions.

As additional help can hopefully create a line of some depth to resist hostile advancing crowds. Despite media narratives of spontaneous riots, and peaceful protests turning violent because of police presence, many unruly crowds are planned and involve trained agitators and often paid operatives. Weapons sneaked into the crowd or hidden in advance in the area can include bricks, bottles of frozen water, containers of bleach or urine, pepper spray.

The reason that police officers wear helmets, facemasks, gasmasks, shin guards, and carry shields is the same reason firefighters wear helmets and bunker gear – to protect them from dangerous elements they expect in their workplace. Obtaining and stockpiling this equipment is expensive and, as many agencies have discovered over the past year, the equipment can degrade. Out-of-date munitions, brittle shields, and crumbling padding on shin guards were discovered as gear was brought out of storage. Training on many of these items was rusty as well.

Another important component of responding to violent outbreaks the armored vehicle. Among the critics who decry protective gear for officers because it looks too military, the armored vehicles are a prime target. These rescue and response vehicles are irreplaceable for moving assets into areas under attack. They are particularly essential for rescuing persons inside an area actively under attack.

Many agencies use military surplus armored vehicles because of the low

cost of acquisition. These are an alternative to the much better commercially available response vehicles. The vehicles that are custom-made for law enforcement are very expensive. Most are obtained by grant funding. Both the federal grants and military surplus vehicles are targeted for removal by the current administration. The Capitol Police and other responding agencies were criticized for their poor planning and failure to use the very assets that anti-police antagonists want to be removed from police use.

Barricades are used to limit crowd movements. In reality, unless they are immovable objects like permanent fencing with razor wire, or concrete barriers, the portable gates, and wooden or plastic sawhorse barriers are only psychological boundaries to persons willing to respect them. The capitol attack is an example of how easily overcome are these barriers, even when staffed by officers.

As repugnant as the concrete and razor wire are in a free country, the real necessity lies in the hearts of the citizenry to decide whether to respect due process or mob rule. No one likes the image of a phalanx of armed government agents in robotic-looking gear on the streets of America. If we are to be a nation of laws and mutual respect, we can leave all of that gear behind. If we are going to refuse to allow mobs to rule, then defending the innocent from their terror will require the expense, training, and maintenance of the tools for doing so. It also requires the fortitude of leaders to support that defense, rather than merely castigating failures and deflecting blame from themselves.

The Naked Truth About the Unclothed

Ever since Adam and Eve looked down and realized they were naked and that was somehow not quite right, most of humanity has insisted on covering up. When law enforcement officers encounter a nude individual, the presumption is that there is something very wrong.

How much clothing is the subject of cultural debate, but pure nakedness is generally universally deemed a legitimate taboo. Americans criticize the cultures requiring the covering of the body and the face, such as the Islamic burqa, but in the history of Jewish, Christian, and Hindu, head coverings from hats to hijabs have been symbols of modesty.

Anyone who perused National Geographic magazines in 7th grade knows that covering the genitals is typical but covering the female breast is optional in a lot of places. (I read the NG for the articles, just FYI). Europe's nude beaches and bare breasts and buttocks on the telly are often tittered about by travelers from North America. Tourists are either embarrassed or join in with the natives, in either case often becoming red in the cheeks.

A federal judge in Colorado ruled in a 2017 case that police could no longer enforce ordinances that banned the baring of breasts. The case came from the city of Ft. Collins which defended their ordinance but lost in what became known as the "free the nipple" case, despite concerns about the possibility of exposure to children, at places of worship, and in businesses.

When it comes to American law enforcement, police are often called to reports of indecent exposure. These may be as innocent as a person

relieving themselves somewhere before their bowel or bladder erupts in an emergency. One prosecutor in a college town stopped prosecuting students for urinating in the alley in a section of downtown with many bars because he did not want an indecent exposure charge on their criminal record. Police started citing the offenders for littering instead.

But other cases of indecent exposure, for the male population at least, are indicators of illegal sexual behavior that can become dangerous. Sex offenders are predatory. Their behavior typically increases in frequency and severity as they learn what boundaries they can push. If they can leave their zipper down while walking around a store and, if caught, just act embarrassed and apologize, they have learned something about what they can get away with. Campus police are alert for “stack peepers” who stalk targets in college libraries, peeking through bookshelves to take photographs or masturbate.

While not all minor sex offenses lead to sexual assault, most rapists started with these “testing the waters” behaviors, learning how to disguise their behavior, justify it, or get away with it.

A major concern with those who disrobe in public in erratic ways is their mental status. Especially in younger persons, removing clothing may indicate a developmental delay or regressive behavior inconsistent with their chronological age such as autism where the awareness of the social taboo of nudism is not present.

Elderly persons with Alzheimer’s may disrobe because they are uncomfortable and can’t communicate that to caregivers, due to hallucinations that it’s time for bed or that bugs are on them, or to fondle themselves while unaware of their surroundings. Disrobing or sexually acting out in public can also be a manifestation of schizophrenia seen in a

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small minority of those diagnosed. Drug use, often accompanied by mental illness in addition to substance abuse disorder, can result in hallucinations and erratic public behavior.

While most disrobing due to mental illness is not committed by dangerously violent persons, their state of mind may make it impossible for them to recognize and comply with law enforcement officers. If such a person needs to be redirected or taken into protective custody, they may fight out of confusion or panic, creating a real challenge for officers to get them to help without getting themselves or the citizen hurt. In Chicago, a police officer is now recovering from being run over by a woman laying naked in the street whom the officer had stopped to check on. The woman stole the officer's patrol car and struck the officer while fleeing.

The most dangerous naked person that attracts the attention of law enforcement is the person in a condition of Excited Delirium. Although some researchers deny that such a thing exists, police officers, ambulance personnel, and hospital emergency departments will certainly attest to its reality. The condition, usually associated with illegal substances but may be a metabolic disorder. It manifests with erratic behavior, high body temperature (thus the disrobing), and loss of pain response. The superhuman capacity to resist police and emergency medical workers who must restrain the patient in order to get immediate medical help to avoid a fatal result comes from a sense of panic.

Officers often have to get multiple helpers to restrain the person for emergency medical treatment and are thus accused of excessive force by bystanders ignorant of the fact that the patient's life is at stake without advanced medical treatment. What may cause the average citizen a chuckle when seeing a naked man directing traffic on the roadway could present a life-threatening situation to the naked person and their rescuers.

Hidden Dangers of “Routine” Calls

A walk through the archives of the [Officer Down Memorial Page](#) shows the unpredictability of lethal encounters. Officers responding to routine calls for service can find their lives at risk over the most unexpected calls. Although every officer is trained to expect the unexpected and be ready to respond to any situation, it is only human to have a higher level of caution responding to a robbery call than assisting a person with a flat tire. Both can be lethal.

A 40-year law enforcement veteran and highly respected Sheriff, [John Williams](#), often got personal calls from constituents who knew and trusted him. He got such a call from a convenience store owner in Alabama. The owner wanted a gathering of people moved from the parking lot for playing loud music. While the Sheriff was talking to the owner of a truck that had been playing loud music, a male shot him dead.

Arizona Trooper [James Edenhofer](#) responded to a report of a person throwing things at cars on Interstate 10. The subject was located and Edenhofer and assisting officers placed him under arrest. The suspect violently resisted and was able to use one of the officers’ duty weapons to murder the trooper.

Suspicious persons calls are another routine type of call that is often unfounded. Municipal police officer [Darrin Reed](#) of Arizona responded to such a call at a local motel. A man fled upon Reed’s arrival which led to a foot chase during which the suspect produced a handgun and killed the officer.

Lt. [Patrick Weatherford](#) of Arkansas took another routine report of a

non-violent property crime. A vehicle had been broken into in broad daylight. While checking out the general area, Weatherford observed a male flee. He and two other officers followed the man who turned and fired a weapon, killing the Lieutenant.

California Police Officer [Dan Walters](#) was checking on another officer who was checking on a vehicle blocking a roadway. A man standing near the vehicle pulled a firearm and shot Walters causing him to fall into traffic resulting in further injuries. Walters remained paralyzed for over 15 years, succumbing to his injuries, dying in 2020.

Police Officer [Natalie Corona](#) was shot and killed after responding to a report of a three-car vehicle crash. A man on a bicycle rode up to the scene, shot Officer Corona multiple times, then fled and later committed suicide.

Duty at festivals and concerts can be mostly a matter of remaining visible and making friendly contacts with those enjoying the day. At a jazz festival in Denver, Police Officer [Celena Hollis](#) saw a fight and was shot dead as she attempted to intervene.

It is a myth that criminals return to the scene of their crimes, but an arson suspect did just that. Deputy [Brent Holloway](#) was assigned to guard a crime scene in rural Colorado where a suspicious fire had burned a home.

The perpetrator returned to the scene, snuck up on the deputy and shot him in the back of the head. The killer stole Holloway's firearm and committed suicide with it.

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These brief accounts of officer deaths do not tell the full story of the risks of routine activities of police officers. Officers who are wounded but survive, and officers who are able to counter the attack and stop the assault before being physically injured seldom make news. An example is from a suburb of St. Louis, Missouri where Officer Police Officer Brendan McGahan stopped to assist a stranded motorist near Interstate 44. When McGahan approached the passenger side of the vehicle he was met with gunshots from inside the car. McGahan survived the attack and was able to return fire, killing his attacker.

We are often casual about the saying that officers put their lives on the line every day. But many times we think that this means they have the potential of being called to a dramatic and dangerous event that will make the news. The reality is that even the simplest call for service, and the everyday act of kindness in assisting others, can erupt into nightmarish violence. Everyday, the risk is very real.

Watch Their Hands, Your Partner's Six and Your Language

A Cincinnati Police Officer was recently fired for using the N-word on duty and recorded on her body-worn camera in a moment of frustration. She may appeal the decision, but in these volatile times, the firing is likely to be upheld.

A recent article in *Sports Illustrated* reports that NBA basketball players are being more frequently fined for using foul language on the court, especially when directed toward the crowd. The article quotes research that indicates a lot of people are not bothered by coarse language, but the league wants to create a better image that includes more gentlemanly conduct by its players.

Racial epithets and insults are a special category of bad language. These derogatory remarks used in a way that uses race to assign malignant characteristics to a person are hurtful and incite anger or even rage. Ordinary swearing is scaled well below racial slurs on the offense scale according to Professor Ben Bergen, professor of cognitive science at UC San Diego. In Bergen's survey of students – typically younger, more liberal, and less religious than the general population – the “F” word may not even break the top ten of bad words and the “S” word ranks at the bottom of the top fifty, if that.

Other research and commentary claim that cursing can increase the effectiveness of an argument, reduce feelings of pain, and that even chimpanzees do it. Mark Twain opined that Americans were the best at it. “When it comes down to pure ornamental cursing, the native American is gifted above the sons of men.” One count claims that Americans say

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80-90 curse words a day. The emotional relief reportedly provided by swearing even has a scientific word: Lalochezia.

Should police officers be allowed the benefits of lalochezia? After all, words have meaning to the hearer. A citizen hearing a police officer swear, especially at another citizen, appears to take offense. The citizen may suffer a moral injury, cognitive dissonance, and disappointment that the perception held by most that police officers should be better than that. With the arrival of nearly constant video surveillance of police officers as they go through their day, the pressure of always having to say the right thing and perform flawlessly is an impossible burden.

But words do have meaning. When directed at another person in anger or frustration the hearer, especially in an already tense situation, can feel deeply insulted. They can also become very aware of the seriousness of the officer. They might even feel relieved that the officer is human and relates to them at a basic level.

Sensibilities have changed since the movie censors allowed the word damn to be in *Gone With the Wind*. There are no boundaries in today's television entertainment that includes streaming of non-network media, and fewer even in the archaic concept of prime time designed to the suitability of the whole family watching together.

One of the ways that police officers can maintain the aura of professionalism is still the absence of routine foul language. Most police agencies take complaints of cursing by officers with a degree of seriousness and maintain a policy, whether formal or by generally accepted practice, of disciplining officers for their speech as well as their conduct with the public. It is often argued by officers that swearing has a

certain utility, but it is still something that juries may not want to hear. One could argue that the loud and stern command to an arrestee to get on the ground is made no more effective by saying get on the F-ing ground, but it does seem to punctuate the command.

One could hardly commend the use of swearing. Discipline in moments of anger and frustration is a hallmark of self-control that should be practiced by a police officer. It is a good practice to rehearse silence or less offensive language to be used when ordinary citizens would show no such restraint. Racial terms and disrespect have no place in the officer's communication toolbox. But a little grace to officers who are in tense moments and let slip some salty language is not an unreasonable ask of the public and supervisors. As Mark Twain advised, "When angry count four; when very angry, swear."

Police in the Living Room – Dealing with Domestic Violence Calls

It's the call most law enforcement officers hate the most. It has killed three officers thus far in 2023. Police officers dealing with violence in the family are confronting volatile emotions, unknown psychodynamics, the presence of weapons, uncooperative victims, and various cultural norms that complicate the response to domestic violence (DV). Most police officers have a story of a victim who turns on the officer, posts bail for their abuser demands the dropping of charges, or returns to the attacker.

About a third of the states in the US have mandatory arrest laws removing discretion from police officers in handling DV calls. The impetus for requiring arrests comes from a famous Minneapolis Domestic Violence Experiment that was conducted in the early 1980s. In the experiment, police officers were randomly assigned a disposition on selected (misdemeanor) assaults that involved a spouse or partner. Officers were to make a custodial arrest, provide on-scene counseling, or require separation for at least eight hours. Based on follow-up interviews, the findings of the 330 DV calls in the experiment indicated that an arrest was most likely to prevent another reported incident within six months of the police contact.

The study influenced legislation and policy by encouraging more directed law enforcement intervention in DV calls. However, the results of that study have not been replicated to validate the result.

With greater political pressure to take action on crimes against women, legislatures passed mandatory arrest laws and mandated law enforcement

training then largely moved on to other hot issues thinking they'd solved the problem.

By sheer numbers alone, the problem of domestic violence demands attention. According to the National Institute of Health (NIH), an agency of the federal government, approximately 1 in 3 women and 1 in 10 men 18 years of age or older experience domestic violence (DV) affecting as many as one in four women and one in nine men as victims of domestic violence. Annually, domestic violence is responsible for over 1500 deaths in the United States.

The human toll is immeasurable, but research cited by the NIH shows that children who are victims or witness domestic and family violence may believe that violence is a reasonable way to resolve a conflict. Males who learn that females are not equally respected are more likely to abuse females in adulthood. Females who witness domestic violence as children are more likely to be victimized by their spouses. While females are often the victim of domestic violence, gender roles can be reversed. Substance abuse and other family crimes like elder abuse and child abuse are associated with DV.

Intervention by arrest may have the advantage of eventual court-ordered anger management therapy, substance abuse treatment, and restraining order protections, but can add major stresses to a family unit. When a victim calls 911 for police intervention, they mainly want the immediate abuse to stop. The level of commitment and resources that a victim must devote to following through with making formal statements, testifying at hearings, and possibly seeking alternate living arrangements discourages many from pursuing prosecution.

Even where prosecutors carry through with charges where there is a

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non-cooperative victim, the victim can suffer from the after-effects of police intervention. Mandatory jail for a breadwinner until a hearing is held may mean loss of a day's pay or even loss of a job. Costs for an attorney or compliance with court-ordered counseling or treatment can be a financial burden. An abuser who returns to the home may make it very clear that calling the police again will be met with threats, violence, or abandonment.

The answer to the problem of domestic violence isn't simple and no one thinks it is. This is one of those areas where the police have been the answer – at least temporarily – and are expected to be a major part of dealing with DV. It also holds a compelling argument for social workers to be responders to family disputes. The problem with that, as with all proposals to send non-law enforcement to incidents, is the boiling pot of violence so associated with family disturbance calls. Hundreds of officers have been killed or injured at such calls, ranking the DV response as more dangerous than an armed robbery in progress call.

For now, it falls on the police officer to bring peace to a volatile, complex, and dangerous situation.

Age in Policing Matters

Greater love hath no man than this, that a man lay down his life for his friends, so quotes the Good Book. In the world of police work, the man or woman who lays down their life for their community is likely to be in the prime of their life.

The average age of an officer who dies in the line of duty is 41, with the most frequent age group being the 30s. This is in no way to discount the deaths of older officers, some of whom are still serving in their 40th year of law enforcement. But, as in war, it is the young who are placed most at risk.

Bearing in mind that murders of officers can take many forms, we will use murder by firearm for our comparison by age. Of the 35 officers killed by gunfire in 2023 at the time of this writing, at least 21 were under age 40 and nearly half under 30. They include 33-year-old Kevin Cram, 29-year-old Jonah Oswald, 23-year-old Jake Wallin, 26-year-old Tye Brown, 29-year-old Jay Rougeau, 31-year-old Chris Wagner, 37-year-old Cory Maynard, 35-year-old Caleb Conley, 39-year-old Josh Clouse, 27-year-old Bobby Shisler, 29-year-old Kaitie Leising, 24-year-old Aréanah M. Preston, 34-year-old Trevor Abney, 23-year-old Timothy Scheel, 32-year-old Emily Ann Breidenbach, 34-year-old Mason Griffith, 32-year-old Andres M. Vasquez Lasso, 31-year-old Christopher D. Fitzgerald, 32-year-old Sean L. Sluganski, 24-year-old Gonzalo Carrasco, Jr., and 30-year-old Darnell Calhoun.

That list of young officers includes military veterans, diverse cultural backgrounds, men and women. Some had achieved promotions to rank with over a decade of service. The shortest tenure of a murdered officer

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was five days. These lost heroes leave at least fifteen spouses or fiancés, and at least thirty children including at least three unborn at the time of their father's death.

Younger officers may share traits that make them more likely to succumb to the fatal hazards of the job. They may be more likely to engage more quickly with a situation and be more active than a more seasoned officer. They may be more likely to be assigned to uniformed patrol which is the most frequent assignment of murdered officers. Perhaps they are less aware of their mortality than the officer with retirement in sight. They are more likely to have the midnight and weekend shifts are more dangerous and less desirable to most older officers who have enough seniority to choose better working hours. Officers with seniority may have the opportunity to get a job behind the desk, or at least off of routine patrol where the greater risk of death and injury exists.

None of this commentary should take away from the dedication and motivation held by most veteran officers. Policing is a terror on the body, though. Police officers' expected lifespan is 57 years compared to 69 for the average citizen. Police officers have higher rates of heart disease, hypertension, diabetes, and obesity than the general population. The average age of a police officer suffering a heart attack is 46 compared to the civilian population at 65 years old.

Among the general population, a heart attack suffered between the ages of 55-59 is fatal to 1.5% while a heart attack among police officers in the same age range is lethal more than 56% of the time. These health concerns along with cumulative injury and disability reduce the number of persons over 40 in the law enforcement workforce. In addition, there are incentives for officers to retire before they get to AARP age with

retirement benefits historically somewhat more generous than other occupations.

Even active older officers will likely confess that police work is a young person's game. Veteran officers are vital for the training and experience they offer to younger officers. The main challenge is enabling young officers to become old ones.

The Taser – A Dangerous Threat to Officers

There are two items that were added to my duty belt during my career for which I was very grateful. One was pepper spray, the other was a TASER. Before that, the only tools I had were my revolver, my nightstick, tear gas spray, and my hands.

There are limitations with every weapon that is designed to protect the officer and bystanders from a resisting suspect, and to coerce compliance when someone would rather fight than lawfully submit to an arrest as the statutes require. The firearm obviously is the most lethal and reserved for those times when a suspect presents an imminent threat of death or serious injury.

The baton (nightstick) can be used to strike locations on the body that can stun and temporarily slow or disable an adversary's movements, or cause them to drop a weapon. A baton can also be used to lock up joints for escorting an arrestee more safely using the added leverage from the device. Modern versions of the baton are expandable to fit more easily on the tool belt and have the added benefit of a dramatic presentation that gives a clear warning to the suspect that they have chosen to elevate the situation.

The limits of the baton are that an officer has to be dangerously close to a resisting subject in order to apply the techniques of control effectively. Another is that the officer must be as careful as possible in the middle of a scuffle to avoid doing serious injury to the neck, head, and joints, which are "red zones" in training that the officer is taught are not appropriate targets. Another risk, as with all of the officer's equipment, is that if the baton is taken from the officer, the offender will have no such restraint in

using it to assault and escape.

The old tear gas, before pepper spray came around, popularly called Mace after a brand name that became a generic term, could be effective if used in the right circumstances. Officers had to know which way the wind was blowing to avoid getting sprayed themselves and had to be aware of the location of other officers who might get doused. Tear gas is made of small particulates suspended in a liquid under pressure. For the substance to be effective, the spray was aimed at the chest so that the irritant would waft its way up into the mouth, nose, and eyes as an irritant that caused pain and distraction.

While it often took the fight out of a person, the dried remains of the irritant easily contaminated everyone in the area and anyone who had subsequent contact with the arrested person against whom it had been applied. Nearly every officer ended up teary-eyed to some degree. It also took a few moments for its effects to be felt by a suspect, particularly one less sensitive to pain in the middle of the adrenaline rush of fighting. That gave the suspect too much time to keep resisting.

When OC spray (oleoresin capsicum), better known as pepper spray from the main irritating ingredient, came along after the FBI studied and approved it, there were several advantages. One is that OC is not just an irritant but constricts the airway and eyes creating a virtually instant focus of the arrestee on breathing and pain.

Many suspects have continued to fight through an OC application, but less effectively. OC, unlike tear gas, is applied directly to the face and is stickier and less likely to spread to bystanders and other officers, although it often affects the users as well.

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Of course, officers must retain possession and not let any of their weapons, including the less lethal ones, be used against them. This is especially true of the TASER.

Electronic Control Weapons (ECW), the market for which is dominated by the name brand TASER, operates by administering a surge of electric current that is the same frequency as the human nervous system. This essentially locks the body's muscles, causing the person to become rigid and immobile. Although many believe that the effect of an ECW is to cause pain and therefore compel compliance, pain is merely a byproduct of the ECW.

The trained ECW user knows that the barbed wires that are shot from the often pistol-shaped weapon must have a certain spread from one another for an effective shock to be delivered. This means that very close shots can be ineffective and merely cause pain rather than immobilizing a suspect and that heavy clothing can interfere with the barbs. The professional user also fastidiously avoids the head and neck as targets, limits the length of the shock application, gets control of the suspect, and renders aid quickly.

Police have been criticized for using the firearm as a defense against a person who has gained control or is attempting to gain control of the officer's TASER, reasoning that it isn't a fair fight to use lethal force against a tool that is specifically designed to be less lethal. The same arguments can be made for a suspect's control of a baton or OC. One of the reasons officers are trained to maintain distance during a contact is to increase their ability to keep control of the equipment on their person.

But if a resisting suspect gains control of an ECW, the officer is at great

risk. The criminal will give no consideration to the restraint that a trained user must use. For an officer to be immobilized, blinded, or given painful shocks, puts them in a deadly confrontation of vulnerability where deadly force remains their only option for survival. Critics ignore the fact that once immobilized or seriously distracted, an officer can end up losing their other weapons and equipment which can also be used against them or other citizens.

Anatomy of an Ambush

Recent statistics indicate that ambushes against police officers have increased dramatically (over 90% in one study) in the past few years. Shootings of all kinds of police are up at least 20% this year and non-fatal injuries are not often included in such reports.

Police officers are well aware of the dangers when responding to calls involving fights and weapons. They know the statistical dangers of making car stops, responding to assist other officers calling for backup, and crimes in progress. Increasingly they have to maintain the same posture of vigilance just sitting in their patrol cars, responding to fires, and grabbing a bite to eat.

Ambushes are either an entrapment or spontaneous. Entrapment ambushes are planned by the perpetrator to lure officers into a surprise attack. Spontaneous ambushes are crimes of opportunity where a person has a predisposition and the means to attack a police officer who has the misfortune of encountering a killer with no warning.

In one of many cases where police were fired upon while in their cars a Federal Way, Washington officer in a marked patrol car was fired on from another vehicle while stopped at a traffic signal in September of 2021.

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In February, Phoenix police were at the scene of a domestic disturbance and were invited into the apartment when suddenly shot by the resident who had shot a female. At one point an infant was placed outside the doorway of an apartment. When officers approached to rescue the child from the incident, shots again rang out. Nine officers were hurt in the incident.

The summer months have been dangerous this year.

In an attempt to serve a protection order on a domestic violence suspect in eastern Kentucky in June. Three Kentucky law enforcement officers were killed with the suspect fired from inside the home.

In June, two police officers from El Monte, a suburb of Los Angeles, were shot and killed while responding to a motel disturbance. The attacker fired on officers from a balcony into the parking lot as the officers approached.

Also in June, a Naperville Police officer was on a traffic stop when a man unrelated to the contact approached the officer to attack him with a hatchet. Fortunately, in this case, the man was shot by the officer before he was able to complete his attempted murder.

In July of this year, Rochester New York officers were fired on while sitting in an unmarked car in a plainclothes assignment. "Officer Mazurkiewicz and his partner, Officer Sino Seng, were attacked in a cowardly ambush and fell victim to the very violence in our community that we are trying to combat", said Rochester Police Chief David Smith. Mazurkiewicz died in the attack.

In Chicago in July, officers were getting ready to exit an elevator to check

on a disturbance call and were immediately met by gunfire. One Chicago police officer was critically wounded. Also in July a Detroit officer was shot and killed through an upstairs window while arriving at a call before he even got out of his patrol car.

Three officers were shot responding to a call at a residence in HALTOM CITY, Texas in July. While still down the block approaching the home of a man suspected of shooting a neighbor, the suspect fired, spraying bullets in the officers' direction and leaving bullet holes in homes and cars in the area.

Other infamous cases include four officers murdered while meeting over paperwork at a restaurant in Lakewood, Washington in 2009. In 2014 NYPD officers Wenjian Liu and Rafael Ramos were sitting in the patrol car when a man who had traveled to the city with the specific intent of killing police officers stepped up to the passenger side window and began shooting. Five Dallas police officers were murdered and nine others were injured at a protest march where officers were providing protection for the event.

The reality for today's law enforcement officers is that there are few safe places. In a patrol car, stopping for coffee, helping change a motorist's flat tire, and even in the driveways of their own homes and parking lots of their police station have all been opportunities for killers to attempt to kill. A constant alert is the only path to survival.

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The Resistance Factor

Cops have always had the “do you know who I am” folks, the “I pay your salary” folks, and the “why aren’t you out arresting real criminals” folks. They’ve always had the runners, the fighters, and the too drunk to know what they’re even doing. There are also the extremists who do not recognize civil authority, who feel no need for driver’s licenses or plates, will issue “warrants” for officers’ arrests, and some will talk only to the High Sheriff.

There is no veteran officer who has seen the frequency of resistance and arguing so high in comparison to years past. It is not only mentally exhausting to officers, but non-compliance (required by law, by the way) ratchets up the tension in a contact. Bystanders are also more likely to get involved with police contacts. These curbside critics only add danger to the situation.

A hallmark of these encounters is the amazing professional control that officers maintain. In Phoenix, a suspect in the wounding of a Phoenix police officer by gunfire was arrested after a stand-off. Despite expectations from police antagonists who think cops look for opportunities to shoot people, this violent suspect, and would-be cop killer was taken into custody without being shot by police.

Officers go to great lengths to avoid lethal force. A Glendale, Arizona officer deployed a K9 to take down a suicidal subject who had shot at officers. The suspect, in this case, was shot and killed by police, but only after fleeing and the police officers’ attempt to apprehend him using non-lethal means, and after he shot the K9 handler.

Wichita, Kansas Officer Kyle Mellard was attempting to arrest a man hold up in a shed, urging the man to surrender peacefully as recorded on officers' body-worn cameras. Mellard's patience was rewarded by the suspect shooting the officer, who is still recovering from his wounds to his face and legs. The suspect was killed by police after he had already fired 18 rifle rounds at officers.

Chapin, Illinois Chief of Police Steven Helmich responded to assist in a lengthy police chase that ended in the suspect crashing his car. On arrival "I got out of my car and gave (the suspect) some commands to exit his vehicle. He came out and started shooting." "I got out of my car and gave (Payne) some commands to exit his vehicle. He came out and started shooting." The suspect was lawfully apprehended and lived to appear in court for attempted murder.

A careful and factual review of the vast majority of deadly force incidents involving police will show that suspects made the choices that led to the exercise of force by officers. Violent criminals must assume not only the risk but the responsibility of being held accountable for their actions. Even law-abiding citizens, in situations where the police have information that leads them to reasonably believe a person must be taken into custody, have a legal and common-sense responsibility to submit to the lawful commands of police officers.

If a person flees from police by vehicle or on foot, officers know that other citizens are at risk. The police will pursue, where the law and policy allow, to safely apprehend a fleeing suspect who presents a danger to the public. Even a cursory look at the percentage of arrests that are made with no force, much less lethal force, gives a clear picture that officers use many tactics to avoid an officer-involved shooting response even in

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hazardous conditions.

Even in mental health cases, where police have been criticized for using force instead of de-escalation, research shows that the use of force against the mentally ill by police is actually less than use of force within mental health facilities by staff!

There is no “shoot first, ask questions later” culture in law enforcement, only in the misperceptions of uninformed police critics.

It's Not Just Guns and Knives

We know how many officers are killed in the line of duty but we don't really know how many are assaulted and wounded in other ways. The image of police officers being wounded and assaulted is that they are dodging bullets, knives, and fists. That is still true, but recent headlines show that cop haters are limitless in their methods of harassing and hurting police officers.

In Philadelphia, officers were investigating an abandoned dirt bike at a gas station, preparing to impound it. Surveillance video from the business shows a marked patrol car being surrounded by ATVs and dirt bikes circling the officers, throwing bricks and bottles. The patrol car's windshield was broken and the car was dented by repeated kicks. The chaos was not unique as reports of hordes of ATVs and dirt bikes running traffic lights and driving on sidewalks.

Attacks that use vehicles as weapons are typically reported only when an officer fires shots at the tons of metal speeding toward them and gets criticized for doing so. In New York City, mirroring national trends of an increase in violent carjackings, an officer approached a vehicle she suspected of being stolen. The driver accelerated away, mowing down the officer as the stolen vehicle's occupants escaped. The stolen car was crashed not far away but the occupants fled and were at large at the time of the report. The officer suffered wounds to her leg and was listed in stable condition.

A South Fulton, Georgia officer near Atlanta responded to a report of a street takeover (where drag racers or partiers claim a section of street and block traffic, often with property damage). The call was a report of

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vehicles doing donuts, driving recklessly, and doing stunts in the early hours of the morning. As the officer arrived, at least one person jumped onto the hood of the patrol car while another began beating the side of the car with a speed limit sign. Fireworks were shot toward the officer as well. No officers were hurt and they managed to arrest ten persons and impound their vehicles.

In Longmeadow, Massachusetts, the Hampden County Sheriff's office arrived to serve an eviction notice on Alton King Jr at his \$1.5 million residence. Mr. King was not at home, but Rorie Woods, age 55, drove up in her van which held several hives of bees. Woods, clad in her beekeeping suit, intentionally opened the hives, shaking doors and agitating the bees which naturally began attacking officers, some of whom were allergic. Wood resisted arrest but was finally taken into custody. When told that some of the officers stung were allergic to bee stings, her response was "Good." Woods faces felony assault charges. One official was hospitalized and several others suffered painful stings.

A Gainesville, Georgia officer approached a suspect wanted for eluding officers in a previous pursuit. The suspect, Alexander Perez, was putting gas in a stolen car when the officer approached and asked him for identification. Perez then fled while the gas nozzle was still in the car, causing the nozzle and hose to "clothesline" the officer, striking him on the neck. Officers were able to pursue Perez who was arrested along with a passenger after crashing the car and was in possession of methamphetamine and synthetic marijuana.

These incidents all occurred within a few weeks in one month. Throughout an officer's life of service, they face threats from baseball bats, concrete blocks, boards, being pushed from high ground, garden tools, explosives, hot beverages, burning cigarettes, arrows, and anything else

within a fighter's reach. Even childish weapons like a handful of sand can temporarily disable an officer and put them at risk. Minor injuries can accumulate over the years to become chronically painful and disabling. It's bad enough that law enforcement officers have to avoid the knife and gun club, they have to realize they are never far from a weapon that can be used against them.

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Chicago and Other Cities Ponder Humane Treatment of its Police Officers

With 11, 669 police officers as of March of 2022, Chicago PD is one of America's largest police forces. If this number sounds big, consider that it is down by 300 officers since the start of the year, down over 1300 since 2019 from 2021 levels. During the same time, violent crime has skyrocketed.

Some observers blame the loss of police officers on "the great resignation" during the pandemic years of remote working when the value of working came into question. While there may be some truth to that, the harsher truth is that oppressive hours and loss of leave time and days off may simply be too much to ask in a city where the Mayor's indifference and hostility to its police officers have eroded morale. Mayor Lightfoot insists that police have plenty of time off.

The recent proposal by an informal public safety caucus of aldermen to restrict canceling of days off and mandatory overtime and convene a hearing on mental health issues occurred against the backdrop of three suicides of Chicago officers. Not only are those concerned with policing in Chicago – which obviously excludes the Mayor – worried about police officer wellness, but implications for recruiting replacements.

Chicago is not alone in losing officers. The COVID vaccine mandate pushed several CPD officers to take retirement. Others don't want to accept the increased risk of being killed, assaulted, sued, or prosecuted for doing their job. Many of those who left with retirement eligibility represent vital legacy knowledge for the department, described by leaders as a "brain drain" for the agency. The loss of supervisors and

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managers who would be responsible for implementing police reform and training measures could slow any needed changes in the agency.

Ralph Cilento, a retired NYPD lieutenant commander of detectives and adjunct instructor of John Jay College of Criminal Justice, is quoted in a Chicago Tribune article saying "Bottom line is that there is a scorched-earth policy when it comes to police. All of this anti-police sentiment is all manifesting itself in people that can leave, will leave. So you know, people are not going to do 28, 30 years anymore. They're hitting their minimum requirement and getting out."

City representatives refuse to paint the picture as a crisis, claiming that the loss of officers has had no effect on the city's crime rate, body counts notwithstanding. Still, the city is lowering its hiring standards to include more potential candidates. Historically, these shifts in standards have resulted in long-term problems for police departments.

Exit interviews with other police departments suffering major loss of officers are revealing. Portland Police Bureau's departing officers had strong words to share about feeling a lack of city leadership, burnout, and mental and physical health concerns. Seventy percent specifically brought up lacking support from the city as the reason for leaving. Interviews requested by media outlets showed the sentiment of one detective was typical: "The community shows zero support. The city council are raging idiots, in addition to being stupid. Additionally, the mayor and council ignore actual facts on crime and policing in favor of radical leftist and anarchists' fantasy. What's worse is ppb command (lt. and above) is arrogantly incompetent and cowardly."

Staffing shortages with the San Diego, California Police Department spiral a loss of public support. Jared Wilson, president of the San Diego Police

Officers Association, told the Los Angeles Times that officers from specialty units have been pulled back to patrol, reducing crime intervention efforts. “We’re at the point where we’re just chasing 911 calls,” Wilson said. “We’re not really doing a whole lot of preventative policing or patrolling. It’s really toxic for our community, for community trust and relationships.”

The city’s vaccine mandate staffing shortages that require overtime or constrain time off, a continuing call for changes to police practices, and jobs at other departments that offer higher pay and better retirement packages, and negative narratives about law enforcement have demoralized officers who are leaving SDPD. Similar complaints were noted in exit interviews with Oakland, California PD, including a lack of effective leadership.

Seattle’s exit interviews of police officers tossing the badge also sound familiar. Despite the officer’s boasting about the great training and access to great coffee, ex-officers report hyper-aggressive oversight, non-supportive city government, no backing from city, and increasingly spineless legal system. New Orleans’ exiting police officers cited punitive discipline, restrictive policies, poor equipment, and lack of support from the administration. As reported on nola.com Nathan Gex, a 23-year NOPD veteran who left for another agency said “I can no longer watch the citizens suffer to violence and crime while the department is not allowed to do the basic service of protecting the citizens of this community.”

America is losing police officers who love serving and protecting. The grief and frustration of not being able to do that which they feel called to do is palpable in these exit interviews. Ultimately, they have only one demand – to let them do the work they were hired to do.

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Small Agencies on the Brink

Let's define what a small agency is by doing some math. With 168 hours in every week, assuming a 40 hour week and we want 24-hour coverage, that will require 4.2 officers. Those officers will need to take sick leave, vacation, and holidays which could amount to 30 additional days they are not available to work a shift, which 4.6 hours a week needing shift coverage. So we'll add another .8 of an officer to make an even 5 officers. Do we want some training for our small force? That will take at least 10 more shifts away per officer that will add an additional deficit of 400 hours. Add to that an hour per week per officer for being in court and other activities that remove them from being on duty and we need at least 7 officers to keep a patrol car on duty.

Of course, we probably need a chief to keep up with administrative responsibilities and we would really like to have at least 2 officers on duty at least, so we're up to 15 officers. That's my definition of a small agency – any law enforcement agency whose ability to provide 24- hour service with a reasonable response time whose service would be significantly hampered by one officer's absence.

A recent mass resignation in the town of Kimberling City in Missouri will be leaving the town in the Branson, Missouri region and claiming the title of the bass fishing capital of the Ozarks, without a police force in a matter of days. The resignations were not in protest, but several of the 5 officers have taken law enforcement positions in a nearby community that offers better pay

and benefits. The Chief resigned first to explore other career options. The civilian clerk also has left.

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In recent years other small communities found themselves with no staffing for their police department including Green Mountain Falls, Colorado, Blandford, Massachusetts, Fairland, Oklahoma, and others. The precarious viability of small-town law enforcement is evident, and not being helped by the wave of retirements and resignations across the country.

Working with fewer than the number of officers needed for 24-hour coverage — a condition most American's can't imagine — requires some contingency planning. Having an officer on call is one common approach. Although it might add precious minutes to the response time, most officers who are on call can compete with their firefighter colleagues in the skill of getting dressed and out the door quickly.

Other agencies use part-time personnel to fill out their shifts. There are often willing retired officers or trained reserves who will voluntarily or for an hourly rate fill the schedule gaps and be available for public events requiring a beefed-up police presence. Depending on other agencies through mutual aid requests or service contracts is another method. Walsenburg, Colorado voted to eliminate their police department and turn over all equipment and their annual budget to the Huerfano County Sheriff to provide police services.

Small town politics can certainly add to the fragility of policing where loyalties and expectations of special treatment tax the ethics of police leaders. Maintaining competitive wages and benefits is a challenge, as well as keeping up-to-date equipment that is increasingly necessary to maintain modern police operations. Despite the quality of life arguments in favor of working in a small town where individual officers can establish relationships and make a real difference, that warm feeling doesn't butter anyone's bread.

Putting a further squeeze on small agencies is — you guessed it — anti-police sentiment that has resulted in increased unfunded mandates and policies hostile to police efficiency. Reducing opportunities for federal assistance with equipment, removing qualified immunity, and increasing liability are all very practical reasons to stop being a cop. Colorado is mandating body cameras for every uniformed police officer. Although the legislation promises to fund acquisition of the cameras, the mandate will exist whether the dollars are there or not. Bodycam use, while supported by most police, is expensive long term because of eventual replacement and upgrades needed, but mostly the cost of storing video evidence and sorting through video in response to requests from defense attorneys.

If small agencies disappear, the defunding movement will claim small victories every time. Citizens who call 911 to find out nobody is coming soon will suffer. It is not likely that federal grant money will be available to supplement the daily needs of small agencies. But there will be funding for training in how to be nice and respect people's feelings. No comfort to the lone officer driving a patrol unit with 200,000 miles on it.

The Message to Police: Let it Burn

It's the oldest debate of our democracy: when does a citizen's behavior merit government control? When it comes to protests and gatherings the Constitution clearly protects speech and the freedom to assemble. With that right comes the responsibility to do so peacefully, or if the intention is to engage in civil disobedience then to expect the consequence of arrest.

The balance between a peaceful protest, an unlawful assembly, and a riot seems to have been lost in recent years. Law enforcement has often been the object of protests while being sworn to protect the protesters and the public. Observers wonder why law enforcement has been aggressively restrained while rioting lawbreakers have been untouched in the wake of vandalism, assault, arson, looting, and inciting to riot.

During preparation for the 2008 Democratic Convention in Denver, Colorado I felt compelled to respond to a complaint registered in the Denver Post that police were being provided with riot gear and military-grade equipment. The writer's contention, reflecting a common opinion of those who don't understand the dynamics and risks of public mass disorder, was that the appearance of police in riot gear would actually provoke and cause riots. My response was that firefighters in bunker gear don't start fires and medical professionals in white coats don't cause disease.

While reporting from the scene of the Michael Brown shooting in Ferguson in August of 2014, I noticed that officers stationed in the protest area which was still smoldering from businesses set on fire, were not in any safety gear. The reason? It would be bad public relations. Rather expose the officers to bricks and other assaults than provide them with

basic protections.

California, in its continuing effort to cripple law enforcement, is at the time of this writing, about to pass legislation that prohibits the use of K9s for crowd control. Evoking images of the 1960s in Birmingham, Alabama, the proponents don't like the optics of dogs biting humans. San Diego Police Chief David Nisleit opposes the bill. "Our police K-9s are one of our best, if not our best, de-escalation tools. I just want everyone to be aware I understand calls for change in law enforcement, but this is not it," said Nisleit, but logic and data are of no interest to the anti-police powers.

A case in St. Louis resulted in a liability judgment against Metro Police officers. Officers gave warnings as they monitored an unruly crowd that had begun damaging property. The crowd was then maneuvered into a smaller space where arrests were made, a practice labeled as "kettling". Whether the legal merits of the case are strong or weak (the 8th Federal Circuit of Appeals ruled that it had merit), it takes away a tool that law enforcement has used to isolate and reduce damage and violence.

In Ohio, officials have agreed to stop using pepper spray or tear gas on peaceful protestors. There are exceptions, but only after an act of violence has been committed. The definition of "peaceful" is an important one, and, as with the kettling case, somebody has to get hurt before the police can act.

During the 2020 riots in Portland, Oregon, which I traveled to cover, the courts prohibited Portland Police from videotaping or live-streaming protestors. Apparently, an attempt to maintain peace by surveilling the crowd for agitators and criminal activity was too invasive. The order didn't apply to anyone else, and journalists and "legal observers" were exempted not only from videoing activity but given an exception to orders

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to disperse. Wave your press pass or digital camera and you get special privileges.

And, by the way, don't use flash-bang distraction devices or pepper spray balls in case somebody who happened to be standing by an agitator with a urine or bleach-filled balloon or bottle, fireworks (commercial grade), or bottle of frozen water being heaved at officers might get a whiff of discomfort (or a piece of a \$250,000 settlement).

There is no doubt that 1st Amendment Rights must be scrupulously protected, but the right to destroy property and assault law enforcement won't be found in the Constitution.

New York Mayor – Elect: Bring Back Stop and Frisk

The practice of stopping suspicious persons to ask some questions and check them for weapons has never been illegal. It has been practiced in ways that has caused the courts to refine the practice, but not outlaw it. New York's incoming Mayor Eric Adams is a retired NYPD captain, elected on a law-and-order platform that apparently appealed to New York voters fed up with rising crime and liberal catch-and-release enforcement policies.

The origin of the legal ability of government agents to detain citizens is the governing document of the U.S. Constitution. It states: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

These 54 words affirm that searches and seizure may happen, but that they must be reasonable and preferably done by warrant. Subsequent court interpretations recognized that there are situations where taking time to obtain a warrant presents a danger to the public or the officer. Therefore, one of the exclusions to the warrant requirement is an exigent circumstance, such as the reasonable possibility of a crime in progress. A reasonable search and seizure can still exist outside of a warrant.

Cleveland Police Detective Martin McFadden was patrolling in plain clothes in downtown Cleveland at approximately 2:30 in the afternoon of October 31, 1963. His attention was attracted by three men. The experienced detective saw the men pacing back and forth, conferring,

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and staring into a business in a way that led the detective to believe that a possible robbery was afoot. McFadden stopped the three, including John Terry, asked for identification and patted down their outer clothing, discovering guns in the coat pocket of Terry and one other. Based on finding them in possession of weapons unlawfully they were arrested. They appealed a conviction, claiming their rights were violated by McFadden's search.

The famous case, known as Terry V. Ohio, finally decided in 1966, cemented the right of a police officer to briefly stop a person, briefly question them, and briefly search them for weapons. The case described the experience of the officer and the specific behaviors that led him to conclude that persons were possibly armed, and a crime was imminent.

It is important to note that a stop and frisk, known as a Terry stop, does not authorize random stops or stops based on mere suspicion. Without proper foundation, these stops are unreasonable under the 4th amendment. It has also become clear that using race is not allowed as a factor in determining whether a citizen will be contacted for a Terry stop.

An officer must specifically articulate not only the behavior they believe may be connected with criminal activity that justifies the temporary detention and questioning, but must also articulate why the officer believes a weapon may be present to extend the stop and questioning to a pat down search for weapons.

Incoming Mayor Eric Adams has said, correctly, that the question should not be whether or not police are allowed to confront suspects; it should be about how officers are trained. Stop, question, and frisk is a necessary tool for police to use to intercede in and prevent criminal activity. In the current climate, officers may be reluctant to engage in self-initiated activity,

abiding by the cautious advice of “no contact, no complaint”. With more contacts resulting in non-compliance and resistance because of the anti-police mood embraced by lawbreakers, the potential for a contact escalating into violence is greater than ever. With the proper policy and training, as well as public education and support, officers may be able to confidently return to the active policing they want and need to do.

Chicago Mayor Faces Her Betrayal of Chicago's Police Officers

When a police officer is killed it is professional practice to support surviving families and colleagues by the agency's leadership and the jurisdiction's leaders. Whether by genuine compassion or for a photo opportunity, a hospital visit shows some level of concern for a fallen hero. But what happens when an anti-police leader goes to the hospital for show?

When two officers were shot, one fatally and one clinging to life, Mayor Lori Lightfoot arrived on the 7th floor of the hospital where concerned and grieving police officers gathered in support of their fallen officers. Lightfoot stopped to talk to the father of the surviving officer, who is a retired Chicago police officer. Witnesses to that encounter reported that he yelled at the Mayor, blaming her for the violence against the officers. The Mayor listened calmly, she proceeded toward the crowd of officers to speak with them.

They moved away from her, behind a row of chairs, and turned their backs to her. The Mayor was reportedly shaken by the rejection. The only question is why she would have expected anything else after her consistently disastrous public safety policies.

"The police officers' decision to turn their backs on the mayor while waiting with the family on the 7th floor was significant," FOP President John Catanzara told Chicago Sun-times reporter Michael Sneed in an interview. "Turning their backs on the mayor was an excellent example of how the hundreds of police officers felt waiting outside the hospital," Catanzara said in Sneed's August 9th article.

In another expression of officers' anger at Lightfoot, she was asked not to attend a service dedicated to the slain officer, Ella French, after the officers in French's unit heard that the Mayor was planning to take part. Chicago police Superintendent David Brown was not very well received by a number of officers, but did attend. Brown cleared the room of all but police officers and spent an hour listening to officer complaints. According to Sneed in an August 11th article in the Sun-Times, the concerns "ranged from how officers feel they get no support, to how the Cook County State's Attorney's office charges — or fails to charge — cases, to the department's new policy on foot pursuits."

In a public statement, Mayor Lightfoot stated "now is not the time for divisive and toxic rhetoric or reporting. This is a time for us to come together as a city. We have a common enemy and it is the conditions that breed the violence and the manifestations of violence, namely illegal guns, and gangs."

To those forensic experts in statement analysis, a tool used by investigators to examine a person's word use to discover hidden motives, meanings, and attempts at deception, the Mayor's statement could be an interesting insight. Lightfoot's call for unity is really a call for citizens to ignore her anti-police rhetoric and policies. She subtly implies that anyone criticizing her is "divisive and toxic". She pleads for favor among journalists in reporting on the attacks on the officers and her response. Her plea for unity is a typical appeal for silence among her critics, in a tone suggesting that any criticism at this time is an insult to the dead officer and her struggling partner.

In a very interesting phrasing she rails against "conditions" that breed violence, and refers to "manifestations" of violence. This is a passive way

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of de- personalizing the real problem which is individual criminal activity. Instead of calling offenders to account, she wants to alter “conditions”. It sounds similar to the efforts of the Biden administration to ignore conditions at the border and focus on changing the poverty and corruption in Central and South America. Pie in the sky instead of letting the law work as intended.

Finally, Lightfoot uses the terms “breeding of violence” and “manifestations of violence”, an artful dodge of reality that puts violence in ephemeral terms rather than speaking of criminals terrorizing the citizens and their police officers.

Lightfoot, like many politicized leaders living in their fantasy utopian future of peace, are ignoring the reality of the real fight going on for peace on her streets. The officers who turned their backs to the Mayor perfectly symbolized what she, in fact, has done to her city.

Politicians Can Make Laws and, in Philadelphia, Can Ignore Them

There are software programs that can count how many times a writer uses certain words or phrases. Having a writing style is one thing, but boring repetition can signal that the writer is getting stale. So this writer is going to apologize in advance for using the phrase “knee-jerk” so often. Like Philadelphia’s knee-jerk decision to make cops stop enforcing traffic laws.

The phrase comes from that exam with the miniature triangle-headed hammer that doctors use to smack you just below the kneecap to see if everything seems to be connected correctly. The fascinating thing about this reflex test is that the result comes without consciously thinking. The doc hits the spot, the leg kicks out. Of course, the brain is involved, but seemingly only as a spectator. It’s a “no brainer” we might say. And that’s why I refer to so many political decisions as “knee-jerk” – very little brain involvement.

Deep conversations about liberty, regulation of public behavior, and the role of armed government agents should be happening all the time in our society. But no, we short circuit those crucial conversations with quick finger-pointing, emotional decision making, and knee-jerk laws and policies.

What is the point of traffic law in the first place? It’s all about statistics. What is the ratio of damage, death, and injury will we accept to the economic benefit of motor vehicles? When heavy machinery is traveling at speed, the laws of physics rule. If we put limits on how fast vehicles can go, we mathematically reduce the damage when a collision with an object, person, or other vehicle occurs. Law governing speeds are passed. We

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note that the laws of physics assure us that no collision will occur between two items traveling at the exact same speed in the exact same direction. Collisions only occur when vehicles are at different speeds or traveling in different directions. So we need a rule that says when some vehicles need to yield to others.

Statistics also show that nighttime is hazardous to motorists' health. While there is 60% less traffic at night, 40% of fatalities happen at night. So, we passed laws that require lights and even added what color they must be in order to help others know whether we're coming, going, or slowing.

Those traffic laws were never attached to a heavy penalty other than laws against impaired driving. It was always about education as much as enforcement. But they are laws, nevertheless. As someone who has visited a third-world country without effective traffic laws and enforcement, this writer can testify to the scariness of never knowing if other cars have brakes or if the single dim light careering around the mountain was a scooter or a bus.

If we establish the necessity and, in fact, life-saving value of traffic regulation, we must then ponder what liberties we motorists must yield in return. Supreme Court Justice Louis Brandeis is perhaps best known for saying, "The right most valued by all civilized men is the right to be left alone." The Supreme Court has also held that the expectation of privacy in a vehicle is lower than elsewhere. The Court has also held that a traffic violation, including equipment deficiencies, is a legitimate reason for a traffic stop.

One of the balancing factors between being left alone and being pulled over for a traffic violation is that a professional police officer is the one empowered to make that decision. That doesn't mean that that is the only

model for traffic safety, but with the high accountability of police officers in terms of judicial review, body-worn cameras, and requirements for recording racial information to monitor for disproportionate bias, law enforcement officers have been the best resource for traffic safety. Not to mention that criminals drive cars with weapons and contraband, drivers operate without financial protection for other motorists, some drive while intoxicated, and others flee crimes and hold children captive.

Proposals like Philadelphia's order for police to stop enforcing traffic laws (sure, it's the law, but we're not going to enforce it) and instituting an unarmed traffic enforcement unit that is wholly unaccountable to law enforcement or courts, reporting instead to the Office of Transportation, Infrastructure and Sustainability are a threat to public safety.

It pays to remember a very Marx Brothers or Three Stooges type comedic skit where the doc gets no immediate reaction to the reflex test, then turns away from the patient as a delayed response results in a kick in the rear to the surprised doctor. The lesson is to beware of the knee jerk because it can kick your butt. Bend over, Philly.

The Toxic Relationship Between Woke Politicians and Criminals

The counselors who deal with defective and toxic relationships recognize the lack of balance and mutual respect. The criminal justice system, under the guise of reform and personified by “woke” prosecutors, politicians, academics, and even some police chiefs is in a toxic relationship with offenders, playing to role of doormat to the offender. An internet search for “signs of a toxic relationship” reveals some characteristics of those trying to make peace with the criminal elements. Manhattan district attorney Alvin Bragg isn’t the only weak-willed prosecutor in the country, but he is the poster child of a doormat politician. Here are some signs that these doormat politicians are in an abusive relationship with the criminal element.

They always find something wrong with you. The doormat tries to placate the offender, thinking that will change things. But it is never enough. Remove bail requirements? Not enough. Make everything a misdemeanor? Not enough. Stop cops from contacting you? Nope, not good enough.

They strip away your self-esteem. Standing for something with a unique identity, proudly upholding law and order doesn’t demand respect in the criminal mind. It creates contempt. In repeated attempts to move away from the core identity of being the people’s advocate for public safety, the doormat gives up their own identity for the offender.

They’re controlling and there’s a clear imbalance of power. The doormat is not allowed to be in charge and make important decisions. The offender will guilt trip the doormat and accuse them of not respecting them.

You keep waiting/hoping for them to change. The doormat thinks “It’s not you, it’s me”. I’m not good enough, I don’t try hard enough. If I do just one more thing for them, they’ll change! I’ll treat you better, I promise!

Your offender never takes responsibility. The criminal mind is not inclined to self-reflection. The doormat might, on occasion, suggest that maybe – just maybe, the offender contributed to their own mess. And that’s when the offender reminds the doormat of all of their mistakes. Don’t you dare judge me!

Your family and friends are concerned. Despite good advice from people who can see the destructive relationship, the doormat remains in denial. You’re exaggerating. You just don’t understand. You don’t know him/her like I do. We just need more time. Meanwhile, things get more and more out of control

They like to play games. Offenders are master manipulators. They’ve been playing the game for a long time, whether it’s with social workers, partners, counselors, or probation officers. They know how to elicit sympathy, manufacture creative excuses, and blame other people and their own hard-luck stories.

You feel like you do all the work in your relationship. The doormat goes the extra mile. They make the appointments. They lower the expectations. They make the compromises. The offender does not feel an obligation to carry the weight of their reformation. They are happy to let the doormat plod away trying to change the offender’s life for the better, but the offender’s life is just fine and only made easier by all of the doormat’s compromises.

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They show dishonesty and disrespect. The offender makes excuses for non-compliance with outright lies. There is no concern in the criminal mind for the sacrifices and inconveniences of the doormat. The sacred status of courts, criminal process, and law enforcement hold no status to the offender. They are just obstacles to dodge.

We feel sorry for the manipulated doormat. We watch them try and try and still be subject to disrespect and outright abuse. We see the offender taking advantage of the doormat instead of accepting the breaks they are given to become a better citizen. The main difference between watching a loved one in a destructive relationship with a toxic person and watching members of the criminal justice system in a destructive relationship with the criminal element is that we the people are the true victims who can't walk away. Maybe Bragg and his ilk need therapy to regain their sense of identity and purpose.

Portland Should Be Ashamed of Itself

Admittedly, the smoke from wildfires was enough to sour my visit to Portland, Oregon. I would have been distressed anyway. Portland is a mess. In a democracy, short of a natural disaster, when a city is a mess the ultimate persons responsible are the voters.

As good citizens ponder the future of quality law enforcement in America, responsible studies on ensuring community oriented law enforcement that is fair and equitable are underway. Police executives, legislators, and concerned citizens can be found working together to solve problems and maintain public safety. This is how democracy works when it works well.

Dissent is a part of democracy as well. Protestation and seeking redress of grievance were as important to the founders as the freedom to hold sacred religious beliefs without fear or compulsion. American history is peppered with marches and rebellions from the dissatisfied, disenfranchised, and determined. But there has never been a more powerful voice than the vote, and this apparently is where Portland has failed to hold its leaders accountable.

When Portland Police Bureau crowd liaison Lt. Jeff Niiya engaged in text exchanges with one of the protest leaders — exactly the kind of relationship that his assignment entailed — he was accused by Portland politicians of misconduct. City Commissioners JoAnn Hardesty and Chloe Eudaly blasted the texts. The mayor called the texts “disturbing” and said they crossed the boundaries of acceptable police work. Niiya was exonerated by PPB Chief Outlaw after an investigation. Mayor Wheeler, under Portland’s unwieldy city governance system, also acts as Police Commissioner.

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Wheeler has been notoriously unsupportive and critical of PPB. Police associations have filed grievances against Wheeler for derogatory, hostile, and damaging remarks and actions. The city has reduced the PPB budget by \$15 million dollars. This will eliminate traffic enforcement units, officers assigned to schools, and officers assigned to transit. The city is already understaffed based on other cities' police staffing.

Mayoral candidate Sarah Iannarone has also shown contempt for Portland's front line police officers, blanketly accused the Portland Police of "waste and violence the Portland Police Bureau inflicts on our community" in her campaign statements, along with calls for diverting PPB's funding to pay for other services while criticizing officers for rising crime rates and traffic deaths. After a clearly justified shooting of a knife wielding man who refused efforts by officers to talk with him after they had initially retreated. Iannarone tweeted ""I've not seen evidence the deceased was carrying a weapon. I have seen evidence the officer who killed him has no problem wielding his."

Portland's Commission system of government is ill-suited to long term planning. One officer I spoke with has served under four chiefs of police in under 4 years. With the Mayor the defacto Police Commissioner, police leadership is inevitably tenuous and politically charged. Every election is an opportunity to change direction with no stability ensured to maintain any given course over time.

Despite the number of officers who have retired, those remaining are courageously continuing to serve under immense strain. The retirements were anticipated and cannot necessarily be attributed to the current, virulent anti-police actions of politicians and extremists. Anarchists have always had a presence and influence in Portland, so their activity is not

unexpected. Affirmation and support of Portland's everyday citizens is not absent either. But officers have been forbidden to use tear gas for riot control, forbidden from live streaming protests, and have not been provided with body cams since results of those have not lived up to the expectations of the anti-police crowd and are now being touted as invasive to citizen privacy.

Watching a stolen car travel speedily away with a no pursuit policy, watching calls stack up for long response times, and knowing that officers simply can't afford the time to do proactive safety stops or interdiction made me want to weep for the citizenry and its police officers. Seeing the estimated 14,000 homeless going without services, but whose occasions of lawlessness must go unattended, reflects a national problem but simply cannot be blamed on the PPB budget or police action against them. Having to step over men sleeping on the sidewalk and having to dodge an angry man pounding the walls with his fists in order to get a meal at Denny's should not have to happen to me, or the angry man, or the man hugging the street sign using the sidewalk as his bed.

I could not have more respect for the officers of the Portland Police Bureau. Portland's citizens, the vast majority of whom recognize the need for healthy, quality policing, are the only answer to the problems plaguing and destroying a magnificent city. It takes courageous candidates for public office and active voters to turn around this lost city. It can be done. But for now, shame on Portland.

Purging Police Executives of Color a Key Crisis Point

Racial diversity in police hiring has increased dramatically in the last generation of policing, including the ranks of police leadership. While the progress has yet to generally equal the diversity of the population served by their law enforcement agencies, key roles are more frequently being filled by women and minorities. This should be a cause for celebration but many minority chiefs have been lost in the calls for police reform amid charges of systemic racism in policing.

An undercurrent fueling the current antipolice movement is critical race theory. What was once the subject of ivory tower academic discourse has reached into mainstream thinking. The theory, at its core, views society through the lens of race with the underlying presumption that white supremacy and privilege are pervasive and racist. One apparent response to the perceived illegitimacy of white run institutions and culture would be to see people of color rise to prominence and influence in society and the economy. Ironically recent weeks has seen the toppling of women and people of color from police leadership when those persons would appear to be key to police reform.

Chief U. Reneé Hall, Chief of Police in Dallas, Texas is a black woman who heads one of the nations ten largest police departments. Whether current political pressures associated with allegations of police abuse impacted her decision to resign by the end of 2020, Dallas was not immune to controversy. Off duty officer Amber Guyger was convicted in 2018 of killing Botham Jean, a black man in his own apartment. Guyger reported that she thought Jean was in her apartment in the same apartment complex when in uniform and arriving home after her shift. Crime rates in Dallas were also rising under Hall's tenure. A mass arrest of racial justice

protestors also generated controversy.

Rochester, NY, police chief La’Ron Singletary announced his unexpected retirement in wake of the in custody death of Daniel Prude in March of this year. Although that death occurred before the George Floyd in custody death during an arrest by Minneapolis police, Prude’s case only recently became public.

Carmen Best, the first Black woman to lead the Seattle Police Department tendered her resignation in August of this year after the city council reduced her budget by nearly 4 million dollars, including reducing her salary, and eliminating 100 officers. Best was poised to preside over one of the nation’s most ambitious police reform efforts in the wake of massive civil disruption in that city. After the slashing of her budget and the vindictive appearance of cutting her salary, Best said “I’m done – can’t do it”.

Steve Anderson, the chief of the Metro Nashville Police Department is not black but Deputy Chief John Drake is. With Nashville’s own protest challenges it will be interesting if Drake’s influence will sustain his likely step into the chief’s chair. Another black police leader stepping into the top post is Milwaukee’s acting Chief of Police Michael Brunson, Sr after the demotion of Milwaukee Police Chief Alfonso Morales, a Latino. Questions about police use of teargas on protestors dogged Morales as well as dissatisfaction with his response to questions from Police Commission members about discipline and investigations. Latino Deputy Chief of Administrative Support Services Miguel Dominguez is serving as Acting Chief in Las Cruces New Mexico after Police Chief Patrick Gallagher came under criticism for eight arrestee deaths occurring under his two year tenure of this town of under 100,000 population.

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As efforts continue to recruit candidates who reflect their community, the absence of role models who reflect racial and gender diversity is a setback to a core aspect of police reform. That these leaders are leaving their prominent areas of influence at a time when racial imbalance is a core issue of the day.

The Wicked Flee

There is a biblical proverb among the words chiseled in the National Law Enforcement Memorial in Washington, D.C.: “The wicked flee when no one pursues, but the righteous are bold as a lion.”

One might not expect a Bible verse to be the rationale for a proven law enforcement strategy, but there it is. Criminal actors may seem bold, but they inevitably act when they think they will not be identified or be held accountable. A recent daytime jewelry store theft saw \$5 million worth of jewelry snatched from a window display by five masked robbers with hammers before anyone had a chance to pursue them. Brazen, yes, but brave, no. Criminals are cowards who do not want to get caught. They are jittery and paranoid. Many are under the influence of alcohol or other drugs to numb their nerves and whatever conscience they may have.

So, what is the greatest crime prevention strategy? Eyes. Witnesses. Guardians. Police officers on the beat can be the most effective eyes of all. Polls show that an increasing number of citizens oppose defunding police agencies and favor the increased presence of police in their own neighborhoods.

In Seattle, where crime rates have dramatically spiked in the rush to crush police activity with burdensome restrictions by state law, reduced funding,

on top of reduced retention of experienced officers, Mayor Bruce Harrell is supporting “new” police strategies. Harrell said that compared to 2020, last year saw aggravated assaults increase 24%, shootings and shots fired incidents increased 42% to an all-time high and violent crimes increased an overall 20%, hitting the highest level in 24 years.

The city is using targeted enforcement efforts (read that to mean more cops) in areas with especially pervasive and violent crime. Yes, it appears that despite the anti-police rhetoric of the past few years, one big answer to crime might – just maybe – be more police officers present to prevent crime. There’s nothing more discouraging to the cowardly criminal than badges nearby. Foot patrol and bicycle patrol, where feasible, keep officers in a smaller area that keeps criminals guessing. Officers in patrol cars can be preventive, but most crooks know that once one car goes by, another may be hours from patrolling that block again.

It may have taken two deadly shootings and a collection of violent crimes to get the Mayor’s attention to an area known locally as The Blade along Third street between Pike and Pine streets. Open-air drug sales and vendors with suspected stolen goods were active in the Little Saigon International District. Patrons and business owners are relieved by the presence of both uniformed officers and undercover operatives. Groups of people openly using fentanyl on the street corners leaving tin foil from their paraphernalia are gone now.

Business owners and residents, often from at-risk communities of color, are happy to see the officers present and the results of crime falling dramatically where these efforts are being made. Otherwise, businesses are increasingly relying on contract private security services to fill the gap and provide more eyes scanning for criminal actors. While residents applaud Seattle’s efforts, some say it comes too little too late as some

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business has collapsed under the weight of robberies, burglaries, property damage, and intimidation of customers. Others wonder how long the concentrated effort can be sustained by the police department and whether the effort will bring long-lasting results. But for now, the badges are a welcome sight.

New York City police are returning to paying attention to so-called “quality of life” crimes. That strategy was widely credited with reducing the city’s crime tolls under Mayor Giuliani and police leaders Bernard Kerik and William Bratton. Paying attention to littering, alcohol use in public, and other misdemeanor offenses create more citizen-police contacts. Whether enforcement actions take place or not, the interactions can result in gaining valuable community information, arrests on warrants, and the criminals’ sense of being under observation.

To keep the wicked fleeing, police need to be supported in their efforts at being present where needed. That means not only the appropriate staffing and funding levels but both public and prosecutorial support for the contacts and arrests that result.

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Was Kennedy Right?

In a report on organized crime during his tenure as U.S. Attorney General while his brother was President, Robert F. Kennedy famously said “Every society gets the kind of criminal it deserves. What is equally true is that every community gets the kind of law enforcement it insists on.” If this were said by our current Democrat-appointed Attorney General one could expect a backlash accusing him of blaming victims and ignoring the powers behind the police establishment.

Is Kennedy’s affirmation, made in September of 1963, true today? An internet search of American cities with the highest crime rates does not always show the same rankings, but some cities always manage to hit the top 20. As with all statistics, answers depend on questions. Ranking overall crime rates might differ from homicide rates which might differ from crimes committed with firearms.

The crimes reported to the police that then get interpreted and sent to the FBI for their annual Crime in the United States report are the fodder for most media reports on crime. Murder is the standard for answering the question of violent crime. While most crimes go unreported, murder tends to come to the attention of law enforcement and is considered the most accurate measure of the dangerousness of a city.

The FBI’s report is comprised of eight major crimes, half are crimes against persons – murder, rape, serious assault, and robbery while half are the property crimes of arson, larceny, auto theft, and burglary. Crime rates are calculated as offenses per 100,000 population enabling rate comparisons by ratio. Other crimes are calculated as well but are less frequently reported by the media and include drug offenses, drunk

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driving, domestic violence, and other lesser crimes. The accuracy of reporting depends on citizens' trust of law enforcement to respond effectively, and what benefit (such as collecting on an insurance claim) reporting might be to the victim.

Crime rates in some categories can be masked by police agencies intentionally or unintentionally. The FBI statistics have been the standard measure for about a century, so their value is high. Nevertheless, if an agency wants its crime picture to look rosier, some offenses could be written off as a civil matter ("the jewelry was probably taken by a relative so it's just a personal problem"), a judgment on the seriousness of an assault might define the offense as a misdemeanor rather than a felony, and a series of crimes such as a rash of car vandalism can be counted as one offense with multiple victims.

Nevertheless, a few cities have managed to stay in the headlines as dangerous. Memphis is one, Detroit is another, and Milwaukee, Atlanta, and Kansas City are the top five murder cities according to a July article in Time magazine.

Memphis is a 2/3 Black population, and its police department is 52% Black. Mayor Jim Strickland is a white Democrat. The District Attorney for Shelby County which includes Memphis is democrat Steven J. Mulroy. He has worked with the ACLU on cash bail reform. "When we think of criminal justice reform, we think of Steve Mulroy," said one county official.

Number two is Detroit, Michigan, 78% Black, with a police department that is %56 Black. Mayor Mike Duggan, a Democrat is a former Wayne County prosecuting attorney. The current prosecutor is Kym Worthy, a Black attorney and Democrat. Although Worthy has stated "I have repeatedly said that I have no issue with no cash bond for lower-level

non-violent offenses, traffic offenses excluding drunk driving and domestic violence, civil infractions and ordinance violations,” she also said that recent bail reforms have gone “too far” and “We have recently seen disturbing results when defendants with violent crimes are given inappropriate bonds. I am not at all convinced this is the solution for serious felonies.”

Milwaukee ranks next in murders per capita. Its Mayor is democrat Cavalier Johnson, the first elected Black mayor of the city. His latest budget reduced police staffing and funding, which he has advocated in previous statements. Milwaukee’s racial makeup is about half white and half Black. Although the Chief of Police is Black, only about a third of the police department is non-white. The county’s prosecutor is John Chisholm who was quoted in a 2007 interview saying “You bet my bail reforms will kill people.”

Do these cities get the crime they deserve? The ballot box is available for change. Are they getting the kind of law enforcement they insist on? Again, change comes at the ballot box. Cities with high crime and high populations of minority citizens are failing those citizens. Or are the citizens failing one another?

Floundering Prosecutors Failing

In police reform language, sometimes accountability seems to mean unforgiving, zero-tolerance criminal prosecution of police officers. The vast majority of times when a police officer's decision is criticized by skeptics the facts, if allowed to be known and explored, weigh in favor of the officer.

An Austin, TX, police officer's trial ended in a hung jury on a charge of murder. Travis County District Attorney Jose Garza, notorious for aggressive prosecution of police officers, has not announced at the time of this writing whether further prosecution will follow.

The case involved officer Christopher Taylor and suspected drug dealer Michael Ramos whom Taylor fatally shot in 2020. Police had responded to an apartment complex where a 911 caller had directed officers with a report that Ramos was doing drugs in a parked car and had a gun. Ramos began to drive away as officers arrived when Taylor, believing that Ramos was going to strike fellow officers with the fleeing vehicle, fired to stop Ramos.

Several videos showing Ramos' trajectory, testimony that the caller was lying about the gun, and the fact that no other officer chose to fire their weapon, were all used by prosecutors to claim that Taylor was not justified in using deadly force. The jury, however, apparently aware of the dynamics of such a situation that officers faced that day, could not unanimously agree. Defense attorneys who understand and can communicate the milliseconds for decision-making in a time of deadly chaos can help a jury give the benefit of the doubt to the officer.

In Aurora, CO Nathan Woodyard, a police officer involved in the stopping of Elijah McClain in 2019, was found not guilty on charges of reckless manslaughter and criminally negligent homicide in McClain's death. Officers had responded to a report of a suspicious person wearing a ski mask on an August night and acting "sketchy". Woodyard was the first officer to contact McClain and in a subsequent struggle applied a carotid hold. McClain was given a shot of Ketamine by EMS personnel for "rapid tranquilization in order to minimize time struggling", according to reports.

The 23-year-old McClain was placed in an ambulance suffered a heart attack and died a few days later. The defense argued that it was the Ketamine overdose that caused the death and not the officer's actions.

A federal jury could not reach a verdict in the trial of former Louisville, KY officer Brett Hankison in connection with the shooting of Breonna Taylor in what has been labeled as a botched "no-knock" drug raid at her boyfriend's apartment in 2020. After Taylor's boyfriend, Kenneth Walker, fired a shot as the officers entered, hitting one of the officers in the leg, three officers shot back. Hankison fired 10 times but did not hit Taylor. He was charged with using excessive force that violated the civil rights of Taylor, her boyfriend, and the next-door neighbors where a stray shot entered their home causing no injury. He had previously been acquitted on state charges of endangerment.

The ACLU laments on its website that "In the 12 years between 2005 and April 2017, only 80 officers have been arrested on murder or manslaughter charges for on-duty shootings, according to work by Philip Stinson, an associate professor of criminal justice at Bowling Green State University in Ohio. The Washington Post reported that between 2015 and

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2017 police shot and killed 2,884 people. Police shoot and kill numerous people every year and are hardly ever held accountable.” Context seems irrelevant to critics like the ACLU. Could it be that relatively few officers are criminally charged because the vast majority of police shootings are legally justifiable? Could it be that the scrutiny in use of force cases, despite the often trumpeted falsehood that there is no accountability, digests and analyzes the facts that clear officers in most cases?

Thankfully juries and appellate courts often see what prosecutors don't want to see when cops are charged for actions in the line of duty.

Are Bad Habits Fueling the Crime Wave?

Colorado Attorney General Phil Weiser sounded like the parent of a pre-schooler saying some people picked up “bad habits” during the COVID isolation. He made the statement during a closed-door public safety roundtable held in Pueblo, Colorado, a community of 120,000 suffering from the same challenges of violent crime and police staffing seen throughout the country.

The rhetoric of political responses to the uptick in lawlessness rarely includes the term “personal responsibility”. It seems that the term is reserved for mask mandates and vaccinations. In the politics of crime, the blame doesn’t focus on people choosing to kill, steal, and destroy. It’s the gun. It’s the bad cops. It’s the drugs. It’s the prison system. It’s the economy. It’s the pandemic. Of course, when it comes to the pandemic, all the blame goes to personal responsibility on the ignorant, selfish dolts who don’t want to wear masks and get a third vaccine poke. Murder me it’s not really your fault. I catch COVID, dammit why did you do that to me?

The largest teacher’s union decries the “school to prison pipeline” perpetuated by school resource officers picking on marginalized students, and mean immigration officers making families comply with the law. A Manhattan District Attorney announced that as long as an armed robber doesn’t actually pull the trigger of the gun they are pointing at the convenience store clerk’s head, the robbery will become a misdemeanor theft. As long as a burglar targets only sheds and storage lockers, there may be no prosecution at all. Drug dealers have to be involved in additional crimes to face prosecution. DA Alvin Bragg just doesn’t like to see anyone sent to prison, bless their hearts.

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A program in San Francisco will pay people identified as violence-prone as much as \$500 a month to not shoot people. Even police reform advocate Al Sharpton is complaining that they are locking up toothpaste at the drugstores because of rampant theft of even low-dollar items. Journalist Tom Zytaruk has observed, "Criminal recidivists are trained to know that despite all the finger-wagging and stern admonishments enunciated by judge after judge, this forgiving criminal justice system of ours, predicated on the concept that human beings are inherently good, keeps reinforcing the message that somehow society has failed the offenders rather than the message that they themselves are personally accountable for the choices they make." I came across Zytaruk's comment as one of the very few results that popped up on an internet search for the words personal responsibility and crime. The concept is not creating much chatter among policy wonks and politicians' speech writers. And Zytaruk is Canadian.

But don't take too much personal responsibility like buying a gun or determining to protect your home or family. That would be paranoid, promote violence, and give testimony to your belief that the government can't protect you 24/7.

During the aforementioned Colorado roundtable, Weiser also said "A lot of the concerns we talked about were young people who may have gotten some of these bad habits, may not have the same family and community connections. I also think the availability of both drugs and guns are fueling more violent crimes." Drugs light up and force themselves into the veins and lungs. Guns leap into the hands of young people and create an irresistible vibration that causes assaults and robberies. In a discussion about doubling murder rates, increased domestic violence, and even higher fatality rates due to reckless and drugged driving, Weiser couches the topics in the category of "bad habits".

Could it be that politicians attacking law enforcement has become a bad habit? Could it be that letting violent criminals roam the streets on no-bail release, easy probation, and lax prosecution has become a bad habit? Could it be that blaming everything but the individual has become a bad habit? Maybe Weiser is right, we have picked up a few bad habits.

Don't shoot – here's the money

If we haven't had enough forehead slapping, eye-rolling, what the heck moments in the past year, here's another: paying people not to shoot other people. Saying "Don't shoot, here take my money" sounds more like a robbery than a social program, but some social engineers think it will save lives. In San Francisco, an organization called the Dream Keepers Initiative is offering to pay high-risk individuals \$300.00 per month not to shoot. If they work with their life coach and jump through some more hoops, they can get an additional \$200.00 a month.

In case you've never heard of the Dream Keepers Initiative, you can quickly find them mentioned in news reports regarding the defunding of the San Francisco Police Department. Mayor London Breed made headlines in 2020 by pledging to take 120 million dollars from the SFPD budget and "reallocate" the funds to Black communities.

A similar program was deemed to have some success in Richmond, California where homicides by firearms decreased by 55% and other shootings reduced by 43% since the program began in 2010. Richmond's program actually involved police partnerships. It also showed violence reduction during a time when the murder rate was declining nationwide for half of that decade.

An inherent problem of the cash reward program is the set of assumptions on which it is based. One is that the program in Richmond actually worked. The causes of crime are always in dispute, especially when expected crime doesn't happen because everyone wants to take credit for prevented crime. Things that don't happen are hard to measure, and an essential truth necessary to interpret statistics is that just because one thing

happened and another thing happened after that, doesn't mean the first thing caused the second thing. In research, only when a researcher can isolate the one thing being studied from all other influences can they establish direct causation. This always requires additional assumptions that nothing else happened that was not noted or measured.

That's a complicated way of saying "it ain't necessarily so". Another assumption being made by the San Francisco program is that however they conduct their program will yield good results even though there are many differences in management, budget, population, and measurement of the program. You can bet that as long as the money is rolling in (sucked from the police budget), the reports will always claim wonderful success.

Another question unsolved by professional criminologists is whether violent crime is rational. In other words, do offenders make a "pro" and "con" list to determine if their lawbreaking is worth the risk. Does a young person deemed at risk of murder determine that a monthly allowance and some coaching is better than expressing their rage through violence? Maybe.

But what about the inherent unfairness. The well-behaved, non-criminal, self-controlled population get nothing. Leftist thinking is always classist thinking. If somebody has something, they don't deserve it. If a population has nothing they deserve to get some of what someone else has. Within the limits of charity and helping, Americans are very tolerant and supportive of programs that help build opportunity. This program seems to reward at-risk behavior rather than merely prevent undesirable behavior.

The program reminds me vaguely of President Obama's Cash for Clunkers program. In order to manipulate the market and boost car sales, \$3 billion

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went to buy people's old cars with the hopes that they'd buy a new one and help the carmakers. Instead, new car sales actually slumped as the clunker owners bought cheap used cars with their cash. New car makers suffered a downturn of \$3 billion in sales. The lesson, never learned by politicians, is that throwing money at a problem to change human behavior seldom works the way we hope.

One might hope that the promised millions siphoned from police budgets would at least be used for the real common denominators of crime which is fatherlessness and family instability. But those efforts might be politically incorrect because it implies that single mothers are less than and that fathers make a difference all of which entangles the "gender doesn't matter and probably doesn't even exist" crowd up in knots. Let's keep blaming society, genetics, economics, and racism – anything but personal responsibility – and keep the easy money flowing

Turns Out Armed Robbery Isn't That Big of a Deal

Words and facts matter, unless they don't. Take New York Times writer Charles M. Blow's definition of "infraction", which encompasses robbery and counterfeiting. In an editorial appearing in the Denver Post on April 18th, 2021, Blow related the often-told story of Michael Brown "A Black teenager accused of an infraction in a convenience store just before his life was taken." What Blow defines as an infraction Missouri criminal statutes define as robbery in the 2nd degree. "A person commits the offense of robbery in the second degree if he or she forcibly steals property and in the course thereof causes physical injury to another person. The offense of robbery in the second degree is a class B felony."

The facts of this "infraction" involved Brown reaching across a convenience store counter and grabbing cigars then leaving without paying. The shopkeeper steps out from the counter to get between the not-so-diminutive Brown and the exit door. Brown grabs the shopkeeper by the neck and shoves him back against a rack of potato chips. When the shopkeeper recovers, he attempts to stop Brown again, but Brown turns and looms above him in a bear-like intimidating posture. But hey, infractions happen.

Blow's apologetics for felons includes George Floyd "a Black man accused of an infraction in a convenience store". Again, a shopkeeper is the victim and calls the police. According to the U.S. Department of Treasury possession of counterfeit United States obligations with fraudulent intent is a violation of Title 18, Section 472 of the United States Code and is punishable by a fine of up to \$15,000, or 15 years imprisonment, or both. Floyd was attempting to purchase cigarettes with a suspected fake \$20 bill. Another "infraction".

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Blow seems incensed that the police responded to a counterfeiting complaint. Apparently, Minneapolis Police do not have a category of felonies not worth investigating, so they investigated. A jury has convicted the arresting officer for murder arising out of force that he was not authorized to exercise. Whether appeals and further proceedings will sustain the jury's interpretation of the facts or not, this was not a case of brutality based on an unnecessary arrest for an insignificant crime. The initial contact was completely legal, justified, and legitimate. The calculus a police officer makes is not "what if this litterbug or jaywalker resists arrest and the resistance escalates to the point where I have to use physical force?" The question is "is there reasonable suspicion of illegal behavior which I am obligated to investigate"?

Eric Garner is cited by Blow as another in-custody death (usually referred to automatically as murder by reporters) based on a minor offense of selling untaxed cigarettes. Garner was not killed because he was selling untaxed cigarettes, and officers were under no obligation to turn their eyes from such a minor offense. Whether New York's minimum price laws and high cigarette taxes are good, they are the law and the laws are enforced by armed government agents. The NYPD officers arresting Garner were part of a designated enforcement effort to crack down on the unauthorized sales. In fact, in 2019 FedEx paid a civil settlement of over \$35 million for their role in facilitating the importation of untaxed cigarettes into the city. As a prohibited item, like liquor during prohibition, the profit on the black market for cheaper untaxed cigarettes has attracted organized crime.

Blow's list of barely lawbreakers included the more recent case of Daunte Wright in Minnesota. Wright's case was notable due to a fatal shot mistakenly fired by an officer who thought she was deploying a Taser. The

lethal moment is still under investigation, but the reasonableness of the initial contact should not be minimized. The probable cause for contacting Wright was an expired license plate. While minor, enforcement proper registration is well established as a legitimate law enforcement responsibility. In addition, license irregularities are associated with stolen vehicles and other criminal activity.

Wright's mother reported that Wright called her during the stop and said he was stopped for having an air freshener. Obstructed vision from items on the windshield or dangling from the rearview mirror is sometimes used as a reason for a traffic stop, but only Wright's mother made this claim which, even if true, would have been a legal contact. The stop was good and the warrant was quickly confirmed. Wright was accused of what Blow would apparently describe as another infraction. Two female victims reported that Wright and another man blocked their way. Wright then allegedly pulled a black handgun "with silver trim out from either his right waistband or his right coat pocket," pointed it at the woman, and demanded \$820 which he knew the women had according to court documents. When the victim asked if he was serious, he allegedly told her, "I'm not playing around." Wright then allegedly choked the woman while trying to pull the cash out from under her bra, where she had tucked it away.

It takes some digging to find out about the facts in those court documents. The false reports that the stop was based on an air freshener, or that Wright didn't know he had a warrant (even though everyone knows if you're charged with robbery and don't show up to court, there will be a warrant), and the arrest based solely on the license plate violation are all visible. Some articles will refer to a warrant. Most will not use the words robbery, gun, and choke as part of Wright's criminality.

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Discussions about what we want our armed government agents to do are appropriate. Maybe we shouldn't send them after tax dodgers or expired plates. But we do, and that's not the fault of the police. When offenders resist, the underlying offense alleged becomes irrelevant. Blow ends his column with the words "rage is the only language I have left". Apparently, that leaves little room for the language of truth.

How Politicians Scared People to Death

We often hear the rhetoric of war. How easy it is to send our men and women into harm's way to another place where we do not have to hear the sounds of combat or breathe the foul air in a distant land. While politicians debate the reasons and strategies and budgets from the comfort of their soft leather chairs people are hurt and killed with every passing day as the work of the battle is carried out on the front lines.

Those same comfy chairs are warming the rears of the anti-police crowd as citizens are dying in the homes and streets of our own country. There has not been such a dramatic increase in murders in modern American history. The upward trend began in 2014 and, in 2020 jumped a dramatic 30% from 2019. We have not reached the total number of murders from highs in the 1980s that then trended down dramatically in the 1990s, but the murder rate — the number of murders per 100,000 persons — is rising and the final 2021 numbers will not be better.

We can talk coldly about murder rates, but the brutality of murder is not abstract. The increase in murders from 2019 to 2020 is 4900 humans. That is just the increase. The total for 2020 is 21,570. Visually stack those additional victims one on top of another and you have about a mile-high tower of death.

Now imagine that just one of those victims had been able to call for help and first responders were on the way. Imagine a citizen seeing the police headed to the scene who thinks that the police should not be driving so fast, should not be armed, should not be involved, or perhaps should not even exist. This person obstructs the police, blocking the roadway intentionally and recruiting others to block other paths to slow or stop the

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response. Seconds tick away. The 911 caller dials again asking where the police are. Should the person who kept the police from being able to respond be held liable for the failed rescue and intervention on behalf of the murder victim as a killer saunters away?

Most readers would be angry and frustrated at the person or persons who blocked law enforcement. Shouldn't we be just as angry at the politicians and activists who have done exactly that while 4,900 of our fellow citizens lay dying? Shouldn't we be outraged when politicians remove basic protection of law enforcement while deriding the millions of citizens who bought more guns in 2020, then have the audacity to blame gun ownership for the rise in murders?

For those who remember the headlines after the 2014 death of Michael Brown of a trend toward "de-policing" after harsh social critique of policing. It bears repeating that Brown's death was justified by every legal and evidentiary measure through multiple examinations by multiple agencies. Nevertheless, the narrative of police brutality and racism held, and still holds, the headlines. Officers across the country were making the decision to lay low, reduce contacts to a minimum, abstain from proactive policing, and avoid anything that could end a career with one edited, falsely narrated viral video. It is here that we see crime rates rising again.

In the ensuing years, and of course, since the Floyd death, law enforcement has been restrained, attacked, reduced in numbers, subjected to senseless laws and policies, and pursued by overzealous prosecutors. Could murder rates skyrocketing have been predicted? Prevented? Are the anti-police pundits going to make an honest observation about the permission they have given to the criminal mind by demonizing the essential element of law and order represented by the

police? Will they point to great successes in communities where police presence has diminished? Will their calls for the replacement of police officers result in less crime now that no one is afraid of getting caught or prosecuted? The questions are not merely rhetorical, and the answers are coming faster and faster as the utopian ideologies fall to reality. Staffing is being restored, school resource officers are being begged to return, bonuses are being offered in cities where leadership abandoned their police officers, and Minneapolis decided they need the cops after all.

That's no consolation to the thousands of murder victims and their loved ones whose killers thought that it was ok to kill and not ok to have quality law enforcement.

Police ice cream trucks are nice. Where are the police reforms to improve actual crime fighting?

During the Clinton White House years, the concept of Community Policing (CP) was embedded within the U.S. Department of Justice as the Office of Community Oriented Policing Services. Inevitably and irresistibly reduced to the acronym COPS, the office and the concept were the culmination of presidential candidate Bill Clinton's platform during his run that led to his 1992 election as President.

The now maligned reforms that Biden championed as the author of a comprehensive 1994 Violent Crime Control and Law Enforcement Act while head of the Senate Judiciary Committee were a direct response to the fear of crime evident in the 1980s.

The campaign for President between incumbent George Bush and Arkansas Governor Bill Clinton was centered around the economy and foreign policy, but a significant issue was violent crime to which Bush gave little attention and Clinton had a developed platform. Inner-city crime was spilling into the suburbs with carjackings of soccer moms in their SUVs blamed on gang violence fueled by the crack cocaine epidemic. Fear of crime was more intense than the actual crime rate, which had already begun to fall before the 1994 crime bill. Crime indeed reached new statistical lows after the legislation.

Focal points of the Biden bill were funding for new prisons, sentence reform, establishment of the Police Corps (a short lived indoctrination program), promoting community policing, and increasing the number of police by 100,000. The tenants of CP were active partnerships between

the police and the community they served, and a focus on solving problems preemptively rather than making arrests a priority.

If millions were poured into law enforcement to produce a community policing philosophy that was intended to connect police more closely to the public, where are the fruits of this push? We should have all been holding hands and singing around the campfire by now instead of seeing hundreds of riots across the land about police practices, unprecedented prosecution and persecution of police officers, and (rapidly fading) calls to reduce police budgets?

President Biden is once again going to the Community Policing well in his policy approaches. In a proclamation last year for a completely otherwise uncelebrated “National Community Policing Week” Biden stated “Community policing — the practice of law enforcement professionals working side-by-side with members of their communities to keep neighborhoods safe — is a critical and proven tool used by law enforcement agencies across our Nation to improve public safety and forge strong, valuable relationships. During National Community Policing Week, we recommit to building bonds of trust between our law enforcement officers and the communities they serve and encourage community policing practices across our Nation.”

In claiming that this style or philosophy of policing works, the President is offering funds from the American Rescue Act for activities that reduce crime (caused, of course, by COVID and guns) and restore trust between the police and the public. No rational argument could prevail against the idea that increased trust and partnerships for crime prevention should be encouraged. The problem is that CP has never been well-defined or practiced in a uniform manner. There is no template for it and few

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accurate measures. It sounds like a great idea – if we can only figure out what it really is. Midnight basketball? Ice cream trucks operated by the police? Neighborhood mini-stations in convenience stores and malls? Foot patrol? Civilian advisory panels? Graffiti cleanup? Changing uniforms and logos? Spending more time on calls to talk to victims? All of these have been tried under the label of community policing. Many practices that were already in place got re-labeled as CP in order to get grant funding.

CP requires line officers to have discretion in responding to calls for service, which is not in line with the top-down decision-making and strict policies of today's law enforcement. CP also requires teamwork in a law enforcement culture that is based on lone officers dealing with issues most of the time. CP requires close relationships where close relationships can be a doorway to favoritism and corruption. These are not arguments against community policing, but some realities that are often overlooked as challenges to CP as a universal remedy for anti-police sentiment.

Perhaps the President should limit the federal government's role in molding local law enforcement into a one-size-fits-all centralized, rather than micromanage with purse strings. If the public wants federal subsidy of their law enforcement efforts, one might suggest that the one thing we know builds trust and confidence in law enforcement is quality, effective police work that prevents crime and catches criminals. Where is the money for that?

Small Number of Offenders Magnify Crime

Like a white dot on a field of black, our attention is inevitably drawn to the outlier, the loudest, the brightest flash, and the thing that creates the most fear and unknown. We are built like that because noticing things that are out of place has survival value to our primitive brain parts.

Some years ago I was asked to serve as a judge for a writing contest for middle schoolers submitting papers on school bus safety. A disturbing majority of young writers included the phrase “millions of students are killed or injured in bus accidents every year”. The National Traffic Highway Safety Administration reports that “The school bus is the safest vehicle on the road— your child is much safer taking a bus to and from school than traveling by car. Although four to six school-age children die each year on school transportation vehicles, that’s less than one percent of all traffic fatalities nationwide.” We are so used to hyperbole that we have infected our children with a shadow of constant dangers.

I had a colleague who, during the heyday of missing children and stranger danger awareness, had taught his children to simply scream and run anytime they encountered a stranger. We lost track of each other as our careers diverged, but I always wondered how those poor kids turned out.

School shooters rivet our attention and create fear. The images and horror are justifiable fodder for worry. But their rarity is seldom cited among dramatic news coverage of each event. There are over 130,930 K-12 schools. School shootings happened at 34 of them in 2021 with 15 deaths and 53 injuries. Too many, yes. Too tragic, yes. Coming to your school? Less likely than a lightning strike to your head.

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In the same way, researchers find that a small percentage of criminal offenders are responsible for a disproportionate amount of crime. Allowing our justice system to detect, prosecute, and immobilize these chronic criminals can have a huge impact on the crime rate.

There is plenty of research on both humans and animals that shows the physical changes in our body as we look for and prepare for something to go wrong. The object of our attention is literally magnified in our imagination as it is in our eyes and other senses. Our visual focus zeros in on that thing and narrows our vision to exclude other sensory inputs. It is what we ordinarily call tunnel vision.

Our other senses, too, have the capacity to enlarge a sensation whether by sight, touch, taste, smell, or hearing. If we are annoyed by snoring, chewing, or a dog barking, those sounds begin to dominate our consciousness. Our ears tingle while tip-toeing through a dark abandoned house and amplify every creak of the floor. The touch of our finger on a tiny splinter feels like there is a railroad tie under our skin.

Even if not in full fight or flight panic mode, our bodies undergo subtle changes as a little squeeze of adrenaline gets us ready for trouble. Our thinking process shifts from quite rational to edgy with possible danger as the neurons for fear fire more frequently and begins taking over our thoughts. When we hear the phrase “living in fear”, it can be very true.

There is statistical evidence of this on a cumulative social level. When measuring crime, researchers ask not only whether persons have been actual victims, but they ask how safe people feel. Two trends emerge. One is that the fear of crime is never at the same level of actual crime. People are generally more fearful of being a victim of crime than the statistical

probability of victimization would predict. Conversely, people tend to report that their block or neighborhood is safer than surrounding neighborhoods. After all, don't we hear residents interviewed by local reporters after some event saying "it's usually pretty quiet"?

The only thing more dangerous than awareness of risk is the denial of risk. This, too, is the brain's over-reaction to information, pushing back against the danger-finding brain to cover the discomfort that caution causes. By focusing on the rarity of unexpected violence, this article in no way encourages disregarding their reality. For this reason, we look to our friends and neighbors for support, remain vigilant, and support our local law enforcement as they engage in prevention and response to violence.

Marijuana Reform Theater

I don't know what act the President is in when it comes to criminal justice reform theatre. His schizophrenic rhetoric makes it hard to pin down what he believes about justice. And perhaps that is a skill from decades as a politician that he brings to the White House. From talking about strengthening community policing through funding with puppet strings attached while still appeasing the Defund the Police crowd, to wiping out drug convictions with the stroke of a pen, the President who is often accused of mumbling still manages to talk out of both sides of his mouth. The latest bold move for the President is a paint-roller application of his pardon power to those convicted in federal court of possession and use of marijuana.

An interesting side note that appeared in one report on the pardon is that the White House acknowledged that no one was actually currently in federal prison for simple possession of the drug. Reminds me of the old joke: "Why don't you see elephants hiding in trees? Because they are very good at it!" If we're not seeing masses of people sent to prison for marijuana possession, it must be because we're not looking hard enough.

One of the arguments frequently heard in the debate about marijuana legalization and decriminalization is that it is unfair to be sending people to prison for possession of marijuana. Possession of personal use amounts of marijuana will get a person to jail almost never these days. The proliferation of so-called medical marijuana legalization has made detection and enforcement of marijuana laws remaining on the books very difficult, so marijuana legalization has diluted other drug enforcement efforts.

There is certainly room for debate and reevaluation of law enforcement's role in dealing with marijuana. At a time when sugary drinks are being criminalized, cigarettes have been demonized, and cheeseburgers are blamed for climate change, the increasingly potent marijuana plant is being elevated. We were relieved when we found out that Bill Clinton didn't inhale, amused when Obama hinted that he was kicked out of Disneyland for smoking pot, and forgiving when Bush 43 talked about reforming from his drinking and drugged partying.

We've recognized the power and tragedy of drug addiction and have abandoned theories about choice in favor of mental health and socio-economic inequities. Efforts are underway to legalize psychedelic drugs in the hopes of relieving some categories of mental illness. When it comes to medicine, we are told to trust science, but we see the imprint of political maneuvering behind every decision.

What do we want out of our society as reflected in what we tell our law enforcement officers? We've seen largely unreported but dramatic ill effects of marijuana legalization. The idea that it's just weed and we need to stop sending people to prison and if it's legal nobody will want to do it and we can send people to treatment instead of jail....etc etc etc hasn't slowed marijuana use or addiction.

The promise of marijuana as a cure for PTSD and a good alternative to hard drugs has yielded very limited success. Whatever good, validated research can find for positive uses of marijuana as a remedy for illness should be happily embraced just as any medical advancement should. But so far, the plusses don't seem to outweigh the minuses. We can count the dollars from tax revenue on marijuana sales but we cannot count the dollars spent on the shadowed cost of widening marijuana use.

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The National Institute on Drug Abuse estimates that 30% of those who use marijuana may have some degree of marijuana use disorder, more among those who started using before age 18. We all know about the dramatic rise in the potency of marijuana. What we don't know is the effect that more widespread use of these more potent kinds of marijuana available in many different means of ingestion has done for traffic crashes, workplace productivity, and mental illness. Despite the image of the laid-back pot user, research is clear that marijuana use is associated with paranoia and psychosis.

Untaxed and illegal marijuana growing operations and sales have not been slowed by legal marijuana. Major environmental damage from unauthorized grows, whether on private land or our national forests, consists of diverted water use and harsh chemicals used in the process. Because of high taxation on legal pot, the import of unlawful marijuana production results in ongoing smuggling and trafficking even in states like Colorado and California with a long history of tolerance and decriminalization of marijuana.

Research on both the possible benefits and the known harms of marijuana use needs to continue despite the misguided belief that marijuana is a basically harmless, natural weed. We also need a clearer understanding of the true impact of drug enforcement on the criminal justice system. Biden seems not to understand that while almost no one spends time in any jail for mere possession of the drug, plea bargains may reflect this as the offender's conviction even if the individual committed much more serious offenses.

The President's bad habit of taking executive action to sprinkle favors like

fairy dust such as this pardon effort without looking at individual cases (not to mention transferring college debt to all working Americans and releasing oil reserves to bring down prices before the mid-term elections) is pre-election theatre. Some may benefit and some injustices might be righted, but we will never really know. The pardon power of the President was to right wrongs that slipped through the justice system or to present a clean slate to those who deserve it in some extraordinary way, not to gain applause and votes as this move clearly was.

A review of our drug policy is a good thing, but we can only hope that we are tracking the outcomes so that we don't throw the baby out with the bongwater.

Criminal Heroes – What Will History Say?

Someday a student will read about the middle of this decade, wondering who its heroes were. The names Michael Brown, Eric Garner, and Freddie Gray will be cited as persons behind a catalyst of violence and murder that marked an epidemic of hatred directed at the institution of policing and individual police officers. The student will note that a few laws were changed and more training was required. The student will also note, if they are astute, that the number of officer involved shootings did not significantly decline since they were rare to begin with.

The student will read about black neighborhoods scorched by riots. Small businesses destroyed. Tax dollars strained to rebuild and neighborhoods abandoned. He will ask why those labeled as demanding justice brought ruin to their own community. He will see Brown described as a gentle giant and not as a man fleeing a strong armed robbery and proven to have attacked Officer Wilson, Garner as just trying to make a living selling cigarettes and not his organized crime affiliation and criminal history, and Gray, with a long rap sheet for narcotics and in possession of a switch blade when taken into custody, as having had “scrapes with the law”. The strain to make these habitual criminals into heroes will not be obvious to him.

He will read that journalists and commentators place these men in the same category as those who marched with MLK, and the victims of vicious lynchings of KKK terror. He will read that the violence was necessary for reform, and that the cry of black lives matter was as noble as the call of I have a dream. He will read that calling these men thugs was the worst kind of racism. Only in the smallest of footnotes will he read about the professional agitators and criminal gangs that joined local masked rioters

to hurt and destroy.

He will read that the police were the greatest enemy of black citizens. He will probably not read that while cities burned over these men, bodies of black citizens murdered by black killers every year would stack as high as the Empire State Building. Those black lives didn't quite matter as much. He will not know what resources sucked into the repair caused by rioters would not be available to address the legacy of poverty in black neighborhoods where families of color worked hard and desperately to overcome institutionalized racism from cradle to grave. No, the focus was on that police contact. Was it poor prenatal care? Fatherless families? Third rate educational opportunities? No, it was that cop. The easy answer.

If the student of history desire truth he will find it. And he will wish we had found it in the moment.

But we did not.

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Bruised, not Broken

Every house, vehicle, and individual is in need of maintenance. To let periodic adjustments and repairs go unattended on anything is to ensure the eventual loss of its value.

The same is true with democracy. What happens when our way of governing, including the primary purpose of maintaining peace and order, gets torn down when it merely needs a tune up? We've seen the answer to that question in recent times with the destructive over reach of criminal justice reforms that have, as they say, tossed out the baby with the bathwater.

Law enforcement is but a sliver of the criminal justice system. It is bounded very appropriately by numerous constraints that have worked remarkably well before the interference by a cascade of criticism and legislative meddling.

The first constraint is the Constitution. Made applicable to all government agencies through the 14th amendment after the Civil War and strengthened by Supreme Court decisions throughout the 1960s, the Bill of Rights governs police behavior. Accused and arrested persons have protections ensured by due process, by access to legal advice, by protections against unlawful seizures. Many citizens do not fully understand that the prohibition against unreasonable force is found here since the right to be free from unlawful searches and seizures applies to arrests, not merely to the seizing of physical evidence.

These Constitutional provisions expressly require a review by impartial judges resulting in arrest and search warrants. Every search and arrest

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require a warrant except in those circumstances where it is allowed by legal exemption. In practice, the urgency of most police encounters results in arrests and searches without a warrant under conditions of exigency where obtaining court review is not reasonable or possible.

In those cases, the officers' actions must be reasonable, defensible, and based on facts known to the officer at the time of their decisions. Those decisions are then swiftly reviewed by judges and prosecutors. If officers' actions are determined to be unreasonable, there are penalties in play. One of those is that the evidence may be rejected under what is known as the exclusionary rule, and that evidence cannot be used against the arrested person. This is the reason that cases may be dismissed by a prosecutor, or the case may fail if it goes to trial without the excluded evidence. This provides a very strong incentive for officers to do the right thing.

Another consideration in an officer's mind is that they are subject to criminal prosecution on both the state and federal level if they violate a suspect's rights. Even if they escape criminal prosecution, they are still subject to civil action to be sued for monetary damages for rights violations. Knowing that the police are faced with these penalties and attempt to do their jobs in good faith, the courts created the rule of qualified immunity as a level of protection for officers who face difficult decisions where policy and law are unclear. Despite the incorrect interpretation of this doctrine, qualified immunity is not automatic and, even if granted initially, can be denied in subsequent judicial proceedings.

Legislators in many states and in Congress have attempted and sometimes succeeded in removing this vital review of police actions.

Another constraint on law enforcement is the law itself. A police officer does not have the privilege of deciding what laws to disregard, although many activists and law enforcement administrators choose to make the decision to let some offenders go without enforcement action as seen in so-called social justice riots, and increasingly protecting illegal and even violent offenses by certain groups such as the homeless, substance abusers, and the mentally ill. This kind of screening and decision making had been filtered in due process with the judicial system. Now the pressure to not enforce certain laws against certain people has been mandated by some administrators and prosecutors.

We recognize that discretion exists throughout the system. Not every traffic stop results in a citation. Not every case proceeds past the prosecutor. Not every sentence from a judge is the same for every similar offense. These are built in to the system, not to be usurped at the political whim of activists. This leaves the police, who are faced with the realities of the moment, in a very tenuous position when making a decision. Will they be disciplined, fired, or prosecuted for a decision that never reaches the courts for an objective review? The result has been played out in the numbers of new violent crime victims. Police officers who are not allowed to do the job they were hired to do cannot protect the public.

Perhaps the victims of lawlessness will raise their voices before our system of justice collapses. We don't treat a bruise by amputation.

Updates on Police Recruiting

A recent study makes the police recruiting crisis sound even bleaker. A sample headline reads "Recent college grads are 'emotionally' unprepared for 9 to 5 jobs, study shows". The research cited was conducted by a team who conducted an online survey of over 1000 adults between the ages of 22 and 28 who had earned a four-year college degree. Among the culprits are social media, gaming, political and cultural divisiveness, pandemic disruptions, and other factors associated with a rise in suicidality, depression, anxiety, and substance abuse.

Other studies indicated that participation in the workforce by men ages 24-54 is matched only with the Great Depression Era, with the biggest drop in the 25-34 age group of men. The obvious and distressing difference is that in 1940 workers were begging for jobs, whereas today jobs are begging for workers. While theoretically, women would make up half of the population of police officers to represent their presence in the population, young men still make up the majority of police recruits in most cadet classes. Their absence from the pool of candidates contributes greatly to the recruiting crisis.

The Army is also suffering from a dearth of qualified volunteers for enlistment. The last fiscal year saw recruiters missing their goal by 25% reducing the branch's strength by 10,000 soldiers, with projections that will see that shortage double. Youth obesity rates have increased, test scores have declined, and interest in military service has decreased significantly.

When today's police officers are asked if they would choose police work

again or recommend it to others, their answers of “No!” are more frequent and emphatic today than ever before. The number of men and women who are physically and mentally fit, have no significant substance use issues, and have no significant criminality in their background is small enough. Finding those with a spirit for adventure, service, and sacrifice in the face of today’s hypercriticism of police and a general disdain for authority and traditional institutions is a challenge that seems insurmountable.

A host of strategies are being used across the country to address police recruiting. For example, a recent class of 39 Philadelphia police recruits includes several middle-aged graduates, ages 47, 55, and 44. These newly minted police officers, most of who are older than their academy instructors, bring a level of enthusiasm and maturity that can serve an agency well for many years.

In New Orleans, a strategy to replace some police officer roles with civilians to increase the number of officers on the streets netted only three hires out of fifty available positions. Meanwhile, the numbers in uniformed police ranks keep slipping as New Orleans’ murder rate is increasing.

In Seattle, a city in a state that has been notorious for kicking away support for law enforcement, 180 officers left the police department in 2020, and 66 more officers have left so far this year. “I have about 1,080 deployable officers. This is the lowest I’ve seen in our department,” said Police Chief Adrian Diaz. Meanwhile, in a poll that should make politicians shake, the great majority of Seattle voters want more cops and more money for public safety. State legislator Joe Schmick admits “We’re handcuffing (police) and our communities just aren’t as safe as they once were.” Whether recruiters can overcome the recent years’ anti-police sentiments remains to be seen.

IS THERE HOPE FOR THE FUTURE?

LAPD Chief Michel Moore traveled to Glendale, Arizona to visit baseball's spring training facility. His purpose was not to catch some rising stars before they become famous but to catch the attention of some of those hopefuls who might turn to law enforcement with the famous law enforcement agency. With a personnel shortage of 300 officers, the Chief had hopes that some of the audience might join others from ex-athletes from the NFL and NBA. "Going into that sport, they have attributes like teamwork, athleticism, and emotional intelligence that if they hadn't thought of coming in and transitioning those into law enforcement, they should," Moore said.

With bigger cities competing for officers, smaller agencies are losing officers to the allure of higher pay and better benefits. In Michigan City, Indiana, for example, Chief Steve Forker says his agency has become a training ground where officers can gain experience to be hired at an immediate pay increase. "Currently at three years on LaPorte (Indiana 12 miles away) Police Department, they're at \$68,000. Three years at the Michigan City Police Department, currently \$54,631. That's a \$14,000 difference."

Incentives such as better assurance of disability benefits, housing allowances, child care, and hiring bonuses can help. But what the law enforcement profession needs the most is a restoration of public confidence and support to stir the hearts and minds of those who can step up to serve in a noble cause.

Can Ingratitude Kill Democracy?

Thanking our police officers is more important now than ever. When we are thankful, we exercise hope. We encourage good. We expect things will get better as we celebrate what has been accomplished. When we thank a police officer for their service, we don't have to assume there are no flaws in their character and no bad actors who wear a badge. But we celebrate those willing to serve and protect. We acknowledge the sacrifice they make away from family, away from regular hours and restful sleep, and away from peace of mind. We celebrate laws and leaders that hold lawbreakers accountable and the idealism that seeks to make that accountability real regardless of wealth or power. When we are thankful for first responders, we give thanks for a government that does what we could not do in isolation. That collectively we share in the provision of safety and protection for our neighbors

Every year the holiday of Thanksgiving is both revered and mocked. The skeptics and cynics emphasize that the first European settlers brought disease, war, and trespass to the natives who helped them. The pessimist sees the whole day as mythology. They want children to stop singing about it, and definitely don't want them making construction paper pilgrim hats.

That America can declare a day of giving thanks in light of these critics says a lot about our nation. It does not say we are blind to history, it says that good things are often built around imperfect things. It does not say that we are unrepentant about injustice, it says we can see it with an eye toward being better, however painfully slow that might be. It says that in the midst of hardship and culture clashes we can build good things and celebrate them.

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Americans optimistic about the future created a holiday about an event that only half of the settlers survived in those first harsh seasons. Lincoln proclaimed during a brutal Civil War that "It has seemed to me fit and proper that they should be solemnly, reverently, and gratefully acknowledged as with one heart and one voice by the whole American people. I do, therefore, invite my fellow-citizens in every part of the United States, and also those who are at sea and those who are sojourning in foreign lands, to set apart and observe the last Thursday of November next as a Day of Thanksgiving and Praise to our beneficent Father who dwelleth in the heavens. And I recommend to them that, while offering up the ascriptions justly due to Him for such singular deliverances and blessings, they do also, with humble penitence for our national perverseness and disobedience, commend to His tender care all those who have become widows, orphans, mourners, or sufferers in the lamentable civil strife in which we are unavoidably engaged, and fervently implore the interposition of the Almighty hand to heal the wounds of the nation, and to restore it, as soon as may be consistent with the Divine purposes, to the full enjoyment of peace, harmony, tranquility, and union."

Our liberty is at risk because it seems a generation has lost its appreciation for it. Like villagers with torches and pitchforks threatening a misunderstood creature, naysayers attack our Constitutional republic as the reason for their discontent. The miracle of the founding documents is indeed stained by retention of slavery, a sin for which we continue to suffer, but in that same document lay the seeds of change. Accepting the proposition that all men are created equal has guided us toward greater equality.

The concept of being endowed by our Creator with inalienable natural rights that include life, liberty, and the pursuit of happiness has been

twisted into an expectation that the government ensure and provide such happiness, not merely to keep government from obstructing that pursuit.

I am thankful for the ideas about liberty that were the foundation for the American Revolution. In pursuit of those ideals I am thankful for the processes that move us forward. Because of that gratitude, it grieves me to see credibility given to the deconstruction of those ideals so that we would even consider allowing the government the power to be the sole provider of our health, wealth, and shelter. What began as charity has become a right. Not like the rights endowed by our Creator, but rights created by government so that they can be removed or conditioned at will.

In this season of thanksgiving, I am grateful for my country and its turbulent history that makes us still the envy of those seeking freedom and opportunity. I'm grateful for those away from their homes and comforts in readiness to rescue me in times of desperation. Despite all of the challenges and all of the opposition to their calling, I am grateful for those holding that thin blue line.

The 750,000 Law Enforcement Officers Who Did Their Jobs Professionally This Week Represent Actual Police Culture

When a physician is found to have abused a patient, or an attorney is prosecuted for stealing from a client's trust fund, or a network morning news show host is fired for sexually harassing female subordinates, we don't see everyone in those professions scrambling to say they are sorry for the actions of their colleagues. Even though law enforcement is represented by over 18,000 independent police agencies comprised of at least 750,000 individual police officers, contacting an estimated 62 million citizens every year, "The Police" somehow becomes a monolithic institution when it comes to blaming officer misconduct.

The federal Bureau of Justice Statistics affirms that whites are more frequently contacted by police than any other group by race, with no significant difference in the percentage among blacks and whites who experience police contacts. Admittedly a slightly higher percentage of black citizens (2% to be precise) experience non-deadly use of force or being handcuffed during a contact, and that within the mere 3% of all contacts where such force was used. Routine handcuffing was the most frequently reported use of force. Having a gun pointed at a citizen during a contact was reported by fewer than 1% of persons during a police encounter.

In a report from the U.S. Department of Justice Programs that cited a study of representative police agencies' use of force in arrests as reported by both officers and arrested persons, the data showed that 95% of arrests involved no display of a weapon by police. The study also showed that 85% of arrests involved no use of force tactic at all other than

handcuffing. Officers used no more than a conversational tone in over 66% of arrests and shouted or cursed in fewer than 2%.

When police officers and police leaders make the well-worn statement that police misconduct represents an extremely small portion of the professionals working in law enforcement, they are not making a blanket defense to protect their own pride and reputation. They are speaking truth.

The attack on Memphis, TN resident Tyre Nichols by a handful of Memphis PD officers represents in no way the training, ethics, and procedures of the law enforcement profession. While citizens must always be careful to urge people to withhold judgment until all the facts are in, the video and swift initial findings of the incident's investigation seem to leave little room for justification of anything but the charges that those officers are facing.

The media was at a bit of a disadvantage in this incident because of the exaggerated narratives they have applied to other high-profile violent encounters. Critics are giddy in claiming systemic racism of all cops and are careful to identify the races of the officer and offender, even if they have to stretch the definitions of race to get the right category of hate in their so-called analysis. The fact that the Memphis officers were black like Nichols required that the narrative had to shift to "it really doesn't matter" since all cops are racist because of the badge, not their pigmentation.

The other problem the media had with covering this terrible crime is their use of the word "beating". For once this term seems to be an accurate label for the way Nichols was treated long after any possible lawful use of force was applied. According to many reporters, the word "beating" applies to any struggle or arrest tactic used to take lawful custody of a

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violently resisting suspect. The hyperbole used in reporting justifiable force has taken away the impact that the word "beating" should rightfully have in real cases of abuse such as this one.

In one twisted way the questions and accusations of critics and normally supportive citizens over high profile incidents such as this show the unity of law enforcement in the minds of the public they serve. That's not necessarily a bad thing. Law enforcement officers do want to unite in common goals of maintaining peace and protecting the innocent from the predatory violence of lawbreakers. One thing they are united about right now is the condemnation of unforgivable violence by those few Memphis officers who struck blows to everyone behind the badge, wounding the confidence of those who need quality law enforcement the most.

Pushing the Pendulum of Change

American history is the story of episodes of change. One aspect of that history of change is what has happened in the criminal justice system. From having only sheriffs and marshals to highly organized police forces to major federalization of law enforcement, we have seen policing become more sophisticated and effective.

The 1960s brought law enforcement to television screens during riots from civil rights protests and anti-war protests. The images were not good and, much like recent years, attracted the attention of the federal government. As a result of a deep study of American law enforcement and justice, Congress began dumping dollars and developing guidelines and recommendations. For the most part the training, equipment, and education opportunities derived from the funding created major advancements to the profession.

In the 1970s a Supreme Court case *Linda R.S. v. Richard D.* (the facts of which are largely irrelevant) the Court stated that “a private citizen lacks a judicially cognizable interest in the prosecution or non-prosecution of another”. This notion harkened back to the English middle ages when the King decided to cut in on the justice pie. At one time the victims of crime had to go to court and sue the perpetrator to get restitution and justice. Since this was done in the Crown’s court, the King decided that the offense was really against the peace and dignity of his kingdom rather than merely to a single victim. From this we derived the notion that a criminal violation is against the whole citizenry which is why we hear cases referred to as “the people v. John Doe” or “the state v. Betty Smith”.

While law enforcement became more efficient, the concept of having

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justice for the individual victim got lost until the victim rights movement. Victim rights legislation created the right of victims to have a say in the process and be afforded compensation without having to file a lawsuit. For decades, legislation has been centered on recognizing the harm to individuals and society from criminal actors.

Fear of crime became a political issue in the 1980s and resulted in another package of federal support for law enforcement in the era of the Clinton presidency. Candidate Clinton had made crime control one of his signature campaign themes along with the economy, while incumbent candidate Bush paid much less attention to justice issues. Armed with enthusiasm about Community Policing and addressing youth and gang violence, the goal of adding 100,000 police officers to the streets and building more prisons correlated with the dramatic decline of crime into the next decades.

We are now seeing the reversal of those gains on controlling crime because of the current trend in justice away from concerns about victims and more toward concern about the criminal. Although some reversals are happening as the public voices increasing concern about more crime, there have been many policies favoring the criminal actor.

The effectiveness of the 1990s anti-crime legislation now causes embarrassment for those who supported more cops and tougher sentencing. The merits of the 1970s federal support for local law enforcement are clear. Now, it seems the efforts to address criminal justice are designed to tear down that progress. Reformers want violent criminals released without having to post bail. They clamor for leniency in sentencing even for those already serving time. They want drug violations to be treated as mental health get-out-of-jail-free passes even as overdose

deaths reach new heights. They want fewer police officers with less equipment and fewer tools. They are more enthusiastic about prosecuting police officers than the violent criminals who resist them.

This era of criminal justice evolution has been disastrous, as evidenced by much backpedaling by politicians who see their poll numbers go down while homicide numbers go up. It normally takes decades for attitudes and laws to change and evolve as theories about crime come and go. The public cannot wait for ten or twenty years to pass to return to common sense justice policy. The cost will be measured in deaths, injuries, and dollars.

New Rules for Today's Police

Stable employment used to be one of the perks of being a police officer. Today, every officer is one decision away from being torn from their career. The decision doesn't even have to be wrong for the ax to fall. As the law enforcement profession continues to take fire, literally and figuratively, individual police officers and their loved ones must adapt to new threats. Threats from the criminal element, although increasing, are nothing new. Daily threats to their livelihood lurk on every shift. Here are things our police officers from rookie to veteran to chief need to consider.

Financial security

Debt is a great enemy to individuals and families. According to Forbes magazine, a 2017 survey showed that 78% of American families live paycheck to paycheck. This was pre-covid and didn't just apply to low income families. Most police officers can live as middle class citizens, but the norms of even middle class culture accept high rent and house payments, along with never ending car payments, are to be expected. This attitude is a recipe for disaster. A sudden job loss from injury, suspension without pay, or dismissal can not only stop a paycheck. Relying on off-duty employment as regular income is perilous if it depends on police officer status. Health insurance can be unaffordable on the open market.

Many injured officers can testify to horrible treatment by their employers and worker compensation insurance. Expecting that the agency will take care of their wounded officers is not wise. For many departments, injured officers are simply a burden that is easily cast off and forgotten. Sadly, the

expected support of fellow officers can fade as well.

Disciplined financial planning is essential for a police family. Having savings that can carry three to six months of expenses during loss of income is possible with planning and budgeting. Finding part-time employment that develops a new skill or at least is independent of being a police officer can provide additional protection.

Legal protection

Adding to the professionals in a family's life, like doctors, dentists, and financial planners every police officer should have an attorney, or at least know who they would call. Attorneys who specialize in employment law or defense to lawsuits would be best, unless the issue is a looming criminal charge. Being a part of an existing legal protection plan is worth the cost.

Officers should know their rights, and the history of their agency's treatment of officers who are accused of misconduct. Many officers are idealists, trust their employers, and believe in their own competence to handle legal matters. Facing accusations requires a support network when, to the dismay of many, leadership and even colleagues withdraw from an officer in trouble. A good attorney is essential in these times.

A factor often forgotten is that when an officer is suspended during an investigation that may last a very long time, the peace officer loses their law enforcement privilege of carrying a weapon. This can be proactively resolved by obtaining a concealed carry permit before it becomes necessary.

Mental health

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One other professional that should be part of an officer's life is a mental health partner. Preventive counseling, especially during the current era, can help reduce anger and anxiety. Officers must assume that their family members are experiencing vicarious stress and may be tempted to hide their anxiety in order to not be a burden to their officer.

A self-check with assistance from trusted friends, family, and counselors can be another proactive step in providing support for a law enforcement career. Depression, substance abuse, and destructive behavior can sneak up on anyone. Planning for prevention rather than waiting for trauma will build resilience and coping skills.

Being part of a non-law enforcement support system is also important. This is difficult for many officers, but being part of a sports league, interest group, or faith group is important. An officer must resist the urge to disregard groups who are not aware of the realities of police work, even though being constantly questioned about the job is a frequent annoyance. If those group members include critical or hostile persons, finding a new circle can be therapeutic.

Being prepared

Being prepared for a disastrous event like unemployment or injury with a supportive network can keep officers physically and mentally healthy. Having the security of preparing in advance can take away some of the nagging anxiety that can interfere with quick decisions and traumatic events. Being physically fit will benefit all of these factors, but financial, legal, a social wellness are essentials for today's law enforcement officers.

The Long Road Back to Support for the Police

In 2019 I wrote a year-end review piece in another publication asking if antagonism toward the police would subside. That was five months before the death of George Floyd, and just weeks before COVID started hogging the headlines. So, 2020 was obviously not our year. To quote myself in reference to that season: "We thought those in their ivory towers writing theses about abolishing the police would be scoffed into oblivion, then defunding became a reality. We thought we had all of the protections and weapons to control civil unrest, then we were castrated by our leaders. We thought surely rebellion would not happen to our beloved agency, then we found insults on our meal receipts and spit in our drinks. Our "enemies" became our government leaders, our funders, and many who once begged us to be in their schools and neighborhoods. Our coffee oases became dangerous. The bikes we rode and the cars we drove were boycotted because cops used them."

So here we are closing in on another year's retrospection. Can we be optimistic yet? Has the pendulum of anti-police rancor reached its highest arc? Some recent headlines might give us hope.

The Texas House of Representatives has passed a set of laws that empower local law enforcement to enforce border breeches. "Texas has every right to secure our border and protect ourselves," said state Rep. David Spiller, R-Jacksboro, a sponsor of one of the bills. "As Texans, we have to protect Texas especially when the federal government will not do so." The bill has been sent to the Senate after rancorous debate. "Ultimately much more work is needed to secure our border against the hundreds of thousands of illegal crossings each month," Texans for Strong Borders, a nonprofit conservative advocacy group, said in a statement.

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Since the flood from the southern border has been diverted to urban areas, especially where so-called sanctuary cities have been declared, the pressure to control border security to reduce related crime and terror risk in this election year may lead to necessary changes from Washington, D.C.

A 2022 article from CNN is headlined "Once nicknamed 'Murderapolis,' the city that became the center of the 'Defund the Police' movement is grappling with heightened violent crime. A January 2023 article in the StarTribune news headlined that violent crime declined in Minneapolis last year, but rates are still well above the norm. Just this week the city reported that since losing 40% of its police officers it is five million dollars over its overtime budget. Public Health and Safety Committee Chair LaTrisha Vetaw said she was suffering "sticker shock" from the police department's request for adding \$5 million to next year's overtime and event staffing budget, but "The reality is that's where we are in Minneapolis. We're paying to have officers on the street," she said.

In our nation's capital Mayor Muriel Bowser has introduced legislation to roll back some of the police reform measures that have hamstrung law enforcement amid rising crime in Washington, D.C. The Comprehensive Policing and Justice Reform Amendment Act of 2022 created "changes that "just don't match the daily practice of safe and effective policing," Bowser said. Acting Chief Pamela Smith agrees that reforming the reform measures is needed, after seeing a 39% increase in violent crime over the previous year.

While stating that the previous measures were "well- intended", the Chief said they jeopardized public safety, were overly broad, and created "...situations where officers are kind of hesitant to go hands-on to

apprehend an individual when it is appropriate. It has created circumstances where officers' credibility has been called into question due to incidental contact."

It is tragically sad that murder, mayhem, and money are finally driving public opinion back to the need for law enforcement, but this is exactly what most cops predicted.

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The Mexico Lesson

An Associated Press news article by reporter Mark Stevenson describes the actions of soldiers of the Mexican Army. The story, which I read in the Denver Post November 7th edition, relates how power drug cartels are engaging in extortion of local farmers in addition to profiting from the manufacture and sale of illegal narcotics. Farmers who must pass through the roadways to harvest their crops of limes and avocados are stopped by the gangs at armed roadblocks. After assessing their cargo, or counting their cattle, the farmers are charged extortion prices for the privilege of moving through the roadblock with no shots being fired.

Meanwhile, nearby, soldiers also wait and watch as the transactions take place. Their job is not to do surveillance, conduct raids, arrest gangsters, or protect the farmers. Their job is to be a presence to discourage violence among rival cartels. In some areas, the soldiers have been surrounded by locals and gangs to the extent that supplies must be brought in by helicopter. The criminal enterprise operating in front of them is of little concern in the army's policy of non-aggression.

If it seems shocking that in the undeveloped country within the sovereign nation of Mexico that criminal elements are in control and the nation's armed guardians are kept at a distance so as not to disturb them, you get a vision of what happens when policing stands aside passively. Think it could not happen in the USA? It has and it is.

Headline: June 2020, Seattle Police abandon their East Street Precinct after days of clashing with protestors. Thinking it was some sort of trap, some protest leaders were cautious at first, then began creating the Capitol Hill Police Free Zone which was initially described as a safe and

peaceful area where police didn't bother to return. By the end of the month, CNN was reporting multiple shootings, two of them fatal in this peaceful utopian law enforcement-free six square block area of Seattle. An anonymous resident in that neighborhood said it was really good for a week, then turned into a militant cult. Residents had to deal with all of the problems they claimed the police shouldn't be handling. The result was actually more violence against black people, where the crux of the accusation about policing was police violence against black people.

Seattle City Councilmember Kshama Sawant issued a statement demanding defunding of police while, in the same document, demanding that Seattle PD fully investigate the police free zone's homicides and be held accountable to bring the killers to justice. Thanks, council member Sawant, now that we're clear on that. Meanwhile, fire and EMS services were still welcome. But fire and EMS rely on police officers to make sure a scene is safe and remains safe for other first responders, especially at scenes of violent crimes. By July the zone was restored to reality as police moved in to stop the violence.

In March, a murder occurred inside the police-free zone in Minneapolis in the area where George Floyd died. Activists set up a phalanx of checkpoints verifying that persons who wanted to enter the formerly public area are not police officers. Even as police attempted to enter the area to investigate the shooting, they encountered resistance and the victim, Imaz Wright, was dead before they arrived. The area is still subject to spates of gunfire and requires armed escorts of some who enter, but is still labeled as a place of peace, love, and contemplation. Just keep your head down.

Philadelphia recently declared a return to third-world traffic conditions by barring police from enforcing most traffic laws. If you're expecting

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headlights, taillights, brakes, and safe speeds without the possibility of red lights flashing in the rearview mirror, just wait for your car insurance rates to be the canary in the coal mine. More crashes, more claims, higher premiums. Since kidnappers, robbers, burglars, drug dealers, and absconders no longer have to worry about being stopped, watch the crime rate creep up, too.

Let's just call these examples of the Mexican Model of Standby Policing. If you see this trend creeping into your town, make your voice known. We need the police.

Is it time to be fed up with crime yet?

Anyone observing the cycle of crime can watch the graphs at work. Crime goes up. Laws get more severe and police are empowered to deal with criminal activity. Crime goes down. Laws get watered down, penalties get reduced, and law enforcement gets fewer dollars and support. Crime goes up.

Astute observers will also note that the public's fear of crime, how the media reports crime, and the actual statistics about crime are all different things. One of the greatest success stories in crime reduction happened during the Clinton administration. During his campaign for the Presidency, the major theme was "It's the economy, stupid", but along with that, he tapped into America's increasing fear of crime in the 1990s. Incumbent President George H.W. Bush gave crime little attention in his bid for re-election and arguably lost some traction for that oversight in addition to the economic issues of the day.

Murders had been increasing for most of the 1980s and crime in urban centers was being fueled by the crack cocaine epidemic. Urban crime was spilling into the suburbs with a spate of carjackings that made the specter of violent crime closer to middle-class America and less a distant problem of the inner city. Meth labs were emerging as a drug problem in the southwest.

Clinton's campaign promises were fulfilled with massive federal funding. The emphasis on community policing as a solution to neighborhood crime, funding for the goal of 100,000 additional police officers on the nation's streets, adjusting prison sentencing, and building more prisons was reflected in state legislatures as well as Congress.

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Statistics on violent crime reflect a great deal of success from the 1990s until recent years. Murder rates fell considerably lower and other violent and property crimes followed a downward trend as well. Criminologists struggle to find an exact cause-and-effect relationship between crime and social factors. There is never an era when only one factor changes from year to year or decade to decade that can pinpoint the genesis of crime.

Predictors of crime include poverty rates, population changes, climate factors, trends in alcohol and other drug use, family structures, historical events such as war or internal social conflicts, and changes in laws and social attitudes. Most observers, even critics of the Clinton era crime policies, acknowledge that crime was impacted and reduced after his election.

President Biden, a U.S. Senator at the time and a proponent of the Clinton criminal justice initiatives, shrank back from those successes under criticism that the programs created an unjust inequality in practice. The term “mass incarceration” began to be part of the critique of new federally funded prisons. Harsh sentences for crack cocaine compared to lesser sentences for powder cocaine offenses that penalized black offenders over white offenders raised accusations of racism.

An interesting thing about the Clinton era crime control efforts is that violent crime was already trending downward before the anti-crime campaign. The fear of crime was still high, however, and making crime a political issue attracted the voters’ attention. Another interesting feature is that crime appeared to begin dropping before any of the massive legislation had a chance to move from proposals to passage to implementation. This begs the question of what really caused the social

shift towards less violent crime.

Perhaps when the public simply gets fed up with crime that message reaches the ears of both politicians and those predisposed to crime (and for the sake of this article we'll assume those are two different groups). When the public gets fed up with criminals being hailed as heroes for resisting law enforcement, when the public gets fed up with judges releasing dangerous defendants, when the public gets fed up with politicians coddling leftist ideologies that blame everyone but the criminal for their behavior, then the message goes out.

When offenders know that the police are supported, that prosecutors work for the innocent, and that politicians get votes for being tough on crime, only then will fear be restored to the guilty where it belongs. When politicians stop blaming schools, the police, guns, and society at large, perhaps the accountability they clamor for can return to those who choose to defy decent behavior. It's time to be fed up with crime.

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Civilian Heroes Abound

Headlines like “Mob Attacks Police”, “Officer Ambushed in Patrol Car”, and “Officer Attacked While Bystanders Film” reflect a terrible trajectory for society. It can be a small thing like a thumbs up, a friendly wave, or an anonymous payment for a cup of coffee or a meal for an officer. It can also be a life-saving intervention when an officer is being overwhelmed by an adversary.

One of the unfortunate side effects of the professionalization of policing is that ordinary citizens have forgotten that they, too, have a responsibility for maintaining peace. The citizen’s arrest is rarely used but reflects a history of good people taking action to maintain order and hold wrongdoers accountable. Most states have statutes that enable police officers to immediately demand that a citizen assist them, imbuing them with police powers for that moment and releasing them from liability when acting in an emergency.

The NPA provides a one-minute educational [public service announcement](#) to encourage bystanders to do something other than videotape an officer in distress. The video clip urges citizens to call 911 on behalf of an officer and ask the officer how they can help, and become a good witness. The video ends with “It’s time to stop filming, and start helping”.

Last year when a San Francisco police officer responded to a threatening male in Chinatown, the suspect appeared to comply but suddenly began to attack the officer and had her on the ground. Bystanders rushed in to assist her, pulling her attacker away and yelling at him to get off her.

In July of last year a Fredericksburg, Virginia officer was attacked when he

attempted to arrest a man on possession of stolen property after responding to a call of a suspicious person. Two bystanders saw the officer being assaulted and pulled the suspect away. "If the two individuals watching nearby had not selflessly taken it upon themselves to assist the officer during the attack, the injuries he sustained could have been much more severe," said Police Chief Layton. "The courage seen by the officer and individuals show we are stronger when we work together." The officer was treated for a head injury.

In May of this year a Porter County, Indiana officer was attacked by a man wanted for auto theft, punching the officer after the man, identified as Christopher Delgado, lied about his identity and began to resist the officer. A passing motorist observed the attack, got out of his car, and grabbed Delgado from behind, assisting the now injured officer in taking the suspect to the ground and getting him in handcuffs.

In March of this year, Salt Lake City police officers were facing increasing assaults on police and resisting arrests. While making an arrest at the Salt Lake City airport, an officer had a suspect on the floor who twisted away and began punching the officer. Once again, a bystander stepped in to engage with the assailant and helped the office complete the arrest after a lengthy struggle.

It doesn't take much internet searching to find young boys and girls operating lemonade stands, running marathons, or giving hugs to support law enforcement. Eight-year-old Brecken made national news in 2018 with his lemonade and cookie sales to raise money for the Blue Springs, Missouri police department. His goal was 15 dollars but raised \$3000. Whether to buy protective vests for K-9s, to support injured officers, or to fund Shop-With-A-Cop programs, these youngsters bring hope to the

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hearts of those who fear for the future of our country.

American law enforcement has been heavily influenced by the famed English Home Secretary Sir Robert Peele. Peele instituted the London Metropolitan Police, one of the first of its kind. Peele's principles have been taught in police ethics and history classes since the mid-19th century. One of those principles is an understanding that the people are the police and the police are the people. This is essential in a democracy where armed agents of the government are representative of everyone's responsibility to maintain a civil society. In our eagerness to protect the public from having to deal with crime as we professionalize policing, perhaps both the police and the citizenry have forgotten our mutual responsibilities. Thankfully, many are willing to step up and step in to be heroes for our heroes.

29. THE STRUGGLE IS REAL

[Most criminals have already gotten away with so much that the threat of punishment means very little to them](#)

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Most criminals have already gotten away with so much that the threat of punishment means very little to them

I'll just say it upfront — I rooted for the Chiefs to win the Super Bowl because of my Missouri ties. I'll also say I care very little for football. Frankly, I've never understood the game but apparently, one group wants to go someplace the other group doesn't want them to go to in possession of something that both of them think belongs to them.

They can assault each other but, fortunately, the players wear pads and helmets to try to avoid getting hurt. And there are rules. When making a tackle, the defensive player can grab his opponent's jersey or body in an attempt to stop his forward process. This includes grabbing the player's legs to trip him or hitting him with your shoulder. The play stops once the defensive player has the offensive player on the ground or has stopped the offensive player from moving forward. And no tripping. There are penalties for unnecessary roughness for leading with his helmet, hitting an offensive player in the head during a tackle, tackling a player who's out of bounds, and for tackling a player after the whistle has blown.

The referees can rule that the other team gets the football or that any ground gained can be reduced. Defenders receive 15-yard penalties for roughing the passer for tackling a quarterback after he throws the ball. Defensive players are penalized 15 yards if they grab the back of a player's shoulder pads to make a tackle — known as a "horse collar" tackle. Players receive either a 5- or 15-yard penalty if they hold the face mask of a player's helmet when making a tackle.

Games originated, one presumes, as a less lethal practice for combat,

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hunting, or other survival skill that tribe members needed to know and for which there needed to be champions as role models. Games test leadership, decision-making, physical prowess, and endurance.

Even with referees and replays, there are still arguments in front of television sets in living rooms and bars across the world about what really happened or what should have happened, or what so-and-so would have done if it had been him in that situation. Coaches and commentators get verbally skewered. But in the end, nobody dies, nobody gets sued, and the game doesn't define every football player everywhere.

Even the most elite millionaire athletes are not expected to perform to perfection. With the benefit of advance knowledge of the playing field and their opponents, none make 100% of their passes, goals, shots, hits, kicks, or pitches. The crowd may be roaring, and there may be the occasional item thrown on the field — or the occasional naked guy — but rarely is an angry crowd a lethal threat to a player.

For those in battle with opponents on the streets and roads patrolled by America's police officers, there are no referees to stop the play. The penalties are not a setback in the game, but life and liberty. There is no instant replay, only body camera video released after legal considerations are considered and long after the amateur cell phone journalists have cemented their own edited version and narrative.

Sports are great and fans are great. Just because the struggles of police officers are different than the challenges facing athletes, there is no reason to hold one in higher or lower esteem than the other. It would just be nice if more of the public would give the same respect and regard to law enforcement officers in their fields of battle as they do for their teams. Officers make split-second decisions too, under far less controlled and

predictable conditions. They operate under a set of rules that their opponents do not. The criminal opponent is allowed to use any weapon and any means to fight the police officers while the officer has many constraints. Sure, the criminal may face a long time in the steel-barred penalty box, but it seems to be of little concern to the bad actors who have already gotten away with so many violations that the threat of punishment means very little to them.

The men and women policing America could use fewer Monday morning quarterbacks and more folks cheering for them.

Holistic Health for Law Enforcement

Recent surveys of police officers are showing, to no one's surprise, that stress and anxiety are hitting historic highs for our nation's police officers. While many police leaders are taking steps to provide support for their public servants, there is no end to the challenges facing those under the weight of the badge. Here are some areas that administrators and communities should consider.

Financial

An area often overlooked is the financial stress facing police officers. While wages and benefits have improved significantly over the years for law enforcement, the burdens of debt and the threat of financial collapse can loom ominously.

Education on financial planning and management should be made available to every police family. With the increased potential for lawsuits and firings, poor services for injured officers, and the unfortunate reality of death on the job, officers need to be intentional with their income.

Many officers rely on secondary employment to supplement their income. While this is great for providing "extras" when officers rely on their police credentials for working overtime or off-duty employment there is a risk of that supplement disappearing if they lose their job or are on suspension during internal investigations. Budgeting with an emergency fund in place is essential, but budgeting is a skill that has escaped many Americans.

Officers should be familiar with their life insurance benefits, including the federal death benefit for public safety personnel. Insurance outside of the

workplace should be in place as well. Educational materials and resources can be made available at little cost to an agency.

Family

Divorce and relationship conflicts are epidemic in policing. Officers should be aware of counseling services available through their employer and in the community. Dependents in law enforcement families deserve encouragement, support, and recognition. Officers should have pre-arranged plans for emergency notification, especially if their life situation changes. Those who are in relationships not legally recognized should know that laws protecting spouses are not automatically extended to other types of relationships and officers' wishes may need to be spelled out separately as a matter of record.

Police families are well aware of the sacrifices they must endure when their officer misses holidays and special events. Where possible, scheduling accommodations should be considered to keep families connected. These relationship supports are important to officer well-being and performance.

Physical

Policing can be very physically demanding on occasions. Although patrol and investigations are mostly sedentary, the burst of activity from a sudden pursuit or struggle is especially taxing on the human system. Allowing and encouraging opportunities for physical fitness should be part of an overall wellness strategy for police departments. The return on this investment will be fewer sick and injury days lost, as well as the proven benefits of exercise on mental health.

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Erratic schedules and a lot of overtime demands can erode performance, and sleep deprivation is a serious health and performance concern for shift workers. Education on fitness and nutrition strategies is essential for endurance and longevity.

Spiritual

Chaplaincy services are available at many agencies. Chaplains should be well trained in law enforcement ministry with the understanding that their services are for all officers regardless of their faith preferences or absence thereof. Regardless of one's beliefs, there are existential and moral crises that every officer faces. Having the availability of chaplain services can be a reassurance that departments recognize this aspect in the life of our police officers.

In addition to confidential counseling services for substance abuse and depression, chaplains can be a useful partner in preventing long-term problems, including the risk of suicide or other self-destructive behavior.

Brain health

The physical aspects of stress and trauma are often overshadowed by the misunderstanding that these issues are "just emotional". Education on the anatomical realities of what happens to the brain chemistry and body is important to overcome resistance to "touchy-feely" programs that are perceived by many officers as catering to weakness.

Emotional

Recognizing the physiology of stress doesn't remove the emotional aspect of mental health. Pessimism, framing occurrences with a consistent world view, and taking things personally are challenges to any mature adult. Officers and their leaders can encourage one another in healthy thinking patterns that go hand in hand with physical and mental health.

Support staff

Communication officers and other civilian support staff are often overlooked when it comes to support and encouragement in police operations. Their vicarious stress and deadlines can lead to the same unhealthy lifestyles and coping mechanisms.

The community can help

Holistic wellness is not just the job of police administrators. Citizen support of police officers is a vital component of job satisfaction and performance for a police officer. Knowing that there is appreciation and gratitude for their service can make a world of difference. A card, a word of encouragement, or thoughtful gifts to the department are always appreciated – now, more than ever.

Prejudice or politics? Why cop hate could be getting worse when cops are getting better

A highly educated, intelligent, and moderately conservative acquaintance recently posted a story on his Facebook from a woman who had a police encounter to relate. The woman used social media to tell of a car stop of a vehicle in which she was a passenger and her boyfriend was the driver. The officer and the driver engaged in an escalation of tension ending with the officer pointing a gun at the driver. Upon their complaint to the officer's supervisors, the officer reported that he had his Taser out and not a firearm, and there was no finding of wrongdoing. The woman decried that nothing had been done to discipline the officer. Her version was the only one presented. My acquaintance made this introduction to his sharing of the woman's account: "Some of our police are heroes worthy of honor. But we need to reign in those who think that a badge and a gun make them lords among men." That statement is factually true but bathed in the not so subtle prejudice that implies the worst of most officers. It sounds suspiciously like "I have a _(black, gay, muslim, etc) friend and a lot of them are fine people...."

There was a time when critics of law enforcement were scofflaws and lawbreakers, or those who had personally experienced an unpleasant encounter with the police. Now we have ordinary and outstanding citizens who vicariously join ranks with the harshest critics, damning with faint praise with statements like "some of our police are good." Losing the support of solid citizens who succumb to prejudice against the police is a blow to quality law enforcement.

How did the narrative of deeply flawed policing catch fire at a time when police officers have never been more carefully selected and trained, with

higher education levels and more professional leadership than ever? Why do the carefully edited and selected videos proffered by the media and anti-police activists gain superior credibility over scientific studies on the realities of violent encounters? Why is Michael Brown still a hands-up-don't-shoot hero when every investigation says exactly the opposite?

The answer to these questions of how prejudices develop is in psychology. The answers to why is in politics.

Origins of Prejudice

Prejudices are just one way that the brain processes information seeking to enhance pleasure and avoid danger. We are programmed to generalize and predict. When we get information, we use that to establish templates for decision making. What is familiar to us does not alert strong feelings of fear or disgust. What is unfamiliar we approach with caution.

Another factor is the human inclination to associate with groups or tribes. We know who our friends are and who else is like our friend group. We develop a sense of who is in and who is out and, further, we begin to build real or imaginary walls and defenses against the out- group for our protection.

Throughout our lifetime we accumulate the information that our brains use to decide if something is safe and familiar or foreign and potentially a threat. We tend to pay attention to information that verifies our existing conclusions, but our experiences and new information can eventually change our prejudices. Prejudices are not based on mathematical probabilities. Most sticks are not snakes. Most berries are not poison. Most cops are not jerks. But if very many things you thought were sticks

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turn out to be snakes, you will hate both sticks and snakes.

Changes in prejudices seldom happen immediately and completely. If, for example, a person has an embedded mistrust of police, they can have a positive experience or friendship with a law enforcement officer. The person will consider that positive relationship an exception to the rule rather than an endorsement of all police officers in order to hold on to their preconceptions. A more general trust or appreciation of the broader group will take more intense experiences and positive information.

The Politics of Prejudice

Whether intentional or not, the playing and replaying of controversial videos of violent encounters with law enforcement feeds information to a public increasingly willing to interpret those images negatively and apply them broadly. Because department spokespersons are usually not the first to frame the story or are rendered silent by legal issues, those negative first impressions get more attention from the brain of the civilian.

Viral videos, whether on traditional mass media or social media, are often shown in edited form and with a sensationalistic narrative. Untrained observers are likely to be repulsed by the intensity of the encounter and immediately begin a mental process of denial to deal with the images. The denial process allows the civilian to believe that they wouldn't act like the suspect or the officer, thus immediately making the persons in the video part of an out-group. And, if they identify with the suspect in some way, it places the law enforcement officer further away from the public's embrace.

Even events that are eminently explainable from a police perspective get

imprinted as negative and no amount of scrubbing will convince most people that their first impressions were wrong. Those who profit from sensationalism, and those who benefit from opposition to the police, jump on these many opportunities to fan the flames of misinformation. Individuals come to believe that those negative impressions are the norm, providing more validation to an already existing bias. A police officer, who sees those in their in-group getting unfairly treated, is prone to respond defensively and angrily, often playing into the hands of critics ready to paint defensiveness as guilt.

Can the good guys win the perception wars?

If the frequency of confusing images and negative messaging is a major cause of anti-police sentiment, the cure may be more frequent positive messaging. Police agencies may no longer be content for the occasional feel-good newspaper article or community relations program. Consistent, persistent, positive messaging through multiple avenues is a new essential in law enforcement leadership. Constantly building credibility with the public is not a distraction from fighting crime, it is an essential element in effective contemporary policing.

Thoughts and Prayers – Do They Make a Difference?

As a writer on law enforcement issues, I get almost daily notices of officers killed, injured, or being prosecuted in the line of duty. Many of those announcements include the request for “thoughts and prayers”, and the occasional “vibe”. Some organizations have dropped the “prayers” part in order not to offend the 19% of Americans who claim no belief in God.

One of my law enforcement roles has been as a first responder chaplain. In that role, I am called to offer comfort, aid, encouragement, and hope to those burdened by life’s circumstances. Sometimes that is in the wake of a horrific crisis and sometimes in the fatigue of the long grind of hardship and grief. With a sincere understanding that not everyone is a part of my religious faith, I am careful to meet folks where they are within their own view of the world. However, I seldom fail to offer to pray with them if they would like. Most are appreciative, some refuse the offer as a meaningless gesture, and some are too mad at God or the universe to bear another’s piety at that moment.

A popular mockery of thoughts and prayers after national tragedies, especially violence in which firearms were the instrument of the wrongdoers’ evil, attempts to point out that such meditative efforts are a waste of time in lieu of action (i.e. more federal laws). Scoffers at these mental exercises view them as not merely impotent, but selfishly harmful, as though they inevitably displace something better.

The irony is that if you say action should replace thoughts and prayers, the logical implication is that no thought or prayer should take place. Is the vacuum that replaces thoughts and prayers to be filled with thoughtless

activity? If the question is selfishness (as in “people say that but then they don’t really do anything constructive”) then are we similarly prohibited by that same ethic to avoid the marching and letter writing if motivated by the good vibes we get from such righteousness?

I am in favor of thoughts and prayers. I like the idea that somebody might be thinking about me. The Psalmist is amazed as he asks “What is man that you are mindful of him?”, and worships, knowing we are in God’s very thoughts. Willie Nelson apologizes for inaction but assures his lover that “you were always on my mind, you were always on my mind”. What is a Facebook “like” but a little endorphin shot that causes us to know someone was thinking of us?

Is it not thought that precedes action? Isn’t it pondering that inspires? Isn’t it one of our greatest compliments to say “Oh, how thoughtful!” And thoughts are the antecedent of prayer.

Ah, prayer. Yes, pray for our public servants. Pray for the suffering. Pray for victory in battle. To the humanist who would have us appeal to no deity, prayer is a silly ritual. But who doesn’t tout the virtue of meditation? To focus one’s mind, to shut out distractions, to appeal to some higher good is applauded. But to bring in God? That is foolishness? Then let me be a fool.

If I am a fool for believing there is something greater than I, I would be a greater fool to believe it and fail to appeal to that Greatness. Were the prayers of others that covered me during dark, dangerous nights, times of sickness and grief, and quietly confided moments of weakness the words of fools? Then I covet foolishness.

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We should certainly be inspired to do something when there is an appropriate duty or charity to be done. Taking action by donating money, baking a cake, or sending a card should always follow thoughts and prayers when possible. But I doubt there will be much doing unless there has been some thoughts and prayers spurring us to act.

The Compliance Crisis

Compliance is a dirty word to Americans. We want to hold to our rebellious ancestry and our modern narcissism. Add to this the oft-repeated narrative that the police will kill you for having a license plate light burned out and the message that if the cops fight you they'll have to fight everyone in the riots to follow and it is no mystery why resisting lawful commands is an epidemic.

I'm not sure if there are any research statistics on the matter, but I guarantee if you ask any law enforcement officer who has worked patrol for at least ten years if non-compliance and disrespect have dramatically increased, they'll tell you that it is more frequent than ever.

Disrespect is a Constitutional right, but non-compliance with a lawful order is not. State laws and well-settled court cases define when a citizen is required to do what a police officer orders them to do. It is part of our social contract with others that we accept limitations on otherwise unbridled liberty for the good of all. We can debate the extent and philosophy of that idea forever, but we all know that if we don't allow momentary inconvenience to promote an orderly society in a complex world chaos and criminality will follow. If the reader disagrees with that foundational statement, please read your newspaper.

When I first started, my mere appearance in uniform usually brought a pause in the disturbance, like the bell at a boxing match telling combatants to go to their corners where they could bounce and snarl all they wanted, but the fighting had to stop. Granted, that was not always the case, but even in my rookie days at 5'10" 140 pounds, and cherubic 21-year-old face, most folks had enough fear or enough respect to pause and pay attention. We've lost much of that in the current state of things.

Although there have been many graphic representations in police training to teach police officers how to gain compliance when enforcing the laws, a foundational framework is known as The Use of Force Continuum (UFC) which has been used for decades. The UFC is often visualized as a stairway with each level of resistance and officer response one step at a time. For a variety of reasons, this framework has been modified and even rejected as more helpful models have been developed represented by a ladder, a wheel, a triangle, a Venn diagram, and other illustrations. In recent years, the concept of de-escalation has been more fully integrated into these models, but de-escalation has been implied and practiced since the first person to ever wear a badge realized that no use of force in gaining compliance is optimal.

In most of these models, including the UFC, the first level of gaining compliance is known as officer presence. The very appearance of an officer of the law should remind a citizen that the law and social convention require submission to lawful authority. When a citizen accepts this legal and moral requirement, further use of persuasion and physical force is not needed.

An essential component of officer presence is not merely showing up, but doing so with a degree of gravity in attitude and appearance. It is easier

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to respect authority when all of the symbols afforded to peace officers are present. This includes posture, confidence, patience, and physical appearance enhanced by a uniform worn in such a way that the officer himself shows respect for their appearance. While there is a balance between an authoritative appearance and an authoritarian attitude, an officer should project the expectation that things are to be brought under control and handled efficiently and professionally, just as other professions, whether a doctor, lawyer, or plumber should project the confidence that the business at hand will be handled well.

If officer presence fails, then verbal commands follow, then hands-on techniques from joint locks to pressure points to strikes, then stepping up to impact weapons, and ultimately the last resort of deadly force. This is why officer presence and citizen compliance are so critical in avoiding physical force. This is also why non-compliance after a pedestrian contact or traffic stop can escalate – not due to the officer doing their job, but due to the citizen's refusal to obey the law regarding compliance.

The increasing problem of non-compliance and false narratives (driver shot for broken taillight!) has resulted in some prohibitions on traffic enforcement and the reluctance of many officers to make a contact at all. This spiral is a contributing factor to the rise in crime as police officers are, by policy or by fear of reprisal, deciding it just isn't worth the battle.

Police Week - the Asterisk*

I remember walking, tourist-like, through an old cemetery in Savannah, Georgia on a weekend road trip while at FLETC. I just like old cemeteries. One of the saddest benevolent lies is found there: "Gone but not forgotten". As I scanned the ancient headstones, I notice that there seemed to be one that had garnered special attention. I moved closer and began to read that this was the resting place of the remains of one Button Gwinnet, one of the original signers of the Declaration of Independence. I inhaled with whispered "Wow" and suddenly felt that I was on an especially sacred patch of ground.

There is hardly a culture where remembrance is not a part. As the son of a WWII soldier part of my DNA is saluting the flag, wearing the poppy pin, and standing at attention at somber ceremonies remembering the fallen. We are compelled to remember our heroes. Even our collective American guilt over our treatment of our Vietnam soldiers blossomed into yellow ribbons for our Iraq war veterans and we finally invited those Vietnam conflict era veterans to the party.

When a police officer dies, we offer a final parade more massive than any Presidential motorcade. Their name is engraved in our nation's capital and perhaps in state and local monuments. Even in the current era of hostility toward law enforcement, local communities find an outpouring of support when a police officer is killed. Flowers, cards, and teddy bears cover the places where the blood was spilled.

And that is as it should be. Never forget. Never forget.

Then we look around at those memorials and see in the crowd the

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wheelchair bound former police officer whose career was derailed by a line of duty injury. We see those with the slight, tell-tale limp of a prosthetic. We see one with the stoic expression well practiced to mask the pulsing wincing of chronic pain. We don't see the ones still in their hospital beds attached to tubes and monitors. We don't see the ones at the rehab center learning how to walk again. We don't see the ones whose injuries were once described in the newspaper as "non-life threatening" sitting in the darkness trying to talk their own brain out of a panic.

It's not a competition between those survivors of a line of duty death of a loved one and those who are called into a life of caring for a living survivor. Children left without a mother or father, and children whose lives have also been changed and now must adjust to a mother or father who simply cannot be who they once were, have their own grief and loss to bear. It isn't fair to measure the feeling of abandonment by the family of a line of duty death when the thin blue line breaks with the passage of time against the feeling of abandonment when an officer's injury makes them of no use to their agency and they become unemployed and uninsured.

But for the catastrophically injured to be forgotten during a time declared by Presidential proclamation to be devoted to both the dead and wounded is for us to fail in our remembrance of the totality of heroism and sacrifice.

To forget those law enforcement veterans robs our culture, both as a profession and as a nation, of the completeness of our honor to those who have served with utmost devotion.

If we forget the hurting of any hero, we may forget the fullness of our own

willingness to give all. For behind every dead and wounded police officer stands the living, serving, able ones ready to make that same journey out of safety and into danger. We see it every day. Only by honoring all of those who have given much can we stand resolute to carry on.

*Police week honors the fallen. Let us also honor and help those who fell and are still working to rise up again.

The Badge and The Brain

Dr. Daniel Amen is a noted psychiatrist who is a fervent promoter of a healthy brain. In a series of books and in the practice of Amen clinics across the country, Dr. Amen preaches basic brain care to help prolong physical and mental health. In reading Amen's books it becomes clear that police work is hard on the brain. Officers, their loved ones, and police leaders should be actively engaged in promoting brain health. The result will be better officers with better life quality and better job performance.

Traumatic Brain Injury and Concussions

Head injuries of combat veterans have prompted more research on their effects. Controversy about head injury in professional and amateur youth sports has resulted in greater attention to protective gear, and treatment and prevention of concussion. While serious injuries from car crashes or roadside bombs are clear indicators of potentially problematic head injuries, most blows to the head are not considered life-changing. We shake them off and go on with life.

But normal encounters with falls and bumps from activity can result in changes in the brain that may take years to manifest. Amen highly recommends keeping kids out of sports that have a likelihood of brain injuries like soccer, football, and gymnastics. While officers cannot always avoid activities that pose a risk of concussion, the use of helmets should be much more widespread than currently.

Helmets should be worn on fight calls, especially those involving a brawl with several persons, increasing the likelihood of an attack on an officer from behind or from a thrown object. This will require a shift in most

officers' thinking since wearing helmets on what are considered routine fight calls is not currently common.

PTSD

Post-traumatic stress disorder is not merely an emotional problem, but rather, a neurological condition that results from traumatic events that, in effect, rewire parts of the brain. Amen explains his theory of why an event may have little effect on one person but a tremendous effect on another. Every person has a set of experiences and coping mechanisms that usually operate in a brain with reserve capacity. When a brain has little reserve due to repeated trauma or other biological or emotional challenges, an event can be the proverbial last straw.

Maintaining that reserve is important through healthy maintenance that includes exercise, healthy thinking patterns, nutrition, and avoiding harmful substances. Prompt and positive attention to both cumulative and single event trauma, along with professional attention when needed can keep an officer productively employed.

Healthy sleep

One of the biggest health and performance challenges in law enforcement is getting restful sleep. Quality sleep allows the brain to relax and cope with unresolved issues. It allows restoration of a balanced body chemistry, as well as a time to heal worn muscles and nerves. Sleep that is interrupted by apnea, nightmares, or disturbed by irregular sleep times as a result of shift work fails to be as restorative as the mind and body need.

A study on sleep deprivation reported by the National Institutes of Health found that "After 17–19 hours without sleep, corresponding to 2230 and

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0100, performance on some tests was equivalent or worse than that at a BAC of 0.05%. Response speeds were up to 50% slower for some tests and accuracy measures were significantly poorer than at this level of alcohol. After longer periods without sleep, performance reached levels equivalent to the maximum alcohol". This should create an urgent response from police leaders to provide adequate leave time, manage shifts and overtime demands, as well as limiting off-duty employment.

Chemical exposure

Although more thought is given to firefighters on the subject of exposure to toxic chemicals, police officers can have their share of exposure to toxic materials from fire scenes, crime scenes, and drug enforcement. Voluntary ingestion of nicotine and alcohol, and perhaps increasingly from marijuana, all have potentially harmful effects on brain health.

The biochemistry of the body that is naturally generated during stressful situations is dissipated by physical activity and time. Constant lower levels of stress can also do considerable damage over time. These stressor sources are often ghosts. Vicarious adrenaline bursts come from hearing a pursuit on the radio even if it is miles away. Anticipatory stress increases adrenaline on routine patrol as officers contemplate ambush or encountering a violent crime in progress. Normal stressors of home, finances, and job scrutiny add to the mix.

Police officers must be intentional in managing or avoiding these toxic influences.

Love your brain

Dr. Amen urges everyone to love their brain, do what is good for the brain, and avoid or treat things that are bad for the brain. The risk of anxiety, depression, and anger are high in law enforcement. Loving one's brain is one way to be the best you can be.

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The Last Officer Down

As we watch the numbers throughout each year, week by week we read of the officers lost in the line of duty. Crashes, shootings, ambushes, and duty-related illnesses, take their toll. We hold our breath at the end of the year, wondering with fearful anticipation who might be the last officer murdered as midnight, December 31st comes around.

In 2021 on December 31st Cleveland Ohio rookie officer Shane Bartek, age 25, died while off duty attempting to arrest an armed hijacker. The suspect female approached Bartek with the intent to steal his car at gunpoint. Bartek attempted to disarm the offender and was shot during the struggle. He had served 1 ½ years. The suspect and an associate were apprehended in Bartek's stolen vehicle later that day.

In 2020 on December 16th Concord, North Carolina Police Officer Jason Shuping was shot and killed while responding to an attempted carjacking. Like Bartek, in addition to dying while intervening in a carjacking, Shuping was also 25 with 1 ½ years on the job. While investigating a crash with an abandoned vehicle, a citizen reported an attempted carjacking at a nearby Sonic restaurant. Officers arrived, encountered the suspect, and came under immediate gunfire. Shuping was killed and a fellow officer was wounded. The suspect attempted to flee by stealing another car but was engaged by other responding officers who killed the suspect in an exchange of gunfire.

In 2019 in the wee hours of the last day of December, Deputy Sheriff Chris Dickerson of the Panola County Sheriff's Office, Texas was shot and killed while making a traffic stop. During the contact, the driver suddenly emerged from the vehicle with a rifle and shot Dickerson six times.

Neighbors who went to investigate the sound of gunshots found the deputy laying wounded in the roadway. He was taken to the hospital where he died a short time later. The suspect was arrested later in Louisiana after a K9 located him where he had fled from crashing his car. Deputy Dickerson was a military veteran and had served Panola County for eight years.

In 2018 Henry County Police Department, Georgia Officer Michael Smith succumbed to a gunshot wound sustained on December 6th, the complications from which resulted in his death on December 28th. Smith was called to a dentist's office on a man causing a disturbance. The man was combative on Smith's arrival and the two struggled. Smith used his Taser on the suspect with no effect. The suspect attempted to gain control of Smith's duty weapon during which time the weapon discharged, killing the suspect and wounding the officer. Smith, 33, had served the department for seven years.

In 2017 Douglas County Sheriff's Office, Colorado Deputy Sheriff Zackari Parrish responded to an emotionally disturbed man at an apartment complex. Parrish and other officers attempted to communicate with the man who barricaded himself in a bedroom in the apartment. The man opened fire with a rifle, wounding three other officers and killing Parrish. Arriving SWAT officers attempted to re-enter the apartment to rescue Parrish and the suspect fired again wounding another officer but was killed by officers. The suspect had wounded two civilians in addition to the officers he shot. During his attack, the suspect fired over 100 rounds. Parrish had nine years of law enforcement service.

In 2016 Pennsylvania State Police Trooper Landon Eugene Weaver was the last officer murdered that year. Trooper Weaver had served for just one year when he responded to a report of a domestic disturbance in

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rural Huntingdon County. Weaver was shot as he arrived to investigate a restraining order violation. The suspect had been released on bail earlier that month on a previous felony charge. Fellow troopers shot and killed the suspect the following morning when he was confronted and reached for a weapon.

The stories of the last law enforcement officer murdered in each year could go back over 100 years. In fact, the last officer murdered in 1922, 100 Decembers ago, was Patrolman Daniel John Conley with the Pittsburgh, Pennsylvania Bureau of Police. Conley was shot investigating suspicious behavior of a group of young men who were out past the 3:00 a.m. curfew on December 30th when one drew a weapon and shot Conley six times. The officer died in an alley, discovered by a fellow officer scheduled to meet him at the call box every hour.

The last officer murdered in 2022 was Riverside County Deputy Sheriff Isaiah Cordero was shot and killed while making a traffic stop in the 3900 block of Golden West Avenue in the Jurupa Valley area of California on December 29th. The suspect, Willian McKay had an extensive violent criminal history but was out on bond even after previously failing to appear in court while awaiting a prison sentence. McKay was killed in a gunfight with officers after a lengthy vehicle pursuit.

A Cop's Holiday

I like working holidays. Things are either very serene and quiet or very intense and filled with pathos.

One Christmas eve day I responded to a report of a missing 6-year-old boy. Lost and missing children calls strike at the heart. A missing child call conjures up so many possible and terrible scenarios. Most of those cases are quickly resolved, some when the child is found at a friend's house, some when the child has been hiding inside the house to avoid a spanking.

The distraught mother reported that she and her little boy had an argument over Christmas presents, and shortly after, he disappeared. I got a description and photograph, alerted all agencies in the vicinity, and I and my colleagues began the methodical searches and contacts according to protocol. As I widened my patrol I spotted a small figure along a side road that led to a major highway. As I pulled over it was obvious that this was my little runaway, who had managed to hike over a mile from his home.

He looked the part, right down to the bundle tied to a stick that he carried over his shoulder. Somewhere he had seen the image of a hobo with a cartoon-like kerchief bundling all their worldly possession in a kerchief on a stick.

I approached the determined little guy carefully, hoping that the boy wouldn't run into the woods like a scared rabbit. He didn't run, and if he was afraid of me, he didn't show it. I knelt at eye level and ask him where he was headed. "My teacher's house", he said. In his kindergarten mind,

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the one person he knew would love him was his teacher. He wasn't exactly sure where she lived but knew it was in the next town over. He had another 15 miles ahead of him. I was glad I got him before he reached the highway.

I asked what was in his pouch. "Socks", he said. Six pairs of socks. I told him we'd need to get him back home, that his mother was very worried. He didn't debate the idea. His adventure had already begun to wear on him.

The problem with runaways, whether they are 6 or 16, is that sometimes they are running away from a situation that really is terrible. The last thing I wanted to do was to put this child back into a potentially abusive situation. Cops carry on conversations for a lot of reasons. It can be to help people calm down, to build trust and empathy, and to create time for observations and assessment. I wanted to know if he'd been hurt at home, if he was afraid, or if there was anyone who was threatening him. I wanted a happy reunion, not a return to a nightmare. As we talked, I looked for signs of abuse, a hesitancy to answer, and to determine if the account given by his mother matched the story the child told.

With a side trip through McDonald's to get a Happy Meal, we talked a little bit more. I wanted to be Officer Friendly, but I also wanted to if he had an appetite and make some more observations about his demeanor. I became reasonably convinced that he and his mother had, indeed, had a normal little spat that had somehow been the last straw on the little man's day.

At the home, where an officer had stayed to comfort the boy's mother, but also to make those quiet observations and assessments, my little hitchhiker

was reunited. Mother and child were both happy. We stayed just a little while to answer any questions, offer help, and again to make those quiet observations about the dynamics of that reunion. Was there fear? Anger? Threats?

That was a happy ending as we cleared the call. It is a cute little story. But in a police officer's mind, there are always questions. Was I right? Is he safe? Is the family ok? That is the price of being a law officer, the specter of bad outcomes and undiscovered evil. I could only pray that the little runaway had a merry Christmas after all.

The Thin Blue Line is a Rainbow

The year isn't over yet as I write this, so the number of law enforcement deaths will increase before 2022 dawns. 2021's list on the Officer Down Memorial Page (ODMP) is already bloated. In addition to the increase in ambushes, the usual murders of officers arresting violent offenders, and the crashes and pedestrian deaths of cops who spend a lot of time on pavement around speeding traffic, this year was haunted by COVID deaths.

Hunkering down and isolating and working remotely worked for a lot of Americans in 2020 and 2021. It does not work in the policing business. ODMP includes corrections officer deaths, and they were particularly hard hit as one can imagine.

Every so often, whether for researching an article or to contemplate the grievous loss of American heroes, I scroll through the list of the fallen. I realize that those whose names are listed represent a fraction of the loss of law enforcement officers. Those whose hearts have been broken by their career and take their own lives are not represented here. Those whose bodies were broken but survived are not represented here. A dozen or more of those officers going back to the early days of my police career are on the roll call of those lost. As a training officer and police academy instructor, I have rubbed shoulders with thousands of police officers, and some have died.

But in some ways, I feel like I know them all. As I contemplated the many insults that individual officers, their agencies, and the profession, in general, have suffered in recent years, one of those criticisms is that law enforcement personnel don't look like their communities. I beg to differ.

At this writing, ODMP records 473 deaths. Scrolling through the photos of the honor roll for 2021 I noted that they were not all white males. For the sake of this article, I began to count the non-white males on the long list. In the process I felt shame that we have become so racially divided and that the concept of melting pot had devolved into everyone being assigned a label with an identity that differentiates rather than unites.

They say there is strength in diversity, and I don't deny the truth in that. I also know there is strength in unity. The thin blue line, so often maligned and misunderstood, represents an identity that transcends race and gender. Over one-third of the dead are of some minority. As I tried to identify those differences, I hated the thought that I was judging each officer by some standard that may be giving no respect to their true sense of identity, and a crude division of one human compared to another.

Was this officer's complexion of African descent? Are these eyes Asian? Is this surname Spanish or Italian? These were officers I could have had coffee with, shared war stories with, and shared how we grew up, what food we ate, what holy days we honored. The Anglo names attached to brown faces, the shades of pigment, the obvious offspring of "mixed" marriages. It seemed a betrayal to call them anything but blue.

Eighty black men's faces. Twenty-three black women's faces. Seventy-four Hispanic men, five Hispanic women. Sixteen women with white faces and nine Asian men. Did I label them correctly? I was sad that I felt compelled to do so. They were all my brothers and sisters. We might have disagreed on a lot of things. We might not have liked each other. Even some dead heroes were jerks. But the bottom line is that how they chose to invest their lives cost them their lives. Had we faced danger together we would have tried to hold the line, cover each other, do our very best to survive

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for each other's sake.

Did they all look like me? No, indeed. But when we lost them a part of me was lost, too.

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