

Beyond a Split-Second: An Exploratory Study of Police Use of Force and Use of Force Training in Canada

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Abstract

The authority to use force, including lethal force is a defining feature of the police profession. A police officer's decision to use force carries potentially significant consequences for all involved and is arguably the most heavily scrutinized aspect of modern police work, despite its rare use. Situations involving the use of force are often characterized by a rapidly evolving scenario, complex environment, considerable uncertainty, and a potentially high degree of fear. These factors make it extremely challenging for officers to decide when and how to act. The high stakes nature of police use of force events and the level of scrutiny that the use of force attracts places a premium on the quality of training that officers are given, both in terms of content and application. Yet, in spite of the importance ascribed to training, the research in this area is limited, particularly from a Canadian perspective. What is known about use of force training comes largely from research and experience in the U.S.A., a significantly different policing environment than Canada.

Using a qualitative research framework, this thesis seeks to fill the gap in Canadian use of force research and shed light on recruit and in-service training that is given to police officers. Using in-depth, semi-structured interviews with ten Canadian police academy and department-based use of force instructors, this study explores the factors involved in police use of force situations and how use of force training prepares officers for use of force events in Canada. The findings indicate that while current police training is evolving to better prepare officers for the realities of police use of force encounters, it is nonetheless limited by a number of factors. These factors are identified and discussed noting the implications for police services, policing scholars, and police oversight bodies.

Keywords: use of force; pre-service training; in-service training; reality-based training; stress; decision-making

Dedication

I dedicate this thesis to the Murphy family. To my mother, without whom I would not be the man that I am today; to Dor and Bri for being my second set of parents; to Collete for nights spent watching Survivor and Jack Bauer; to Ray for talking sports with me and laughing at all my jokes; to Marg and Frank for being there whenever I needed them; to Bernadette for being so cool; to Claudette, Gary, and lovely little Grace for taking me in and taking care of me on my European adventure; to Laurie for being my surrogate mother in England; to Arthur and Lily for constantly spoiling me and for taking care of me in Winnipeg; to Nan, Grandad, and Rita for looking down on me and making sure everything turns out alright; and to Willow, my best pal who I will miss forever. Throughout my life you have all done so much to allow me to be where I am today. You truly are the BEST family that anyone could have and I am so lucky to have you all in my life.

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Since the age of 4, all I ever wanted to be was a police officer. I went through much of my youth and early adulthood dead set on becoming a member of law enforcement. I was fortunate enough to work for the Vancouver Police Department for one summer, which was an absolute dream come true. As I have navigated my university career my desire to become a police officers has waned; however, my passion and interest for the study of policing has only intensified. I have the utmost respect for the men and women of law enforcement and I believe that the public needs to know more about the daily challenges they face beyond what is depicted in the media. My hope is that my research will act as a vehicle for spreading expanding our knowledge of policing in Canada. I want to thank all members of law enforcement for doing what you do every day.

I would like to take this opportunity to thank a number of people that have contributed greatly to both my personal and professional endeavours. I would like to thank my Senior Supervisor, Dr. Curt T. Griffiths for taking me on all those years ago and for opening my eyes to a world that I never thought I would be a part of. Curt, you have taught me so much over the last four years and have provided me with opportunities and experience that will be invaluable as I continue my academic and professional career. Your insights and advice have been invaluable throughout this process and I look forward to continuing my work with you well into the future. A sincere thank you to Dr. Rick Parent. You took me on as an Honours student when I was in a time of need and have been a constant source of support and guidance ever since. Without your connections and experience I would not have been able to conduct the research necessary for this thesis. I know that when I turn to you for advice or with a question that you'll always give me an honest answer, straight up. Rick, you really are the man! Thank you to Sheri Fabian, for being the voice of reason in the Criminology Department. The best thing about doing my Honours was that I got to meet you and gain your support. I also want to thank the use of force instructors that took the time to participate in this project. It was an absolute pleasure to interview all of you. Each of you is a credit to your police service.

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List of Acronyms

ERT	Emergency Response Team
SWAT	Special Weapons and Tactics
LEOKA	Law Enforcement Officers Killed and Assaulted
FBI	Federal Bureau of Investigation
OC	Oleoresin capsicum
BMV	Body-mounted video
PWMI	Persons with mental illness
CIT	Crisis-intervention training

It's not about the gun. It's not about the baton. It's not about the pepper spray. Those are tools. It's about the decision to use force. And that's how we're training our officers now.

Instructor 4

Chapter 1.

Introduction

Police officers possess awesome powers. They perform their duties under hazardous conditions and with the vigilant public eye upon them. Police officers are permitted only a margin of error in judgement under conditions that impose high degrees of physical and mental stress. Their general responsibility to preserve peace and enforce the law carries with it the power to arrest and to use force – even deadly force (United States Civil Rights Commission, as cited in Alpert & Smith, 1994).

The authority to use force, including lethal force is a defining feature of the police profession (Griffiths, 2013a) with Alpert and Smith (1994) going so far as to characterize it as “one of the most misunderstood powers granted to representatives of government”¹ (481). Police officers are given significant discretion with which to exercise that power and the decision of a police officer to use (or refuse to use) force can have a considerable impact on all involved. Consequently, the use of force is arguably the most heavily scrutinized aspect of modern police work, despite the fact that it is rarely used by police officers². The use of physical force, particularly the use of weapons to control critical situations has been heavily debated by in the media, with a number of high profile incidents involving Canadian police officers serving to intensify this focus in recent years.

Situations involving the use of force are often characterized by a rapidly evolving scenario, complex environment, a great deal of uncertainty, and a potentially high

¹ In Canada, both law and policy govern the power to use force. The legal justification for the use of force is found in the *Criminal Code* and in case law, while additional support is found in provincial laws such as police acts and firearm regulations (Griffiths, 2013a).

² Research on the use of force by several Canadian police services has found that police use force in 0.7% of encounters with the public (Griffiths, 2013a). The use of force also rarely involves weapons and typically occurs at the lower end of the force spectrum, involving grabbing, pushing, or shoving (Griffiths, 2013a). For example, Milligan (2008) found that in 97% of use of force encounters involves tactical communication (i.e., force presence and giving verbal/visual commands) while 3% involves the actual use of physical force (i.e., actions).

degree of fear (Saus et al., 2006). They often involve persons with mental illness, are emotionally distraught, and/or are heavily intoxicated or under the influence of narcotics (Parent, 2004). For a police officer, these factors make it extremely difficult to decide when and how to act. The fact that these decisions are subject to increasing visibility, scrutiny and public debate only serves to exacerbate this difficulty. The high stakes nature of police use of force events and the level of scrutiny that the use of force attracts places a premium on the quality of the training that officers are given. Yet, in spite of the importance ascribed to training, there is limited research on use of force training in general and, in particular, police use of force training in Canada.

Both academics and practitioners agree that the primary function of police training is to help an officer perform the job (Ness, 1991). To use an analogy, training police recruits is akin to telling a person where the light switch is upon entering a dark room. Although the use of force is simply one aspect of the job, inadequately prepared officers present a serious liability issue for police agencies. As such, officers are given a combination of pre-service training at the police academy and supplemental department-based in-service training for managing dangerous encounters that are well known to present them and the public with substantial risk (Morrison, 2006). However, as they enter the field new officers who have recently graduated from the academy are largely dependent upon their training for technical skills, coping abilities, and decision-making.

According to Morrison (2006) the existing research has emphasized the breadth of pre-service academy programming at the expense of depth. Other research has found that both pre- and in-service police training focuses predominantly on technical, tactical, and physical aspects of performance and largely neglects the role of psychological factors such as stress and anxiety (see Oudejans, 2008; Nieuwenhuys et al., 2009; Nieuwenhuys & Oudejans, 2010). This has led some to question whether line-level police officers are properly prepared to perform well under stressful circumstances (Murray, 2004). However, the degree to which these findings are applicable to the Canadian policing context is uncertain given the fact that there are no national statistics on the use of force by Canadian police officers and very little empirical research on the use of force training given to Canadian police officers. This makes it difficult to determine the frequency and types of force used in police services and whether officers are receiving adequate training in the types of force they most commonly use.

Using a qualitative research framework, this thesis seeks to address the dearth of Canadian use of force research and to shed light on the recruit academy and in-service training that is given to police officers. While previous researchers have emphasized surveys of recent academy graduates and patrol officers in their examination of satisfaction with pre- and in-service training, this thesis takes a new approach by interviewing police academy and department-based use of force instructors. The perspectives and perceptions of these instructors are important in examining use of force training because, as key stakeholders in the outcome of training, they are immersed in the subject and are responsible for providing academy or in-service programming.

This thesis is an exploratory study of police use of force and use of force training. Through the use of in-depth interviews with police use of force instructors it aims to identify the key factors involved in the police use of force and to describe how current use of force training prepares officers for use of force events. The fact that newly hired officers rely so heavily on their academy training at the outset their policing careers to direct their decision making in use of force events places great importance on its content and application. Additionally, though newly hired officers undergo rigorous academy training, the perishable nature of their skills and the knowledge base for managing dangerous field encounters requires continuous diligence, which makes in-service use of force training critical to the performance potential of officers who, at some point, are faced with highly challenging and potentially life-threatening circumstances.

This thesis is divided into five chapters. Chapter 2 provides a review of literature on police use of force, followed by an overview of police use of force training and a review of the extant use of force training research. Chapter 3 outlines the sample and method for collecting the data used in this exploratory study. Chapter 4 presents the findings of the study, and includes excerpts from ten interviews conducted with pre- and in-service use of force instructors. Chapter 5 includes a discussion of the implications of the research and Chapter 6 identifies the limitations of the study and concludes by proposing future avenues of research.

Chapter 2.

Literature Review

Current Explanations of Police Use of Force

Historically, research on police use of force has examined the frequency with which the police use force³ (Gallo et al., 2008), police officers attitudes regarding the use of force (Phillips & Sobol, 2010), types of force used (Klinger, 1995; Terrill et al., 2008; Gallo et al., 2008); use of excessive or lethal force (Fyfe, 1979; Phillips & Sobol, 2010; Hays, 2011), and causes of police use of force (Alpert et al., 2004; McElvain & Kpsowa, 2008; Worden, 1995; Hays, 2011).

Terrill and Mastrofski (2002) state that previous attempts to explain police use of force can be categorized in two ways: whom the police encounter or what the citizen does to the police. At the theoretical level, this research falls under social threat or criminal threat perspectives (Hays, 2011). The first aspect relates to micro level demographic variables, the most popular of which to study in this area has been race (Alpert et al., 2004). For example, a large amount of U.S. research has found that racial minorities, particularly, African Americans, are disproportionately victimized at the hands of police (Holmes, 2000; Jacobs & O'Brien, 1998; Smith & Holmes, 2003).

While U.S. scholars have found support for a link between race and use of force, there is no conclusive evidence that, in their actions and practices, Canadian police systematically discriminate on the basis of a person's ethnicity (Griffiths, 2013a). However, the high arrest rates of Aboriginal people in many parts of the country coupled

³ Force, in this context, includes the officer's presence, verbal commands/communication, forcible restraint, pain compliance tactics, less-lethal weapons (OC spray, baton, the Taser), and deadly weapons (Terrill et al., 2003).

with a number of high profile Aboriginal deaths in custody (Arnold Silverfox, Frank Paul, the “Starlight Tours”) and police shootings (Dudley George, J.J. Harper, Mathew Dumas), as well as the ongoing conflicts between visible minorities and the police in some urban areas warrant close examination (Griffiths, 2013a). With that said, the debate regarding minority victimization at the hands of the police in Canada has been complicated by vague definitions as well as a lack of solid research into police decision making and police-minority relations (Griffiths, 2013a).

In relation to the second aspect, how citizens impact the police, research has shown that the actions, intentions, mental state, and resources of the suspect have a significant impact on police behaviour (Worden, 1989). These factors include whether the suspect is uncooperative, unresponsive, rude, or perceived as mentally deranged by the officer; and whether the suspect is in possession of a weapon aimed at the officer or another individual (Griffiths, 2013a). A number of studies have found that police officers are more likely to sanction citizens when citizens display an impolite demeanour or are resistant (Worden et al., 1996). As Van Mannen (1978) found, police cannot overlook “assholes” that are questioning, challenging, and criticizing police authority because of a police subculture that indoctrinates officers to teach a lesson about the inappropriateness of their behaviour. This need to maintain and demonstrate authority is escalated when individuals are physically resistant. Citizens who show a disrespectful and uncooperative demeanour and use physical resistance are more likely to be punished regardless of race (Black & Reiss, 1970; Sherman, 1980; Smith & Visher, 1981; Terrill, 2003; Terrill et al., 2003). Terrill (2003) notes that as the level of suspect resistance increases per the initial suspect action, the level of force used by officer(s) increases. Lastly, in regards to mental state a Canadian study found that in roughly one-third of the instances in which police used lethal force, the deceased had a history of mental illness – most often schizophrenia (Parent, 1996). It is possible that in situations involving an individual that is visibly mentally unstable, officers may be more apt to perceive a threat to themselves or others. Moreover, police may not be able to fully communicate with a mentally ill individual, as he or she may not understand the commands being given, or the officer may misinterpret cues, perceiving an imminent threat when, in reality, no such threat exists.

MacDonald et al. (2001) outlined the general criminal threat argument by describing not only how real, physical, and immediate threats were related to police officers' use of force, but also how perceived threats might be related to police officers' use of force. They contended that the level of deadly force that officers used is predicated on the real or perceived danger they experience and that, "police officers are more likely to use deadly force during time periods when (or in places where) they encounter greater levels violence or view their jobs as being particularly hazardous" (MacDonald et al., 2001: 159). Although they were speaking about police use of deadly force, Hays (2011) notes that criminal threat theories contend that police officers should be more likely to use all types of force (legitimate and illegitimate; lethal and non-lethal) when they receive a direct or perceived threat to their safety or the safety of others. Indeed, research at the individual-level has found that police officers who dealt with more real or perceived criminals, violence, and dangerous crimes in general were significantly more likely to use force (Binder & Scharf, 1982; Copeland, 1986; Horvath, 1987).

Situational and Contextual Factors

Police officers are primarily involved in non-dangerous, order maintenance activities, gathering information and writing reports (Griffiths, 2013a). As such, chances of dangerous situations, especially involving the use of deadly force, are relatively low. Though arrest situations involve a high risk of police responses that are more forceful, bodily force, chemical agents, impact weapons, or deadly force used to complete arrests is infrequent (Gallo et al., 2008). While most police-citizen encounters are resolved without relying on force, the risk of danger or death or injury is ever-present for police officers (Lee et al., 2010). Faced with these circumstances, police officers develop "typifications", constructs or formulations of events based on the officer's experience, and "recipes for action", which are decisions normally made and the actions normally taken by police in certain situations (Griffiths, 2013a). That is, officers learn to identify potential violence and danger and develop strategies on how to address it (Lee et al., 2010). Police officers' perceived risk of danger or threat to safety can be intensified by neighbourhood context, which impacts levels of force (White & Ready, 2007; Klinger, 1997; Mastrofski et al., 2002; Schafer et al., 2003; Terrill & Reisig, 2003; Crawford & Burns, 2008; Crawford & Burns, 1998; Sun et al., 2008; Hays, 2011). Further,

aggregate-level research has consistently shown that areas with high rates of criminal activity also tend to have high rates of police use of force (Binder & Scharf, 1982; Fyfe, 1980; Sherman, 1980; Kania & Mackey, 1977).

The importance of situational and neighbourhood context in police use of force encounters has drawn increasing attention from researchers, with situational research indicating that the actions of officers are largely a reaction to situational cues, such as the unpredictability of the situation (White & Ready, 2007); the characteristics of the area or location the officer is patrolling (Terrill & Reisig, 2003); the time of the encounter (Crawford & Burns, 2008); the visibility of the encounter (Crawford & Burns, 1998); and the number of officers present (Friedrich, 1980). A number of other predominantly American empirical studies have included district, beat, neighbourhood, or census tract variables as possible explanations of officer behaviour (Petrocelli et al., 2003; Rabe-Hemp & Schuck, 2007; Sobol, 2008). Additionally, Crawford and Burns (2008) found that time and space related variables, namely, whether the location was known to be hazardous to police and whether the arrest occurred at night, were significantly related to varying levels of force. However, while these findings are important, it should be noted that a major limitation of much of the empirical analysis of neighbourhood context on police officers' use of force is that it lacks a sound theoretical basis (Hays, 2011).

A number of studies on the role of neighbourhood context have used crime rates as a base of analysis; however, the impact of crime rates in neighbourhoods on police use of force is inconclusive (Lee et al., 2010). Some, such as Bayley and Mendelsohn (1967), have suggested that officers apply higher levels of force against citizens encountered in high crime areas. Using Klinger's (1997) theory of social ecology as a guide, Phillips and Sobol (2010), found that American officers working in patrol districts with high levels of violent crime were more accepting of the use of unnecessary force by other officers. In addition, Terrill and Reisig (2003) note that officers are more likely to use increased levels of force when dealing with suspects in high crime areas and neighbourhoods with levels of concentrated disadvantage independent of suspect behaviour and other controls. A possible explanation for this is that based on experience police may come to know or identify certain areas or locations and problem places and will change or modify their tactics accordingly.

In a recent study, Hays (2011) examined the police use of excessive force within a social disorganization theoretical framework. Using data assembled by the Project on Human Development in Chicago Neighbourhoods (PHDCN) in the mid-nineties, Hays was able to demonstrate that neighbourhood social disorganization is related to police officers' use of excessive force and that residents of disorganized neighbourhoods are "doubly victimized" by criminals and members of law enforcement. According to Hays (2011) officers may perceive socially disorganized neighbourhoods as being more facilitative of excessive force behaviours and that residents would lack the ability to prevent deviant police activity.

Complicating the context within which the police use force is the fact that the majority of force decisions are made in plain view of the public. The proliferation of technology has made it easier for the public to engage in informal surveillance of police activities and to record use of force events. This increased visibility of police actions, has been accompanied by increased accountability and scrutiny of police decision-making. According to Chan (1999), a new model of police accountability has emerged that is part of a more general trend toward a "new public sector managerialism that emphasizes closely managed self-regulation and governance, reinforced by external oversight." Police oversight is more extensive and transparent than for other professions, including lawyers, physicians, engineers and other credentialed professionals (Griffiths, 2012a). Indeed, Griffiths (2012a) has stated that, "The activities and decisions of police officers are subjected to more extensive and internal review than any other component of the criminal justice system." The result is that the myriad of accountability mechanisms (Criminal Code, police boards, complaint commissions, internal/external investigation units) in concert with a heightened public visibility has created a social climate in which the police are increasingly being held accountable in the court of public opinion. Unfortunately, little research has explored the impact of increased visibility and scrutiny on police decision-making. It is possible that police may be more hesitant to use force for fear of being the subject of an internal or external investigation. Regarding visibility, a U.S. study by Garner et al (2002) did find that more visible locations are associated with less severity of force but not decreased prevalence. That is, they found that officers might be less likely to use severe forms of force when they are more visible to the public, but are not less likely to force than in more secluded locations.

Biological and Psychological Factors

In addition to understanding the three components of a violent encounter – the offender, the officer, and the circumstance itself – there is an additional aspect that requires further attention: the role of perception (Pinizzotto et al., 2006). Law enforcement officers are often involved in incidents that are both cognitively demanding and require bouts of intense physical activity (e.g., a vehicle pursuit or a physical encounter (Hope et al., 2012). This can have a significant impact on officers' perception, cognitive processing, physical ability, and decision-making in use of force encounters. As such, researchers have begun to examine a variety of factors involved in police decision-making and performance in use of force situations, including the relationship between gaze control (visual-motor acuity) and shooting performance (Vickers & Lewinski, 2012); stress reactions to lethal force encounters (Lewinski, 2002); reaction times in lethal force encounters (Lewinski & Hudson, 2003); the biomechanics of lethal force encounters (Lewinski, 2002); the role of linguistics in police encounters (Vandermay et al., 2008); the impact of officers' attentional responses on their ability to multitask in critical encounters (Schwartzkopf et al., 2008); and the impact of physical exertion on recall and recognition (Hope et al., 2012).

A key component of police work is the ability to perform under pressure. Although a large part of police work is generally spent on routine order maintenance (Griffiths, 2013a), in the course of their shift, police officers may suddenly become involved in a potentially life-threatening situation that induces a significant level of stress (Oudejans, 2008), which can have a detrimental effect on police behaviour. For example, Meyerhoff et al. (2004) found that stress and high anxiety can influence responses by police officers during use of force encounters, particularly deadly force. In their study of well-trained law enforcement officers, they observed significant shortcomings in communication, managing weapons malfunctions, and shooting judgement and accuracy (Meyerhoff et al., 2004). In addition, they found that stress has an effect on the use of cues, as well as on memory. Indeed, being confronted with an imminent threat is an inherently fear-inducing phenomenon and police officers, like everyone, do not wish to die, nor do they wish to be responsible for taking a life.

According to Murray (2004), degradation of “the personality” is often directly connected to the way a person responds to a stressful stimulus (34). Murray (2004) goes on to differentiate “fear”, which he calls a mobilizing instinct, from “anxiety”, which he refers to as a paralyzing state of emotions, rooted mainly in perception. Subsequently, the belief that one may die as a result of a perceived imminent threat can create a sense of anxiety that can impact decision-making, verbal problem solving and skill-coordination⁴. That is, in some situations it doesn’t matter how well trained the officer is if he or she is really scared⁵.

Research has also demonstrated that stress has a significant effect on how police officers experience and perceive a violent encounter, as well as their ability to report what they experienced. Physiological conditions can affect the way that the brain processes information. High alert or high arousal produces intense and specific physiological reactions. When presented with an immediate threat, officers, like all humans, are faced with two viable options (fight or flight) with which they are biologically wired to react (Pinizzotto et al., 2006). Another psychological reaction is the “freeze response”. The brain reduces it’s functioning to one purpose: preservation. Several specific and intense physiological reactions typically take place during moments of self-preservation (Pinizzotto et al, 2006). During life threatening situations the body shunts blood to the brain and the heart, the two most important organs for survival (Le Doux, 1996). Consequently, this process results in a variety of exaggerated experiences officers have during use-of-force situations, namely, auditory exclusion, time distortion, and tunnel vision (US Department of Justice, 2006). Klinger and Brunson (2009), report that 94% of officers they interviewed recalled experiencing a distortion in their perception of the events leading up to or during the discharge of their weapons. Their central finding was that officers who fired their weapons multiple times were likely to experience

⁴ According to Murray (2004), when the mind deems a situation as “frightening”, “the sympathetic nervous system kicks in and all hell breaks loose in Hormone Central, dumping well over a hundred different chemicals into the bloodstream to mobilize the body for survival. This is when skills practiced to merely the conscious competence level begin to deteriorate and possibly fail altogether” (35).

⁵ Brasidas of Sparta (circa 429 B.C.) stated, “Fear makes men forget, and skill which cannot fight is useless.” (Murray, 2004: 35)

multiple distortions and that officers' recall may be based on an altered or constructed reality (Klinger & Brunson, 2009).

In reviewing the existing research on the factors associated with the police use of force, it is clear that an officer's decision to ultimately employ force cannot be attributed to one or two variables. Research also demonstrates that characterizing an officers' decision to use force as a "split-second" choice is an oversimplification that does not reflect the complexity of the use of force event, as well as the officers' decision-making process. The multitude of factors associated with the use of force combined with the highly visible and often highly politicized environment in which the use of force currently takes place, demands that officers are given comprehensive and applicable training. The following section will provide an overview of use of training in Canada and the United States. It will then explore the existing literature on both pre- and in-service use of force training, particularly as it relates to officer satisfaction, proficiency, and decision-making.

Police Use of Force Training – Background and Research

When reviewing the existing use of force literature, it becomes clear that scholars have devoted limited attention to the impact that training has on police decision-making and behaviour in use of force encounters. Some scholars believe that understanding the factors that influence police use of force can shape organizational policy as it relates to training; however, few studies have actually examined training as a factor in police officers' decisions to employ force. In addition to proficiency, training may have an impact on the type of force officers use, if officers utilize alternative conflict resolution techniques they employ, the time it takes for officers to use force, and whether officers, given the circumstances, ultimately use force at all. The research gap on the association between police training and use of force is surprising, considering the fact that training has been a frequent focus in studies of other police behaviour and police liability issues (Haar, 2001; Huisman et al., 2005; Lee & Vaughn, 2010). The ensuing discussion will examine the available literature on use of force training, identifying the key findings and highlighting existing gaps in knowledge. Yet, before engaging in such a review, it is first necessary to provide some background on the nature of use of force training.

Use of Force Training: An Overview

It was noted earlier that the authority to use force, including lethal force, is a defining feature of the police role in society. Indeed, police work is well known for confrontations that can lead to the use of various levels of force, ranging from simple officer presence, to the use of deadly force (Griffiths, 2013a). As such, it is important that officers are physically and mentally prepared for managing dangerous encounters that have the potential to present them and the public with substantial risk. For most police-services, this preparation comes in the form of academy training and supplemental department-based training (Morrison, 2006). Before outlining use of force training, it is necessary to provide some background on use of force training and to answer the question of why police are given training in the use of force.

Within the greater sphere of use of force, officers are typically given training in three areas: firearms, defense and control tactics, and intermediate or defensive weapons (e.g., baton, OC spray) (Marion, 1998). In general, research on U.S. police training indicates that firearms training has operated as a distinct entity, taught in a separate silo from defensive tactics and intermediate weapons, where emphasis is placed on the use of force continuum (Morrison, 2006; Marion, 1998). Additionally, more emphasis is placed on firearms training, as evidenced by the median sixty hours of such training currently accounting for the single largest share of pre-service academy expenses in the U.S. (Hickman, 2005). A major reason for this emphasis on firearms training, relates to potentially severe consequences of deadly force incidents. It should be noted that it is likely that deadly force occupies such a significant portion of U.S. training is the fact that approximately 400 individuals each year are shot and killed by U.S. law enforcement personnel (Federal Bureau of Investigation [FBI], as cited in Parent, 2011). U.S research indicates that there is far more variation in the nature and amount of time devoted to other aspects of force training, such as defensive tactics (Kaminski & Martin, 2000).

Although there are differences between pre-service and in-service use of force training, their overarching purpose remains the same. That is, police are given use of force training in order to develop and maintain requisite technical, tactical and physical skills (Morrison, 2006; Nieuwenhuys et al., 2009), to ensure their safety and the safety of

others (Morrison, 2006; Lee et al., 2010), to gain experience in the use of particular techniques and equipment (Kaminski & Martin, 2000; Griffiths, 2013a; Lee et al., 2010), and to fulfil departmental policy requirements (Griffiths, 2013a). Yet, of all the reasons behind use of force training, arguably the biggest impetus for training officers in the use of force is the issue of liability. Indeed, the use of force, though rare (Griffiths, 2013a), can have significant ramifications for those involved, including the officer(s), the suspect(s)/victim(s), and the police service itself. A key question asked in investigations of police use of force involving death or bodily harm involves the level of training the officer(s) had at the time of the event (Griffiths, 2013a). If it is deemed that the officer(s) involved were inadequately trained or lacked training, then the police service could be held liable for their actions and resulting damages (Alpert & Smith, 1994). As trained officers are better able to resolve conflicts with less lethal force, it is critical that police services train and qualify their inexperienced officers to minimize the use of unnecessary force (Bittner, 1970; Dias & Vaughn, 2006; Lee & Vaughn, 2010), and to ensure that officers are given continual training throughout their term of service. Maximizing the quality of training given to officers will decrease the likelihood of mistakes being made in the field, as well as minimizing the service's liability.

Police Training in Canada

In Canada there is variation in the length of pre-service training that officers get, the amount of use of force training given, and methods of instruction (Griffiths, 2013a). Part of this is due to the fairly complex legal context governing policing in Canada. That is, in Canada the federal government, through the *Criminal Code*, sets out the laws under which the police operate; however, the framework, structure, and delivery of policing are a provincial responsibility (Griffiths, 2013a). This is further complicated by the fact that policing costs are handled at the municipal level. Although provincial governments and Canadian police agencies have traditionally used the *Criminal Code* as a benchmark in the drafting of police acts and departmental policies regarding the use of force (Parent, 2011), this multi-governmental approach to policing creates considerable variation across the country in terms of how recruits and officers are trained (Griffiths, 2013a). As there is no federal use of force training curriculum, individual provinces and police services establish their own training standards.

For example, in Canada the Ontario Police College program is eight weeks, while that of the Saskatchewan Police College is seventeen weeks (Griffiths, 2013a). RCMP recruits receive twenty-two weeks of training at the RCMP Training Academy in Regina (Griffiths, 2013a). In British Columbia, all (non-RCMP) municipal police recruits are trained at the Justice Institute of British Columbia (JIBC) Police Academy. Pre-service training generally includes field training as an extension of the traditional in-class police-academy training to fill the gap between academy training and real-life situations (Alpert et al., 2006); however, when field-training is offered varies across agencies (Griffiths, 2013a). In Canada, RCMP recruits are sent to a training detachment for six months upon completion of their academy training, while municipal police recruits in BC are given 13-17 weeks of field training at their home department in the middle of their academy training as part of the *Block Model* utilized by the Justice Institute Police Academy (Griffiths, 2013a). At all training centres, police officers in Canada generally receive instruction in the areas of legal studies, investigation and patrol, community relations, use of force and firearms training, traffic studies, driver training, and physical training (Griffiths, 2013a). Use of force training is, in part, based on the National Use of Force Framework (Appendix A), which is a model that outlines the course of action to take in use of force situations, while also providing an accepted format for which to explain how and why force was applied at the time of the incident (Griffiths, 2013a).

Police Training in the United States

Like Canada, the United States also has no nationally agreed on training standards⁶ (Kaminski & Martin, 2000). The available literature on U.S. police academy training indicates that more than ninety percent of the police academy curriculum focuses on building repetitive skills and knowledge about weaponless and weapon tactics, criminal, law, communication, civil liability, investigative techniques, and citizen encounters (Bradford & Pynes, 1999; Buerger, 1999; Gallo et al., 2008; Langworthy et al., 1995). As newly-hired officers who have graduated from the academy are solely dependent upon pre-service training for technical skills and coping abilities (Morrison, 2006), it is important that they are taught fundamental skills, while not being overloaded

⁶ The absence of training standards is a product of the decentralized nature of U.S. policing (Kaminski & Martin, 2000).

with information that will unnecessarily complicate their thought processes. As such, in recent years pre-service training in the U.S. has witnessed an evolution in how skills are taught, the amount of material taught, and the type of material taught to recruits. In light of the limited resources and time for training recruits and officers, the nature of training has shifted from systems that overloaded recruits with skills and techniques – resulting in the abandonment of training in field conditions and a reversion to instinctual responses – to a more simplistic approach that accounts for the deterioration of fine motor skills, the limited ability to remember multiple tasks, and diminished perceptive abilities under stressful conditions (Kaminski & Martin, 2000). Thus, pre-service use of force training, particularly in weaponless tactics, teaches as few procedures as possible to deal with the widest variety of situations; teaches skills that do not exceed the limitations of human performance; teaches techniques that are based on gross motor skills that do not deteriorate quickly under stress; and is given in environments as similar as possible to real-world encounters (Dossey et al., 1997; Kaminski & Martin, 2000; Martin, 1997; Redenbach, 1998). By limiting the information that officers are given in pre-service training, the hope is that they will resolve more conflicts appropriately and/or peacefully. Whether a similar evolution has occurred in Canadian pre-service training remains to be seen.

Although successful pre-service training helps officers to peacefully resolve confrontations with civilians (Lee et al., 2010), the skills and knowledge must be constantly refreshed by police services to adapt to changing policies, procedures, tactics (Alpert et al., 2006), and technology (i.e., the TASER) (Sousa et al., 2010). While at its core in-service training has the same fundamental purpose of pre-service training – namely, teaching and skill building – there is a number of ways in which in-service training is divergent. First and foremost, the central purpose of in-service training is to refresh, sharpen and build upon skills and knowledge of proper use of force (among other areas) that are learned at the academy and supplemented by field experience (Lee et al., 2010). As a result of this need to refresh skills and to learn new techniques and technology, in-service training has become mandatory in many North American jurisdictions (Alpert et al., 2006). In Canada, in-service training is usually conducted by individual police agencies or by provincial training centres (Griffiths, 2013a). Some police services require officers to complete a specified number of training hours or an in-

service training course; others offer optional in-service training (Griffiths, 2013a). Further, most Canadian police services require officers to qualify on an on-going basis in the use of firearms, control techniques, batons, the Taser, and oleoresin capsicum (OC, or “pepper spray”) (Griffiths, 2013a).

The need for regular, in-service use of force training has grown significantly with the increased scrutiny being placed on officers in use of force encounters with citizens. However, until recently few studies have examined the impact of in-service training on police decision-making and behaviour in use of force situations. American researchers Shwartz & Yonkers (1991) found that police perceived that in-service training is not comprehensive enough to deal with dangerous encounters with citizens, like pre-service training, the content and structure of in-service training has evolved significantly in recent years (Murray, 2004; Meyerhoff et al., 2004; Vickers & Lewinski, 2012) to address these limitations.

Arguably the most significant advancement in in-service use of force training is the adoption of reality-based training, in which police officers are placed in simulated scenarios designed to replicate the situations that officers are most likely to encounter in the field (Murray, 2004). While regular police training focuses heavily on the technical, tactical, and physical aspects of performance, and largely ignores the role of psychological factors such as stress and anxiety (Oudejans, 2008; Nieuwenhuys et al., 2009; Nieuwenhuys & Oudejans, 2010), scenario-training aims to fill this gap. Relying on the work of Grossman (1996) and incorporating principles of force science research (see the work of Lewinski), the goal of reality-based training is to improve officers’ tactical decision-making and performance under stress by exposing them to stressful scenarios (Murray, 2004). This training is commonly referred to as “stress inoculation training” and by using non-lethal paint-based projectiles know as SIMUNITION, allows trainers to fuse aspects of deadly force training with training on decision-making, defense and control tactics, and intermediate weapons (Murray, 2004).

Reality-based⁷ simulation training also aims to address the most significant criticism of traditional firearms training and qualification, namely its lack of realism (Marion, 1998). That is, most firearms training and shooting tests of ordinary police officers and cadets occurs at a shooting range with stationary, non-threatening targets that do not vary from test-to-test (Morrison & Vila, 1998; Witzier, as cited in Oudejans, 2008), nor does it include the presence of bystanders potentially recording their actions on video. The result is that there is a large discrepancy between officers' range shooting performance and their shooting performance in the line of duty (Morrison & Vila, 1998). Research examining the shooting accuracy of American police officers has shown that there is no clear predictive relationship between handgun qualification training and handgun shooting performance in the field, with hit percentages in actual shooting incidents ranging from approximately 15 and 60 percent, with 60 percent being the exception⁸ (Morrison & Vila, 1998). A further criticism of range shooting is that officers and recruits are shooting at inanimate targets, while in real life they will be expected to fire upon a human being (Marion, 1998). Thus, by placing officers in dynamic, high-stress situations with live actors that forces them to make shoot/no-shoot decisions, reality-based training aims to improve officers shooting proficiency and performance, as well as their decision-making in both lethal and non-lethal force encounters (Oudejans, 2008; Murray, 2004).

Although an increasing number of North American police agencies are implementing reality-based scenario training programmes (Murray, 2004), the empirical research on their effectiveness and impact on police use of force behaviour is limited (Oudejans, 2008). The same can be said for in-service and pre-service training in general. As noted above, few studies have examined the impact of use of force training on actual police decision-making and performance in use of force situations and those

⁷ At this point it is important to note that reality-based training was developed largely in the United States, and thus, the "reality" it is meant to reflect is rooted heavily in U.S. policing practices and experiences. Given the differences between the U.S. and other policing contexts, this has implications on the applicability of this training in other jurisdictions. These differences will be discussed further on.

⁸ As this is American data it is important that one not assume that these numbers are similar for Canadian police officers. Given that there is no systematic data of police shooting accuracy in terms of training vs. reality, there is not way to see if Canadian police officers suffer from the same decreases in accuracy from the range to the field.

that have, focus largely on deadly force or firearms training. Below is a review of the current research on police use of force training, the limitations of the research, and the gaps that exist.

Current Research on Use of Force Training

To what extent can law enforcement training influence the outcome of a violent encounter? For Ness (1991), likely nothing has a greater impact on police officers than the content and manner of basic law enforcement training. Yet, despite the importance ascribed to pre-service and in-service training to developing requisite officer skills and abilities, a review of the literature reveals that there are few studies on the impact of use of force training on officer performance and decision-making in violent encounters. For example, Brand and Peak (1995) found that as late as the mid-1990's only Talley (1984) and Ness (1991) previously had investigated the content of pre-service training. According to Morrison (2006), the majority of studies that do exist "typically concentrate on job-task analyses for the purpose of identifying what police work consists of so as to improve training curricula and/or surveys of recent academy graduates as to the suitability of their training experiences for successfully completing the academy programs and/or performing their duties" (229) (see Brand & Peak, 1995; Holmes et al., 1992; Marsh & Grosskopf, 1991; Marion, 1998; Ness, 1991; Talley, 1984). *The National Manpower Survey* conducted by the National Institute of Law Enforcement and Criminal Justice (1978, as cited in Morrison, 2006), examined the satisfaction of U.S. patrol officers with 66 job-task areas. An interesting result of the study was that the "Use of Physical Force and Lethal and Non-Lethal Weapons" category received the officers' highest ratings of satisfaction. According to Morrison (2006), "This early finding of high levels of satisfaction with use of force training became the clear trend as other researchers examined satisfaction with job-tasks and related perceptions of training outcomes" (229).

In his survey of Oakland, Michigan police officers' perceptions of academy training, Talley (1984) found that the firearms training duty field, consisting of four tasks, was one of seven duty fields that all respondents rated as adequate or better. In similar studies Ness (1991) and Holmes et al., (1992) found that graduates of U.S. police academies positively rated firearms training and ranked firearms training, as well as

other aspects of use of force and officer survival training as useful to performing their job. Further, Brand and Peak (1999) surveyed graduates of the Nevada Police Officer Standards and Training Academy regarding the basic curriculum's 47 performance objectives and found that firearms training, use of force, and officer survival ranked very high on perceived usefulness and perceived preparedness for certification examinations. A study by Traut et al. (2000) of recruit satisfaction with training in South Dakota also found a high level of agreement on the adequacy of firearm training (including shooting fundamentals, weapon retention during confrontations, and gun safety).

Though the studies discussed thus far demonstrate a general level of satisfaction with U.S. use of force and, in particular, lethal force training, Kaminski and Martin (2000) found a distinct lack of satisfaction with police physical defense and control tactics training. For their study, Kaminski and Martin (2000) surveyed 600 U.S. police officers in order to get their opinions regarding the defense and control tactics they receive, the applicability of these tactics in the field, and their interest in alternative techniques and training methods. Subsequently, they found an overall level of dissatisfaction with defense and control tactics training among the officers. Specifically, the majority of officers surveyed felt that the training was largely ineffective in the field and did not adequately prepare them for encounters with a physically resistive or assaultive subject. An important finding of the study was the link between assault experience and dissatisfaction with training. That is, officers that had been assaulted were more likely to view self-defence training as ineffective (Kaminski & Martin, 2000). This means that in the true test of training, a use of force encounter, officers were not adequately prepared or equipped to respond effectively. Officers may also lack confidence in the training they receive, which could prevent them from using certain tactics or force them to rely on alternative methods (Kaminski & Martin, 2000).

In a more recent American study focusing on the impact of use of force training on decision--making, Lee et al. (2010) examined police use of force using individual, contextual and police training factors. Using data from multiple sources including Uniform Crime Reports (UCR), the Interuniversity Consortium for Political and Social Research (ICPSR), and 1997 Law Enforcement Management and Administrative Statistics (LEMAS), they found that age and suspect's level of resistance, as well as the violent crime and unemployment rate of the area were significant explanatory factors for

police use of force. Interestingly, and most relevant to this discussion, Lee et al., found that the level of training at the police academy does not explain officers' decision making on the use of force continuum. This finding seems to support the contention that situations and contextual variables are more significant than training in an officer's decision to use force. However, it should be noted that Lee et al., did not examine the impact of training on officers' proficiency when they made the decision to use force.

The impact of use of force training on proficiency and decision-making has gained greater attention from the limited empirical research on scenario-training and in-service use of force training. In attempting to determine the reason for the precipitous drop in shooting performance between the firing range and the field, Vickers and Lewinski (2012) studied the shooting performance and decision-making of 11 experienced (elite) members of a U.S. police service's Emergency Response Team (ERT) and 13 rookie officers in a scripted shoot/no shoot scenario. Specifically, they analyzed the gaze control of the officers within these situations. The gaze system directs attention to important objects or events within a scene in real-time and in the service of ongoing perceptual, cognitive, and behavioural activity (Henderson, 2003). Most firearms training programs teach officers to focus their gaze on two locations, first on the sights of their gun, and secondly on the target before pulling the trigger (Hendrick et al., 2008; Morrison & Vila, 1998). Subsequently, Vickers and Lewinski (2012) found that elite officers shot more accurately than rookie officers in shoot scenarios and made few decision errors than rookies in no-shoot scenarios. They also found that in the deadly force scenarios, elite officers fixated on locations where a weapon is hidden significantly more than rookies, do so earlier and for longer durations, and draw, aim and fire their weapons earlier. This indicates that less experienced officers relying largely on pre-service training have deficiencies in anticipation, cue detection, gaze control, and decision-making when under pressure (Vickers & Lewinski, 2012).

Recent studies have reached similar conclusions to Vickers and Lewinski pertaining to the benefits of scenario-based, high stress training. Oudejans (2008) and Oudejans and Pijpers (2009; 2010), demonstrated that training with anxiety might lead to improved performance under stressful conditions. Specifically, in a study of 17 Dutch police officers Oudejans (2008) found that initial decreases in officers' shooting accuracy under pressure dissipated when officers trained under stressful conditions – an

opponent that returned fire with non-lethal ammunition. Another study of Dutch officers by Nieuwenhuys and Oudejans (2010) produced similar findings with respect to a decrease in shooting accuracy under conditions of high anxiety. These findings are supportive of the need for officers to train under stressful conditions in order to acclimatize performance to normal standards (Nieuwenhuys & Oudejans, 2010). Further, in examining the short and long-term effects of training in stressful conditions on officers' shooting accuracy under pressure, Nieuwenhuys and Oudejans (2011) found that the positive impact of training under stress is maintained over time (e.g., over a period of four months). That is, the officers exposed to anxiety in training performed better in the period immediately following the training and maintained that performance when retested four months later (Nieuwenhuys & Oudejans, 2011).

While the findings of these studies lend support to reality-based in-service and, to a lesser extent, pre-service training, their focus is largely on lethal force and shooting performance. There is little empirical work on the impact of scenario training on defense and control tactics and use of intermediate weapons. Nieuwenhuys et al. (2009) attempted to fill this gap by studying the impact of pressure on the performance of police officers' arrest and self-defence skills. Using a five-point scale they Nieuwenhuys et al. measured police officers' execution of a variety of arrest and self-defence skills in a high- and a low-pressure environment. They found that, like shooting performance, officers' performance suffered considerably in a pressurized environment, in spite of the regularity with which they normally use arrest and control skills. Nieuwenhuys et al., (2009) contend that these findings are indicative of the need for reality-based defense and control tactics training that simulates field conditions and incorporates the psychological aspects of use of force. Though these findings support the potential benefits of scenario training, there remains little empirical research on actual impact of in-service reality-based training on police field performance.

Research Gaps and Limitations

Having examined the bulk of the available literature on police use of force training, it is important to know step back and discuss the limitations of the research and to identify any gaps that need to be filled. A major gap in the literature is the distinct lack

of Canadian research on police use of force and use of force training⁹. To put it bluntly, very little is known about use of force training in Canada, including the content and application of training, as well as its impact on officers' decision-making and performance in the field, which is particularly important given the high visibility context in which force is used. Consequently, the absence of a substantive body of use of force research in Canada has resulted in a heavy reliance on research findings from other international jurisdictions, chief among them the United States (Griffiths, 2013b).

Indeed, it is clear from a review of the literature that so much of what is known about police use of force and use of force training comes from U.S. studies, which, given the considerable differences between the U.S. and Canadian policing landscapes, is a significant issue. That is, the geographical, jurisdictional, political, social and legislative context within which U.S. and Canadian police operate differs in a number of respects and this has implications for how use of force is administered, taught, trained, and subsequently researched. First and foremost, the context in which police are operating in the U.S. is markedly different than Canada. For example, in the U.S. there are approximately 15,000 murders per year compared to roughly 500-600 in Canada (personal communication, May 26, 2014). As such, police use of deadly force is a greater concern in the U.S. than in Canada (Parent, 2011), with far more people dying by legal intervention in the United States than in Canada. Citing FBI data Parent (2011) notes that the number of deaths by legal intervention in the U.S. is almost three times greater than in Canada¹⁰. U.S. police officers are also at a far greater risk of death than their Canadian counterparts. In the U.S., on average, approximately sixty police officers are feloniously killed each year, whereas, in Canada between January 1, 2000 and December 31, 2009, a total of seventeen police officers were killed – roughly two police murders per year (Parent, 2011). Thus, while the findings of U.S. research on police use of force are interesting and help to shed light on the subject, they do not necessarily

⁹ For examples of Canadian use of force literature see Parent (1996) and Parent & Verdun-Jones (1998) on police use of deadly force and victim-precipitated homicide, as well as Parent (2011) "Police Use of Deadly Force in British Columbia: Mental Illness and Crisis Intervention".

¹⁰ As noted earlier, approximately 400 individuals are shot and killed by U.S. law enforcement personnel each year (FBI, 2010). Conversely, in Canada between Jan. 1, 1999 and Dec. 31, 2009 there were 139 fatal police shootings – roughly twelve per year (Parent, 2011).

speak to the nature of use of force training in Canada. The current study aims to fill the gap in Canadian use of force literature by exploring the content and application of use of force training in British Columbia.

A further limitation of the current research on use of force training, and a likely product of the dominance of U.S. scholarship, is that the predominant area of study is lethal force (firearms) training. The lack of empirical research on physical defense and control tactics and intermediate weapons training is surprising given that studies on use of force, whether based on official data, surveys of citizens, or observations of police-citizen encounters, show that when force is used by police or suspects it is almost always physical force (i.e., the use of hands, fists, or feet only) (Bayley & Garofalo, 1989; Garner et al., 1995; Garner & Maxwell, 2001; Greenfield et al., 1997; Pate & Fridell, 1993). While the consequences, and subsequent liability, of the use of use of force are severe, cumulative effects of the much more frequent application of non-deadly force may be significant in terms of its impact on police community-relations, injury-related medical costs, and work time lost (Jefferis et al., 1997; Kaminski & Jefferis, 1998; Kaminski & Sorensen, 1995). The fact that officers tend to be dissatisfied with the defense and control tactics training they receive (see Kaminski & Martin, 2000), makes an examination of the current pre- and in-service defense and control tactics training being offered a critical endeavour.

In addition to having a limited scope, much of the use of force training research is also largely quantitative, and exploration of the thoughts, perceptions, and experiences of officers has been fairly minimal. Studies that have sought the opinions of officers have typically relied on survey data, at the expense of in-depth discussion with police officers. Several of the reality-based studies discussed (see, Oudejans, 2008; Oudejans & Nieuwenhuys & Oudejans, 2010) performed de-briefs with participants; however, their purpose was to supplement the training data and did not guide the research. Conducting interviews with officers that have been in use of force encounters or are use of force trainers in order to explore their thoughts and experiences with the content and applicability of current pre- and in-service use of force training is an excellent way to develop a baseline of knowledge regarding use of force training. The subjective experiences and perceptions of officers cannot necessarily be captured through surveys,

and the content of the interviews can then be used to guide future research or to supplement the existing statistical data.

Thus far, two of the only studies to utilize interviews with officers were produced by the U.S. Federal Bureau of Investigation as part of a series of studies that explored the issues affecting the safety of law enforcement officers killed and assaulted (LEOKA) (see, Pinizzotto et al., 1997; Pinizzotto et al., 2006). In both *In the Line of Fire* and *Violent Encounters*, Pinizzotto et al. studied officers who survived assaults and were able to explain their actions and offer reasons as to why they chose not to act. In both studies, officers that survived assaults were asked to comment on the procedural and training aspects of their incidents – the amount of entry-level police academy training they received, the in-service and specialized training they attended, and the extent to which their overall training and the procedures (or lack thereof) may have influenced the outcome of their felonious encounters (Pinizzotto et al., 2006). Though each use of force event is unique, Pinizzotto et al. were able to identify elements that are common to most, if not all, felonious assaults against officers.

The value of the research lies in the fact that the officers were able to explain what they did and why they followed a particular course of action and whether those actions were the result of training they received, either at the academy or in-service. In some cases, the officers discussed how a lack of training in certain circumstances created hesitation on their part and may have contributed to their victimization. As such, through the use of interviews, Pinizzotto et al. were able to demonstrate the positive influences of training, as well as the potentially negative effects, and the ramifications of a lack of training. Subsequently, the authors then incorporated their findings into the training that is offered officers throughout the United States. Based on the findings of the officer interviews, it is clear that studies of police use of force should incorporate qualitative interviews with police officers into their research framework. They provide a level of depth and understanding of officer perceptions and experiences that survey data or uniform crime reports cannot.

A final limitation of the current research on use of force training is that the sample populations for most studies are recent academy graduates and line-level officers. A limitation of surveying academy graduates regarding their satisfaction with

training is that they could be unconsciously predisposed toward higher rating since, as graduates, they have earned their certification in part by being “qualified” in the use of force (Morrison, 2006: 231). Further, many police recruits have little experience in the use of force, and thus, may assume that any training they receive is of high quality given that is being provided by “qualified” use of force instructors that are often held in high esteem (Morrison, 2006). Moreover, surveying recent academy graduates about the applicability of their use of force training may lead to more positive ratings because they simply have not had the opportunity to employ their training in a use of force encounter. As such, they may not yet be qualified to speak about the adequacy of their use of force training.

With the exception of Morrison (2006), who surveyed U.S. firearms instructors, few studies have focussed on use of force trainers as a research population. This seems counterintuitive, in that, as service-providers and practitioners they can best speak to the content and application of use of force training. Academy graduates and line-level officers can speak to their experiences in training and their perceptions of its field utility but they cannot speak to the principles that guide the training.

The Current Study

This study aims to fill in our gaps in understanding of the purpose, content, and application of Canadian police academy and in-service use of force training by making several methodological departures from prior approaches. In doing so it will contribute to the limited body of Canadian use of force literature and form the basis for future research on police use of force and use of force training and tactics. This study will shift away from the predominant focus on lethal force training and will include an examination of Canadian use of force training at a general level, including tactical and decision-making training, defense and control tactics and intermediate weapons. Further, this study will follow in the footsteps of Pinizzotto et al. (1997; 2006) by interviewing members of law enforcement, specifically, academy and in-service use of force instructors in order to provide a gateway into the development and application of pre-service academy training content, as well as their supplemental efforts in the form of pre- and post-academy training. As noted above, departmental in-service training content

and structure differs from academy training and it is important to speak to those responsible for providing training in each context. By using in-depth qualitative interviews, this study hopes to gain insight into the philosophies of use of force trainers and to identify the key elements involved in use of force encounters and explore how these elements are integrated into training.

Chapter 3.

Sample and Methods

The current study is a qualitative analysis of the thoughts, perceptions, philosophies, and experiences of law enforcement use of force instructors. Given the lack of research, specifically Canadian research, on police use of force training, this is a largely exploratory study that aims to identify the key factors involved in use of force encounters and to examine how these factors are addressed in training. Further goals of the study include establishing the guiding principles of use of force training, exploring the current content, structure, and application of pre- and in-service use of force training, and examining the instructors' perceptions of the impact of training on officers' decision-making and actions in the field. The overarching goal of the study is contribute to the current body of knowledge on police use of force and use of force training in Canada.

For this study, in-person and telephone interviews were conducted with ten current and former academy and in-service police use of force trainers from British Columbia and Manitoba. Academy instructors play an essential role in the developmental process, as they are responsible for providing recruits with a baseline of knowledge and ability in the use of force. In-service instructors provide insights from a population of specialists that holds an important stake in academy outputs because they are responsible for continuously developing, refining, and supplementing officer knowledge, skills, and decision-making experiences (Morrison, 2006). Contrary to line-level officers and recruits, use of force instructors are better informed about the content of pre-service training, available approaches to in-service training, and police performance in use of force encounters. As practitioners they have an inherent personal interest in use of force, including the underlying science and guiding principles. Instructors also seem more likely to process, or at least have direct access to, the latest research on police use of force, as well as information about police use of force incidents

by way of their formal and informal networks comprised of use of force trainers from other police services who often are members of national professional associations.

The majority of respondents were current or former employees of four police services in British Columbia, Canada (N=9), while the remaining participant (N=1) was a member of a police service in Manitoba, Canada. Although the potential for having one respondent from a different jurisdiction being an outlier exists, the risk is negligible, in that the structure and basic content of academy training in both jurisdictions is largely similar, while in-service training varies across departments, including those in the same province. As such, any differences between trainers based on jurisdiction should be based on teaching style, application, and philosophy. Differences in the basic content of the training given should be limited; however, opinions of the quality, relevancy, and impact of the training curriculum are expected to vary.

Research Ethics and Informed Consent

The use of force is a highly sensitive aspect of the police profession. A significant amount of public focus is placed on police acts of force and use of force events can have considerable physical and emotional consequences for the both the officers and the subjects involved, as well as influencing police-community relations – positively and negatively. Indeed the research for this study was collected in the midst of a number of high-profile use of force incidents that resulted in a heightened level of scrutiny being placed on police services, particularly in relation to officer behaviour, police use of force policies, and use of force training. As such, there was a potential for participants to be reluctant to divulge information out of a fear of it being used against them or their police service in a negative manner. In order to assuage these concerns it was critical that the interviews be conducted in a professional and ethical manner, and that the anonymity and confidentiality of the respondents were preserved.

As this project involved interviews with a sensitive population, ethics approval was required in order to proceed. Ethics approval for this study was granted through Simon Fraser University's Office of Research Ethics on October 27, 2011. The

university's Research Ethics Board (REB) subsequently deemed the research as "minimal risk", in that

Potential participants can reasonably be expected to regard the probability and magnitude of possible harms incurred by participating in the research to be no greater than those encountered by the participant in those aspects of his or her everyday life that relate to the research (as cited in the Office of Research Ethics approval letter).

Due to Simon Fraser University's guidelines and regulations regarding the ethical collection of data, prior to the interviews, each participant was required to sign a written consent form that outlined the goals of the research, the proposed benefits of the research, and any physical or psychological risks that existed. All participants provided their signed consent to participate. At the outset of the interviews, participants were told that they could decline to answer any question and could conclude the interview at any time without it being held against them. At the conclusion of the interviews, participants were asked if they had any questions, concerns, or comments. To maintain the confidentiality and anonymity of the participants, names were replaced with pseudonyms (e.g., Instructor 1) and no identifying features of the officers were included. Lastly, because departmental permission to interview their officers was not sought, the names of the police services are not included in the final write-up.

Participants

Participants were obtained through a number of avenues and sampling techniques. First, as the subjects of the study belong to a specific population, namely police use of force instructors, the overarching sampling procedure was purposive. Purposive sampling is defined as, "the process of identifying and interviewing those respondents known to be most familiar with the subject in question" (Smith & Paley, 2001). As practitioners, it is believed that use of force instructors would be best suited to outline the current content of pre-service training, available approaches to in-service training, and the impact of training on police performance in use of force encounters. As such, each participant was selected based on his or her status as a current or former pre- or in-service use of force instructor.

Associate Supervisor, Dr. Rick Parent, a former member of law enforcement, initially provided contact information for four current use of force instructors. From these four instructors a snowball sampling procedure was used to obtain three additional participants. Use of force instructors are a small fraternity and operate in similar circles in terms of attending the same conferences and training together, thus facilitating a snowball sampling method. Two participants that were not part of the snowball sample, were acquired by contacting police agencies and requesting the contact information of their current in-service use of force instructor. An additional participant was obtained through a personal contact and the final participant was encountered in the course of a separate project¹¹.

At this stage, each potential participant was given an outline of the study and their role as research subjects. If the instructors agreed to participate, interview arrangements were made and participants were provided with a formal study outline (Appendix B) and a copy of the informed consent (Appendix C) form for their review. A copy of the interview protocol (Appendix D and E) was provided upon request. These documents provided participants with an understanding of the overarching purpose of the project and the research method, as well as addressing any potential concerns about how the data would be used and disseminated. With the exception of two individuals, the informed consent forms were signed prior to the interview and given directly to the researcher. Two participants returned scanned copies of the informed consent form via email.

All study participants were male (N=10) and had over ten years of diverse policing experience, with several having over twenty years of experience. As noted earlier, police officers were selected based on whether they were currently or formerly a pre- or in-service use of force instructor. Four participants (N=4) are current or former academy use of force instructors, while six (N=6) are current or former in-service use of force instructors. In addition to working as use of force instructors, officers typically had experience in beat policing and specialty squads such as emergency response (ERT) or SWAT (Special Weapons and Tactics) teams. At this stage, it is important to state that

¹¹ The project was an operational review of his police service. I encountered him in my role as a field researcher.

each of the pre-service use of force instructors in the sample are defense and control tactics trainers. In the previous chapter, it was explained that pre-service use of force training is generally divided between firearms training and defense and control/intermediate weapons training. In this particular study, no pre-service firearms trainers were interviewed. This is partly because of access and also because a common theme among several participants was a background in martial arts, such as judo, karate, and Brazilian jiu jitsu. This is not uncommon, as Kaminski and Martin (2000), note that it was once customary for defense and control tactics trainers to be martial artists (Gruzanski, 1963; Parsons, 1976; Pines, 1970; Moynahan, 1962). As reported earlier, nine of the officers are current or former members of police services in British Columbia, while the remaining officers is employed by a police service in Manitoba. Police services in British Columbia were chosen for travel convenience and because the limited scope of the study. The officer from Manitoba was included in the sample due to his considerable experience as a use of force instructor, his substantial knowledge on the subject, and his willingness to participate in the study.

Research Method: Interviews

In-person and telephone interviews were conducted between the periods of February 16th, 2011 – August 2nd, 2013. In-depth, semi-structured interviews were used as the primary data collection method. Semi-structured interviews were selected as a data-gathering tool for two primary reasons. First, Barriball & White (1994) contend that, “semi-structured interviews are well suited for the exploration of perceptions and opinions of respondents regarding complex and sometimes sensitive issues and enable probing for more information and clarification of answers” (330). Secondly, the opportunities to change the words but not the meaning of questions provided by a semi-structured interview schedule acknowledges that not every word has the same meaning to every interviewee and that the vocabulary is not standard for all subjects (Barriball & White, 1994).

Interview questions were open-ended with each participant given freedom to guide the conversation in a direction that they felt was relevant. A number of pre-determined questions were asked in order to explore specific avenues of inquiry and to

address particular issues or experiences with the use of force training and tactics. In-person interviews were the predominant data collection method as they allow both the research and participant to clarify questions and responses throughout the interview process (Palys & Atchison, 2008). Also, in-person interviews allow the researcher to ask probing questions in order to cultivate a deeper understanding of participants' responses. See Appendixes D and E for a copy of the interview schedules that were used in interviews with pre- and in-service instructors.

In-person interviews were conducted with nine participants, while one interview was conducted via telephone. The duration of interviews ranged from approximately 50 – 150 minutes depending on the availability of the participant and the amount of information they chose to disclose. The interviews were conducted largely at the participants' places of employment (police department, training facility, or police academy); however, one interview was conducted at a coffee shop near the participant's residence, as it was his day off. Prior to the interview, participants were given a copy of the informed consent protocol to review and sign and were informed that all information provided in the interview would be anonymized and would remain confidential. Participants were also informed that they had the option to opt-out of the study at any time with no consequences; however, no participants opted out. Interviews were recorded on a digital recorder and supplemented with field notes. Participants were made aware that the data collected from the interviews would remain stored on a USB memory stick in a secure location for a minimum of two years, as per SFU policy. One participant expressed concern with the use of a tape recorder, and thus, refused to be recorded. As such, detailed notes were taken in lieu of a recorder in order to respect the participant's request. All other in-person interviews were digitally recorded and transcribed verbatim at a later date.

For the telephone interview, a similar pre-interview procedure was conducted, including an outline of the study, an assurance of confidentiality and anonymity, and discussion of the participant's right to opt-out of the study at any time without consequence. A digital copy of the informed consent protocol was emailed to the participant ahead of time and a scanned copy of the signed document was returned prior to the interview. As it was not feasible to tape-record the interview, detailed notes were

taken throughout and typed up immediately after the conclusion of the interview. Similar to the in-person interviews, the telephone interview lasted approximately 60 minutes.

Tape-recorded interviews were transcribed verbatim and integrated with all field-notes. A number of identifiable themes emerged during the interviews and a number of additional themes emerged during the transcription and analytic phase. The response of the participants were analysed in relation to the available literature in order to determine whether the response were consistent with what is known thus far and to link the emergent themes to the broader context. Moreover, throughout the transcription and analytic phase, it was important to remain reflexive and to be mindful of any biases that were present that could impact the analysis.

Summary

For this thesis, ten interviews were conducted with current and former pre- and in-service use of force instructors belonging to five police services in British Columbia and Manitoba. Each participant has an extensive background in use of force instruction and practice, as well as having a considerable amount of line-level and specialized policing experience. The purpose of the research is to explore the factors influencing police officers' decisions to use force and how they are addressed in training. In this respect the emphasis of the research is on the content, application and perceived impact of pre- and in-service use of force training in a Canadian context. This was accomplished by conducting in-person and telephone qualitative interviews with use of force trainers.

Thus far, Chapter 1 introduced the topic of police use of force and the role of use of force training and tactics. Chapter 2 included a review of the extant literature on police use of force and police decision-making in use of force situations, followed by an overview of academy and in-service use of training and a subsequent examination of the current empirical research on use of force training. This unearthed the current gaps that exist in our knowledge of use of force training, particularly within a Canadian context. In the proceeding Chapter, the findings of the ten interviews conducted with use of force instructors are reviewed.

Chapter 4.

Findings

The central focus of this Chapter is an examination of the key findings from the ten instructor interviews. As discussed in Chapter 3, the ten use of force instructors belong to five Canadian police services: 4 located in British Columbia and 1 located in Manitoba. Interviews were based on the interview schedule (see Appendixes D and E). However, the interview schedule evolved throughout the interview process and participants provided additional information based on what they felt was relevant to the discussion. Subsequently, the content of the interviews fell into three overarching themes that examined the external and internal factors involved in use of force encounters, the content and application of pre- and in-service training, and the limitations of current training. Within those overarching themes, a number of sub-themes emerged that touched on the challenges officers face in use of force situations (including hesitancy, stress, increased visibility and scrutiny), the contrasting philosophies and teaching styles of use of force instructors, and the lack of best practice standards for use of force instructors. The following analysis will explore these themes and will present personal accounts from the interviewees to illustrate the complexity of police decision-making in use of force situations, as well as shedding light on the role of training in the decision-making process.

Key Factors in the Use of Force

Human Factors and the Nature of the Situation

“Human factors play a very significant role in force response.” (Instructor 6)

There are a multitude of contexts and circumstances in which the use of force can arise. Although there is a tendency to view decisions to use force as split-second choices (Reiss, 1980), a more apt characterization is to see use of force encounters as

events in which the ultimate decision to use force is a culmination of actions and choices that occurred over a period of time. Participants spoke about the dynamic nature of most citizen interactions and indicated that the majority of encounters have the potential to escalate into use of force situations based on a variety of factors including the actions of the subject(s), the actions of the officer(s), the force options available, departmental use of force policies, and experience. Further, according to participants, use of force encounters tend to fall into two general types of situations – situations in which the officers know that the use of force is a possibility en route to the scene (e.g., shots fired; domestic dispute; serving a high-risk warrant) and situations that escalate or evolve to become dangerous (e.g., traffic stops; intoxicated individuals). Each of these situations presents a different set of challenges and tactical considerations for officers. Central to each situation, however, is the fact that circumstances are constantly evolving and officers must be prepared for the unexpected. Below are examples of two types of use of force situations that officers can find themselves in:

“...Where we’re going to something of a high risk nature, maybe a domestic dispute or something of that nature where we’re going to be affecting an arrest. Typically, I would be going with somebody else. I would be making a plan on the way there. You know, I would be getting as much information from the dispatcher as I could, maybe other witnesses on the scene. And as I arrive it depends on, is the fight in progress, have people separated and now we I just have to find out what is going on, or do I have to intervene immediately. And we typically talk to our police officers about that planning. What we call it, then thinking. If this happens, then I’m gonna do this. If this happens, then I’m gonna do this. And we always talk about never say never and never say always. It’s never gonna happen or it’s always gonna happen. You really don’t know. It’s very unpredictable. So, we do discuss that planning process prior to attending complaints.” (Instructor 5)

“I’ve had to stop people where they’ve drawn my attention for whatever reason and you query their license plate and it’ll come back with a warrant for some bylaw [violation] like smoking in an airport or unpaid parking tickets. You know you pull them over and it looks like your mother or father or somebody and it starts off as a relatively straightforward conversation until the point you say, “Well you gotta go to jail cause there’s a warrant out for your arrest.” And then, all of a sudden, they lose their mind because, in their mind, they’re not a criminal and they shouldn’t be going to jail...Those kinds of things go off the rails pretty quickly because they just can’t accept the fact that they’re not gonna be able to go straight home and carry on with their day.... You’ll see people get to the point where they’ve just dug their heels in and it doesn’t matter what you say or how you say it. You’re gonna have to lay hands on them and physically coerce them into doing what needs to be done.” (Instructor 1)

In any situation much of what officers do is predicated on the actions of the subject(s). This lends support for those such as Worden (1989), Terril (2003), and MacDonald (2001) who have identified the behaviour and attitudes of suspects as a significant factor in police use of force decision-making. Instructor 4 identified a three-pronged typology for persons that the police encounter. As with the type of situation, the type of person or persons involved in that situation present a different set of challenges to police officers. Below, is an explanation of the typology:

“We have three types of people when it comes to policing. Cooperative, uncooperative, and the dangerous one is you don’t know [what they are]. They might be pretending to be cooperative and they’re actually dangerous. So, we have difficult people that we deal with a lot and we have nice people that we deal with a lot and then we have that third group that appear to be nice but they might actually be dangerous. We’re okay with the guy being difficult right off the bat. We know who they are. When we break those groups down demographically they’re exactly the same. That’s what we’re training our officers to recognize. Don’t underestimate your adversary based upon something and never take someone at face value. It’s everything combined in messaging and behaviour.” (Instructor 4)

According to participants, this messaging and behaviour is manifested in the form of physical cues. That is, each category of person presents a distinct set of behavioural and verbal cues that indicate to officers whether they are willing to engage in violence or are about to physically challenge the officer(s). A term used by instructors was “pre-assault cues”, which are actions that signal to officers that they may need to use force imminently. Below are examples of the threat cues that officers are taught to look for and come to notice experientially:

“You know if you’re going to a domestic or an assault in progress, absolutely you’re looking for clothing, you’re looking for unusual weightiness in the clothing that could signal a weapon. Where are buddy’s hands? What’s their level of sobriety or state of mind, or willingness to listen or resist? All of those things we train officers to look for.” (Instructor 6)

“You know what pre-assaultive cues are? That’s when you know the fight’s coming cause they’re balling up their fist, they’re clenching their jaw and they’re blading their body and they’re stepping into you and looking deeply into your eyes saying, ‘I’m gonna fucking kill you,’ or whatever it is. So, under section 37 of the Criminal Code, we call it the ‘hit back first’ section because you can use any amount of force, as much force is necessary, to repel an assault on yourself. So, if I go (makes punching motion), the fight’s on, that’s an assault.” (Instructor 2)

“There are overt pre-assault cues that some people will unknowingly demonstrate before they’re about to fight or resist. They could be looking around, furtive glances we call it when they move their head from left to right a couple times. They seem to be looking past the officer as opposed to effectively communicating with him or her. They’re not listening. They might even say, ‘I’m not going to jail. I can’t go to jail.’ So, they’re telling us verbally that they’re not going to jail. If the officer is not picking up that coupled with some body language, which is really the overriding messaging system, up to sixty percent in some cases of the pending message and the tone of the voice and the content all those other things. We want the officers to rely heavily on pre-assault cues. Balling up the fist, positioning, changing proxemics....” (Instructor 4)

“Watch for things that don’t fit, like is he wearing a winter coat in the middle of summer? There are visual cues like if he has his hands in his pocket. These are tell-tale signs of danger – a threatening stance, shifty or antsy behaviour, using volatile language....” (Instructor 7)

Instructor 9 felt that individuals who are non-verbal present more danger. In this case, the verbal cue is that the person is not talking:

“For me, if they’re not talking and they are waiting then they’re thinking about what they’re gonna do. If they’re talking it’s better cause you can talk it out with them and try to resolve it that way. Non-verbal communication is a big key for me. If I see a guy and make eye contact, I know exactly what they’re thinking. Some guys don’t bark, they just bite and so I will act. For me, the guys who don’t talk are always the fights.”

Lastly, Instructor 4 discussed the cues that officers must look for in individuals that appear cooperative, but may ultimately have an ulterior motive:

“In the deceitful person, that third group who appears to be cooperative but is really uncooperative, we will really pick up on what we call the sixth sense, the gut feeling that something’s not right with this dude and it’s kind of freaking me out. Subconsciously the brain has picked up on some of those threat cues and just hasn’t registered consciously yet, but it’s close, it’s just about to happen. When we say, ‘Police, don’t move,’ and they say, ‘Hey, no problem boss, you got me,’ and he or she starts to walk backwards with their hands in the air or walk towards you with their hands in the air, those should be bells because we said, ‘Police, don’t move’...maybe the subject was looking over their shoulder, looking for escape routes, looking for weapons of opportunity, looking for other cops. And it’s those little ones that are extremely hazardous if you don’t pick em up.”

Although participants identified the actions of the subject as a key aspect of the use of force decision-making process, they also highlighted the influence that the officer(s) have in use of force encounters. For participants, the officer’s body language, attitude, mental preparation, their reaction time, and their ability to communicate all have

a bearing on the how the event ultimately unfolds. At the lowest end of the use of force spectrum lie officer presence and communication – that is, by simply arriving on scene officers are exercising a form of non-physical coercive force, with the ultimate goal of de-escalating a situation before physical coercion becomes necessary. However, if an officer misuses that presence – antagonizes the subject, is bully-like, exhibits meek/timid body language, communicates poorly – the likelihood of de-escalating the situation will decrease and the use of physical force may become an inevitability. As Instructor 4 notes, the presence of the police can have a significant impact on people, both positively and negatively:

“Sometimes people don’t like to see authority. They don’t wanna have a badge in the house. They’re embarrassed, maybe, that the cops are showing up. Or they just really don’t respect it. And that’s okay, that’s their right. They don’t have to respect it. We, kind of, like everyone to resolve when the police show up. Presence has a massive effect, for sure on subject behaviour and it could agitate people somewhat. It has been known to. It’s also been known to de-escalate. ‘Cops are here. I’m good. I don’t want any more problems. I’ll turn the music down.’ Or, ‘I’ll stop being a fool,’ or whatever it is they’re doing.”

...additionally:

“Presence is with us since the time we show up. Even when the car rolls up, you haven’t even got the uniform presence but the marked police car is there, the criminal code is there and that, hopefully, will resolve it. If that doesn’t happen then the officer steps into the dialogue world and arena and discusses with somebody and gives commands, makes suggestions, presents some options and that whole world of verbal judo kicks in where the officers should be, hopefully, using the martial arts of the mind and the mouth. Getting it done without having to go with hands-on fists of fury or batons or others.”

According to Instructor 2, simple officer presence is not, in and of itself, an effective tool. Officers must have a commanding style, one that intimidates but does not antagonize. Simply put, officers must look like they know what they are doing:

“If you don’t have force presence, if you don’t have command style that the suspect thinks is steeped in experience and competence, then they’ll ignore you and they’ll escalate it. That force presence is...by you showing up and looking how you look, people will go at you or not. So, if you don’t look the part, they’ll go at you. They’ll pick the weakest link.”

Yet, this presence does not mean that officers must respond aggressively to challenges to their authority. In fact, as Instructor 4 notes, officers must remain above

the verbal abuse that they receive and to acknowledge it as inherent aspect of the job. If officers respond verbally and/or physically to words of abuse, they can be unnecessarily escalating a situation. For this reason, Instructor 4 stated that his police service is teaching officers to rely on empathy in certain situations, while for Instructor 6 officers must also have a degree of humility:

“We know that most people will cooperate. We’re thankful for that. But these days it seems there’s been a bit of a shift in respect for authority and it’s a bit problematic. A lot it is talk and banter only and that’s fine. That’s okay. Guys tell cops to ‘fuck off.’ That’s cool too. I get it and we train our officers to use empathy now, which is not the same as sympathy. What we mean is put yourself in that guy’s shoes and figure it out. So, officers shouldn’t get all torqued up on some guy that goes, ‘Go fuck yourself, get outta here.’ They should be able to deflect it, understand who they’re dealing with and think, ‘Okay, if I was in that guy’s shoes and I had to be a tough guy in front of my friends, I’d probably say the same types of things.’ And then right off the bat, we’re good...we just wanna avoid battle. We wanna win the thing without even having to fight. And sometimes we have to fight, which is documented apparently less than one percent o the time cops have to use force.” (Instructor 4)

“I don’t usually bring my ego into confrontations. I’ve said to people, ‘you know and I know you could kick my ass, so you don’t need to prove that. You know, what a tough guy would do here is put the handcuffs on themselves and walk to jail.’ You know, at the end of the day I don’t care as long as he’s in handcuffs and he’s going to jail. Sometimes people allow their egos to get engaged and wind up having to fight that maybe they didn’t have to have.” (Instructor 1)

However, it is not simply the actions of officers during the encounter that have a bearing on the outcome, the decisions that officers make and the actions that officers take can influence the trajectory of the encounter. As instructor 5 noted at the outset, it is critical that officers have some sort of rudimentary plan when en route to a call, and the amount of information available, they type of call, the environment, and the officers’ level of experience factor into the ultimate shape of this plan. Further, Instructor 7 stated that officers must be aware of what they can and cannot do within a legal context, as well as also being ready to “expect the unexpected.” Instructor 2 extends this preparatory requirement to the officer’s arrival on scene and the need to be physically and mentally prepared and to make decisions that minimize the potential for danger. That is, officers must make decisions that put themselves in a position of advantage from the outset of the situation:

“When you’re walking into a building, your head’s on a swivel, you’re looking all over for threats and you’re listening. The other thing too is a lot of times something will be happening and they go to make an arrest and they start knocking on the door and I go, ‘Whoa, stop, stop, stop, stop. What are you walking into? Prepare yourself. Listen. It’s not exigent circumstances and you don’t have to go and boot the door in. Listen. Listen outside the door...a domestic or whatever. Listen.’ And then you’ll hear, ‘When the cops get here I’m gonna tell them’...you know. You can hear them talking and who’s setting up who. ‘I’m gonna tell em you hit me even though you didn’t,’ she might say...or you hear them saying something about weapons or whatever. So, just by having a more tactical approach, it gets you more prepared and gets you some discretionary time to set up a plan of attack so that whenever you do attack or however you attack the problem is probably gonna have a more positive outcome than stumbling in blind.”

Thus, the nature of the situation that an officer or officers enter is a key factor in the use of force. While the focus of the discussion has been on the actions of the subject and the officer, there are a plethora of factors that officers must account for that can influence the ultimate outcome of the event. The following statements by Instructor 5 provide an excellent summary of the complex analytical process that officers must engage in while in the midst of a dynamic and ever-evolving set of circumstances. It touches on some of what has been discussed already, while also identifying other aspects of the situation factor in:

“Anything about the circumstance that you’re dealing with is a situational factor. How many people are involved? What is the nature of the complaint? Drugs? Alcohol? What time of day is it? You know, the size of the individual. Which part of town it is even plays into it. Are you in a more upscale neighbourhood, a middle class neighbourhood? Are you in a lower class part of town? You know, ‘I know from working in this part of town everybody carries a knife or there are a lot of drug users in this area.’ And then it comes down to the officer’s perception. So, have they been in that situation before? Did it go well? Did it go bad? What could they remember? What is their level of experience? Are they a junior member, an experienced member? Are they physically fit? Then comparing all of those things to the individual they are dealing with.”

“Then the third part of our risk assessment is tactical considerations. Do you have backup? Are you able to remove yourself from that situation and observe what is going on from a distance? Are you backed into a corner? You know, no backup, no dog, those kinds of things.... And then the last part is, what is the subject’s actual behaviour? What is it that they are doing? So, when you put all that together, now we can start decision how we’re gonna deal with that situation and use the appropriate amount of force for that circumstance.”

Such a complex set of variables demands that officers are given adequate preparation and training, as this will form a significant portion knowledge base from which officers make their decisions, especially if they are lacking in experience. According to Instructor 6, teaching officers situational awareness and training them to pick up on visual and contextual cues will become a more significant focus of use of force training:

“It’s gonna become a bigger focus of training going forwards because we are learning a whole lot more about reaction time and human factors and the one thing that can buy us back a little bit of that time is being able to pick up on cues, contextual cues that will allow an officer to take action before it’s too late. We’re starting to pay more attention to that kind of training.”

Increased Visibility and Scrutiny of Police

It was mentioned in Chapter 2 that the police are subject to more accountability mechanisms than any other branch of the criminal justice system (Griffiths, 2012a). Any time an officer elects to use force on an individual they risk being subjected to these accountability mechanisms. In recounting an early use of force experience that resulted in an unfounded complaint being lodged against him, Instructor 6 witnessed this reality up close and it shaped his views about the use of force moving forward:

“I remember getting called into our internal affairs section about three weeks later and these guys threw Polaroid photos on the desk and asked me if I remembered this guy. I said, ‘Well yeah I kinda remember him.’ And they told me that he’s alleged that I assaulted him while on duty and that they’d be conducting an investigation and I could be looking at my job because I’m still on probation. I remember I said these words, ‘If I can’t protect myself doing this job, then I don’t want the job anyways. So, you go ahead and do your investigation.’ They got back to me probably about six months later and told me that the complaint was unfounded and that, in fact, my side of the story was supported and so forth. But, you know, you learn a little bit along the way about how things go and, you know, that shaped a little bit how I thought about the job after that. Not that I would hesitate to do the same thing again, but, you know, the whole aspect of reporting about what happened...back in the mid-eighties it wasn’t as onerous as it is now. There was more latitude, but even then you’re still getting called on the carpet for stuff where I figured I was so far in the right that it was ridiculous.”

The proliferation of technology and social media has made it easier for the public to engage in surveillance of police activities and to record incidents of perceived misconduct. The result is that in addition to the myriad accountability mechanisms the presently exist (Criminal Code, police boards, complaint commissions, internal/external

investigations units), the police are increasingly being held accountable in the court of public opinion. For instructor 1, this trend is something that is fairly recent.

“It’s only been about the last four years. We’ve been talking specifically about...I mean we’ve always talked about operating as if you might wind up on the six o’clock news, but in terms of the tactical issues that arise with texting and surreptitious recordings of conversations and stuff like that that they have to be aware of.”

Smart phone technology means that the actions of officers legitimate or otherwise, can be available for the world to see within seconds of the incident and with little context. This places tremendous pressure on police officers to make appropriate decisions in potentially dangerous situations. A number of participants discussed the impact of increased visibility and scrutiny on police decision-making and conduct in use of force encounters. According to Instructors 1 and 3, officers must be made aware of their potential to be on film:

“Well certainly in training we advise people that they’re on film all the time and that they’re on film all the time and that they should be operating to expect to see whatever they are doing on the six o’clock news. They have to be, from a tactical perspective, they have to be aware that if they’re dealing with somebody outside a nightclub that, you know, something could be texted right away and posted and all of a sudden you’ve got fifty people standing around you that got that text message and came flowing out of the different clubs.” (Instructor 1)

“I think what’s happened with the contemporary media is that...and we tell our officers that they can expect to be video or audiotaped every time they are working. Every time. I think the problem is that people have access to so much information now that the court of public opinion makes their decision long before any process has occurred.” (Instructor 3)

Instructor 3 also discussed the impact of increased visibility on police and the fact that it can be frustrating for officers because a video that is posted online can be a thirty-second snapshot of an incident that provides little context to the viewer. Thus an incident can look bad in a vacuum, but an officer may have legitimate grounds to dispense force in the thirty seconds or thirty minutes preceding the actual incident. This creates a situation in which officers’ actions are scrutinized with very little evidence and this can lead to misinterpretations:

“It’s a frustrating thing for us, I think, in general because as much as somebody can record something and put it on Facebook and YouTube and people are making their own opinion about it, it’s only from the perspective of where the

camera was. It didn't pick up what happened before and after. It doesn't have, in many cases, audio. They're not standing in the officer's shoes to have their perceptions of that fear, panic, anxiety, and "What's happening here?"

While it is important for officers to be aware that their actions are highly visible and that that they will be held accountable for the decisions that they make, it is important officers do not alter their behaviour in a way that can put them and the public at risk. Respondents spoke about the need for officers to act and react based on the law, their experience and training and not based on the fact that they may or may not be on camera. Instructor 2 illustrated the potential danger of being overly concerned with being observed. He illustrated a situation in which he and his partner entered into a protracted struggle with a heavily armed and dangerous assailant that jeopardized the lives of both officers. According to the officer, his initial actions could have possibly prevented the struggle, but he acted differently based on a concern for two workmen who were watching nearby. The following excerpt illustrates this point¹²:

"Well she's going, "He's got a knife," [but] she doesn't tell me he's got a knife in his boot. So the whole time he's there – Mitch has got one leg – he's reaching down, trying to reach down...he's got tight jeans and cowboy boots on an he's trying to get his jeans up over the boot to get at the boot knife he's got in there. Instead of him grabbing me by the crotch, it would've been a knife right up my ass. So anyways, I had nightmares over that for a while. And then we continued to search him. He had another knife in a holster, a knife holster. He had three knives. So, there's example where I let the public influence what I would normally have done. I would not normally have gone through this long, drawn-out tussle. I would've dummied him. I coulda got knifed there cause I was trying to be gentle with him. Except near the end there when I realized this was getting out of control. So I had him by the throat, I shoulda head-butted him, squashed him, taken him down and said, "I don't care what those guys think."

To avoid situations like this, instructors must remind recruits and officers to be cognizant of their visibility, but to act and react based on experience, training, and their perception of the situation. For instructors, as long as officers have a legal justification and operate within the confines of their training, then they should feel free to act when confronted with danger. This is evident in the following response from Instructor 10:

"If you are being videotaped, don't worry about it. Do your job. If you get concerned about being taped, now your concern is on that versus this. That we

¹² For a complete transcript of the scenario, see Appendix F.

can't have. It may look bad on TV because of that one little snapshot, but guys like me will explain it. As long as you've done things lawfully and to the best of your training and ability, you're good. And some people say, 'Oh we can't do this anymore. You can't use force anymore.' I say, 'Where does it say that? The Supreme Court of Canada says we have to use violence as part of our job.' That will never change. How we use violence and how we use force is evolving but at the end of the day, two arms, two legs, one head...people are drunken, high, violent, emotional, the same problems that people have been facing forever. It's not rocket science."

Instructor 4 echoed this sentiment, while also noting that the in-service training program in his department incorporates the visibility aspect into training in order to emphasize the likelihood that officers' actions will be filmed, while also reminding officers to keep their attention on the situation at hand:

"Guys know and we tell them in training as well. We actually incorporate it into scenario training where an officer is being filmed by a role player as the nosy neighbour...or as the suspect who's friend is being arrested and the friend comes out with a flip phone or his iPod and he starts filming and cat calling the cops and harassing the cops verbally. We bring that into training now right off the bat. We're saying, 'Guys the bottom line is that we live in a society that allows us to film anywhere we want unless its an invasion of privacy into someone's home unwarranted. It's okay for people to film you. Don't worry about it. Don't get all caught up in it. In fact, it will be good evidence for us to use as to why you had to hit the guy with your baton if they recorded before'."

On the other hand, Instructor 5 stated that while increased visibility and scrutiny has an impact on officers, it does not impact the way training is conducted. For Instructor 5, the key is that officers use good tactics and make sound decisions that are not influenced by the likelihood that their actions will be on camera. For example:

"Absolutely. Absolutely. We make our members aware of it and, I mean, we don't even have to make them aware of it. They are aware of it, that they're being scrutinized at every turn. Does it have an impact on how they do their job, how they potentially have to use force? Absolutely. Do we modify our training? No. Training is training. Your life is on the line; somebody else's life is on the line...it's very easy to judge actions on a thirty-second video when you don't have all of this information prior to the video camera starting and maybe information after the fact. But we don't train our members like, 'Okay guys, we're gonna do this and this and this because if the media catches this....'"

Officer Hesitancy and Timidity

In recent years, a number of high profile incidents involving the police including the death of Robert Dziekanski at Vancouver's YVR Airport in 2007, the shooting of Paul

Boyd by Vancouver Police in 2007 and the shooting of Sammy Yatim by Toronto Police in 2013 have placed increased public attention on police actions and spurred a push for civilian oversight of police, particularly as it relates to the use of force. These incidents and others like them have also led to decreased public trust and satisfaction with the police and, as a result, in a growing number of use of force incidents, the assumption is that the police acted inappropriately. A consequence of the increased visibility and scrutiny of police actions is that officers are hesitant or unwilling to use force in situations in which they are legally justified to do so. In some cases officers simply avoid potential use of force situations, commonly referred to as FIDO (“Fuck it and drive on”). In other instances, when faced with a use of force decision, even in training where there are no tangible consequences to making a bad decision, some officers hesitate despite the presence of clear justification and necessity. This is, in part, related to fear of departmental reprisal or other consequences of action (e.g., civilian review; negative media attention; legal repercussions). The preoccupation with personal consequences that might arise out of taking action against a suspect can have a significant impact on performance (Murray, 2004). As a patrol sergeant in an urban Canadian police service recalled:

“There was a robbery of a jewellery store in an up-scale mall. Shots were fired by two perpetrators, both of whom (sic) were seventeen years of age. One of the robbers ran out of the back of the mall and was confronted by a junior police constable. The robber raised his firearm and attempted to fire at the officer, but the gun jammed. The officer pulled out her weapon, but didn’t fire. She could have been killed. That hesitation could have cost her life. There seems to be an element of fear in many junior officers to use force” (Griffiths, 2013a).

Murray (2004) refers to this phenomenon, as the “reluctant warrior” and sees it as an important issue in policing. However, there seems to be a lack of consensus among police officers regarding the prevalence, and even the existence, of officer hesitancy/timidity. This was evident in interviews as respondents varied in their beliefs about the degree to which hesitancy has permeated policing. Some tended to see hesitancy as being limited to isolated occurrences as opposed to being a pervasive issue, while others acknowledged hesitancy as a real issue, though not necessarily endemic. The responses below highlight some of the varying degrees to which officers acknowledged hesitancy:

“Hesitation has begun to creep into officers’ minds, which is highly dangerous.” (Instructor 7)

“[Timidity] is real. Police officers talk about it all the time. They talk about it all the time. We had incidents on one shift here where there was an internal investigation for a member using handcuffs inappropriately. That was the allegation. It turned out to be unfounded; however, that shift, for a period of about three or four shifts, were really reluctant to handcuff people.” (Instructor 10)

“...we do see members that are maybe at times unwilling to use force because of the scrutiny that they may be under, either from supervisors, from the media, from a lot of different areas. And I know, personally, I’ve had two people come in for training who we put through scenarios and the proper response to the scenario would have been drawing a pistol and shooting the individual. We were conducting this training on the second floor of one of our buildings here and the member was backed into a corner, there was a window in the room and an exit across the way. And the member articulated that he would rather jump out the window than shoot this guy. So, when we dealt with it, the reason for that comment was that he had been involved in – in the grand scheme of things – a very minor use of force incident and the scrutiny, the potential criminal charges...he wasn’t charged. He said, ‘A lot of that crap that I went through for that incident, can you imagine what would happen to me if I shot this guy? I’d rather risk two broken legs jumping out the second floor window than shoot this person and re-live, to a higher degree, what I have already gone through.’ We don’t see that very often, but we do see it. (Instructor 5)

While Instructor 3 acknowledged the existence of timidity, he was quick to highlight the need for officers to extract fear of repercussions from their decision-making:

“Well I think there’s always been the, ‘Am I gonna get in trouble for this?’ Dziekanski and YVR. ‘I don’t wanna use a Taser because what happened to them might happen to me.’ It’s a classic trainer comment, you know, they’d rather be judged by twelve than carried by six and don’t worry about the legal repercussions or administrative repercussions if you’re life has changed or you’re dead because you didn’t do it in the first place. So, even in the moment of trying to establish control in a spontaneous, random, chaotic event, don’t cloud your mind with things that don’t matter right now. A classic saying is, “What’s important now?” Maybe it’s like step out of the way and drive your forearm into someone’s throat as opposed to worrying about, ‘Am I gonna get in trouble for this?’ So that’s one aspect to it that, I think, just makes policing in our time challenging.”

The above response touches on the consequences of officer hesitancy and connects to the earlier anecdote about the officer failing to fire her weapon when legally justified to do so. Murray (2004) argues that being unprepared to use force or unwilling to use force can put the officer and the public in further danger and may actually lead to

using force when not necessary. This is an interesting notion and a point that was raised by one respondent who had an extensive background in beat policing. According to Instructor 1, officers that are hesitant or reluctant to use force at the outset of an encounter may actually create a situation in which they will have to use more force to resolve the situation than was originally necessary. That is, indecision or inactivity on behalf of the officer allows the suspect to become adrenalized and emboldened, giving them the impetus to actively resist or attack the officer without fear of repercussion. In such a scenario, the officer may have to escalate to a higher level of force to protect him or herself and to incapacitate the now adrenalized subject. The following quote from Instructor 1 touches on the consequences of indecision and hesitancy and emphasizes the need for officers to act swiftly at the outset to prevent escalation of force at a later point. At the heart of this is the belief that, if a fight is going to occur, it should come on the officer's terms and not the suspect's:

“Typically the biggest mistake [young officers] make is they wait too long. They keep hoping it'll all go away, that the bad thing or bad person will suddenly calm down and everything will be fine. I think they didn't realize that they exhausted communication ten minutes earlier. They'll grab onto people and they'll wrestle with them for a long time and, of course, the wrestling match is just gonna keep escalating until finally they reach a point where, 'Okay, I've gotta do something.' Whereas, if they acted decisively minutes earlier, they thing would've been over and done with. I think they spend too long dancing and hoping the person will suddenly have a massive change of heart. It was just better to have it on the officer's terms than to have allowed it to happen on the terms of the suspect.”

Murray (2004) states that while posturing can sometimes lead to a successful resolution without the need for force, it is extremely dangerous – yet exceedingly common – for officers to get stuck in posturing mode. In other cases the officer does not act or waits too long to act because they simply “can't believe their eyes”, lapsing into what de Becker (as cited in Murray, 2004) calls as state of denial. Moreover, Murray (2004) believes that part of the problem is that officers tend to misinterpret their force policies, and many believe that they have to wait for an offender to act before they respond. Indeed, according to Instructor 9, many inexperienced officers do not understand that, when used properly, a use of force model can be used proactively rather than reactively. For him, this linear decision-making tends to erode over time as officers develop more experience and acquire additional training on what to look for:

“For beginning officers or recruits, decision-making is sequence based. They are looking for a sequence of actions. Like, ‘if he does this, then I do this.’ They are also dependent upon a senior officer and might follow what they do. For more seasoned guys, they might just see something that seems off and might escalate things faster...so, it really takes time and experience to learn what to look for and how to proceed.”

Similarly, as an experienced patrol officer, Instructor 2 highlighted the risk of posturing and emphasized the need for officer to act proactively. For him, the fact that proactive use of force is often viewed as overly aggressive is inaccurate in that, using force proactively will limit the likelihood that officers will have to use more force to incapacitate the subject at a later point:

“You could wait for him to adrenalize himself, get himself pumped up, do the monkey dance, and then you’ve got a real fight on your hands and he’s ready to fight you. Or, you could take the fight to him. Now taking the fight to somebody is scary at first blush, but the alternative is even worse because now he’s ready to go. So, [take] the lesser of two evils, you take the fight to him and that invariably involves using less force. Now people on the outside might say, ‘Oh you were very aggressive,’ but if an officer underutilizes the amount of force, they’re perceived as being weak or it allows the person to adrenalize themselves and they end up ultimately using more force to resolve it.”

Thus, it is evident that, at least to some degree, timidity can have an impact on police decision-making in use of force encounters. Though the level to which this phenomenon has penetrated policing is unclear, police services need to address it in some capacity. Hesitation will persist until officers come to terms with all of the factors that are involved in a use of force encounter. One way to accomplish this is through education on the issues through training. Thus, it becomes the domain of the trainer to make officers aware of the situation and to help them to overcome their reluctance to use force. How the issue of timidity is addressed in pre- and in-service training will be explored in the ensuing discussion.

Pre-Service Training: “Putting Tools in the Toolbox”

As those interviewed for this study were a mix of pre- and in-service use of force trainers, the content of interviews differed based on the particular type of trainer. As such, two distinct lines of inquiry emerged, one that focused on pre-service use of force and one that focused on in-service use of force. Although the overarching goals of

training overlap in some respects (e.g., preparation, skill building/development) it quickly became clear during interviews that they are distinct in many ways. That is, the content and application of academy training and in-service training are such that in-service training cannot simply be seen as an extension of academy training. This section will discuss current approaches to pre-service training including the philosophies of academy trainers, the central purpose of academy training and how it addresses the issues discussed above, as well as concerns about the current state of academy training.

The Role of an Academy Instructor: A Delicate Balance

Before exploring the content and application of academy use of force training, it is first important to touch on the complex role that trainers have. First, Instructor 7 noted that the primary role of the academy instructor is to provide cadets with training rooted in theory, practice, and simulation. In addition to this, use of force instructors must balance the rarity of force encounters with the need to prepare recruits for the reality that, at any time, they may have to employ force – deadly or otherwise. Yet, this must be done in a way that does not present an unrealistic view of the police profession that glorifies violence and gives recruits an unrealistic picture of policing. According to Instructor 1, the keys to maintaining this balance are stark honesty and avoiding the use of ‘war stories’ to illustrate one’s point. War stories are defined as a recounting of idealized events, entertaining humour or police-related social commentary (Ford, 2003). They paint a picture of policing that is often at odds with the routine and frequently contradict official ways (Ford, 2003). For Instructor 1, war stories are sometimes useful teaching tools as they illustrate the extremes of policing, but an overreliance on them can create an unrealistic impression of policing in the minds of recruits. For example:

“I’m very conscious of war stories. They’re war stories for a reason, usually because they really stand out because they were unique in some way. So, I’m very careful about relating war stories to recruits because I don’t wanna create, in their minds, a sense that they’re gonna be getting into these situations routinely because the opposite is true. These sorts of things happen...they’re war stories for a reason...they don’t happen very often. But if they hear war stories from me and then war stories from the firearms instructor and they’re hearing little war stories every day, you start to create the little impression in their minds that this is how it happens.”

Yet, recruits must still be made aware that the use of force is a reality of policing and one that they must fully accept if they are to perform their job effectively. Instructor 1, discussed the delicate balance that must be struck in training:

“You know it’s an interesting dance you have to make, because you have to balance the reality of use of force incidents being a relatively rare thing in terms of brawls for it all and rolling around in the mud and the blood and the beer, with the fact that that may happen and they have to be physically and emotionally prepared for that.”

Academy instructors are also challenged by the fact that many of the people they are charged with teaching do not tend to have a lot experience fighting or using violence. That is, the increased emphasis on diversity and integrity in policing has created a diverse array of recruits from varied backgrounds, cultures, genders, and races with a differing skill-sets and physical abilities. Instructors noted that this is a fairly new phenomenon, in that historically police recruits tended to come from “blue collar” backgrounds, with little post-secondary education. Further, more emphasis was placed on physical or athletic ability, and thus, recruits tended to be military types or physically imposing individuals that had some experience with physical contact. As a former police officer and current police scholar put it, “Some of us knew how to fight better than the instructors” (personal communication, May 26, 2014). Now, recruits are prized for their integrity and intellectual ability – they tend to have a higher level of education, but lack certain life experience (i.e., involvement in physical altercations or dangerous situations).

While the evolution of the modern police recruit is not necessarily a bad thing, it creates a situation where the first time an officer is physically challenged on the job, may be their first physical altercation ever. Such a situation can end badly if the officer is not adequately prepared. As such, it is the role of the use of force instructor to help recruits overcome any aversion to violence or lack of combat experience and to provide them with sound techniques that are lawful and fairly simple to learn:

“You have to keep in mind that a lot of the people we’re training haven’t had a lot of fights other than maybe with a sibling or something growing up. Our hiring requirements are such that we’re hiring people out of colleges and universities and they’re nice people, for the most part. They have limited exposure to any kind of street violence.” (Instructor 1)

“A lot of folks we get coming into the job now have never actually been in the mix. You know, I love it when we get a kid who played Junior A hockey who’s been in a few punch ups on the ice. You want a person that knows what it’s like to get pounded. And I’m not trying to say that’s the biggest part of the job, but its certainly a part of the job. It can be really psychologically overwhelming the first time somebody disrespects the magic that you think is in your uniform and punch you square in the face. If you’re not prepared for that, you better hope luck’s on your side from that point forward.” (Instructor 6)

Given that, in many cases, police recruits tend to be a *tabula rasa*, Instructors have great influence in the type of material they teach and how they teach it. Historically this freedom has not necessarily had the best results, with recruits being overloaded with a high volume of techniques rooted in the martial arts that do not necessarily translate to the field. In recent years, more has been learned about skill-degradation under stress, which has lead to a re-thinking of the use of force curriculum. However, use of force instructors continue to have significant proprietary influence over what they teach, and though there has been innovation, it has not necessarily progressed as far as it needs to. The following sections will explore the current principles guiding use of force training, and the limitations of current training philosophies and methodologies.

Current Academy Training: Keeping it Simple

In their exploration of the history of defense and control tactics training in the United States, Kaminski and Martin (2000) touched on the fact that many training programs often taught officers a plethora of paint-compliance techniques rooted heavily in the martial arts, such as joint locks. Unfortunately, as noted in the previous section, use of force encounters are inherently stressful and research has shown that under stress fine and complex motor skills deteriorate. Police officers can experience high levels of anxiety when struggling to handcuff a suspect or when unexpectedly confronted with an armed and dangerous subject (Anderson et al., 2002). If officers are overloaded with techniques or taught techniques that are too complex, there is a significant chance that, under stress, officers will abandon (or forget) their training, a point Instructor 7 touched on, stating that, “When under stress, you forget everything.” Consequently, the deterioration of fine motor skills, the limited ability to remember multiple tasks, and diminished perception under stressful conditions are the driving force for new training methods. Participants’ responses indicate that Canadian training has evolved to mitigate this sensory overload. Given the importance ascribed to officer decision-making in the

previous section, any reduction in cognitive ability can have potentially dire consequences. To mitigate the effects of cognitive breakdowns, instructors stated that the goal of training is now to teach as few procedures as possible to deal with the widest variety of situations and to teach skills that do not exceed the limitations of human performance. For example, Instructor 7 stated that training now accounts for human physiological limitations. Indeed, multiple instructors made this point as evidenced by the statements of Instructors 6 and 9:

“First and foremost training should be statistically and data driven. Take, for example, some of the research by Grossman on blood pressure and fine and complex motor skills. When heart rate and blood pressure is elevated above 145 bpm, fine and complex motor skills begin to break down. So, my training philosophy is to be fast and hard. Repetition. Technique is a non-issue because under stressful conditions and fatigue, you forget the proper technique. As a primate we have an innate ability to grab and punch. So, when it comes to training, under stress you revert to your innate abilities – throwing punches and grabbing. All muscular motor control is linked to the cerebrum, so it’s important to train what is innate. Teach what someone is going to do in a fight situation.” (Instructor 9)

“I mean the techniques that we teach are based on gross motor skills. They are highly learnable and highly retainable under stress because under stress your ability to perform complex motor skills goes down the toilet. So, we’ll give them a couple of joint locks to learn. Simple ones. Gross motor skill movements – straight arm-bar takedowns, transport wristlock takedowns, maybe a bent arm-bar takedown, but even that borders on a complex skill, so we stay away from that stuff. Everything is kept very simple. Everything is very basic but tactically effective and, when done correctly, they work. And you don’t need to know fifteen different moves to achieve the same goal. You need to know one thing because when under stress the more decisions you have to make in terms of selecting a response to a particular set of circumstances, the bigger delay there’s gonna be in you getting to your action. You talk about *Hick’s Law*¹³. You add another technique to an officer’s repertoire [and] it’ll increase their reaction time by half a second. And that can be critical when you need to get control of somebody.” (Instructor 6).

¹³ Also known as the *Hick-Hyman Law*. It describes the time it takes for a person to make a decision as a result of the possible choices he or she has: increasing the number of choices will increase the decision time logarithmically (Hochheim, n.d.).

According to Instructor 1, simplified techniques also necessitate ease of learning, which leads to an increased likelihood that recruits will buy-in to the material being taught and be more apt to have success upon entering the field. For example:

“If you want somebody to believe in a technique or tactic that you’ve taught them they have to be able to learn it easily. If they struggled to learn it then there’s, sort of, a barrier to performance when they hit the road. So again, we teach techniques that are relatively straight forward, [such as] gross motor skills, and they need to have a positive field experience.”

In addition to being easy to learn, the material being taught must be technically sound. A key aspect of training is that it maximizes officers’ chances for success. Instructor 1 identified a three-pronged test that training content must meet before it is taught to recruits:

“I mean if we’re teaching something it has to meet a three-pronged test. It has to be legally sound; it’s gotta be medically sound; and it’s gotta be tactically sound. You know, it’s gotta work tactically. You can’t put an officer in a goofy tactical position otherwise it’s no good. It’s gotta be medically sound. In other words, if we’re going to a civil trial or a Coroner’s inquest or something, I wanna be able to pull up the body of medical research that says, ‘these are the potential medical limitations of doing this to somebody.’ It has to be legally sound. In other words, we’re confident that it’s gonna withstand any sort of criminal or legal review of the particular technique or tactic that we’re teaching. If it doesn’t get a check mark in all three of those areas, then we’re not gonna teach it.”

According to Instructor 2, good training should focus on what officers are most likely to face (e.g., handcuffing a resistant subject) versus what they are least likely to face and spend more time teaching what is most likely to occur. While teaching officers to deal with extreme scenarios is important, like the so-called “war stories” mentioned by Instructor 1, focussing too much on the extreme may lead officers to develop an unrealistic view of policing, while also neglecting the skills necessary to handle the more common day-to-day aspects of policing:

“Most likely to least likely. Most likely you say, ‘You’re under arrest,’ and he’s gonna say, ‘Fuck you!’ Well there’s no weekend course for that. There is if somebody comes at you with a knife from behind you and holds a knife to your throat. Yeah, you could take a course to deal with that, but it’s least likely it’s gonna happen. You can train that but in the long run it’s a waste of time. Why would you spend any time at all training for if somebody’s got a knife to your throat and how to defend against it if it ain’t gonna happen? When you can’t even put handcuffs on somebody safely. What’s the point? Forget that course. Do the

basics. Get yourself fit, do the basic arrest and control tactics and how you put the handcuffs on someone who's resistant. Have that down cold. It happens all the time. That's the stuff you're gonna use day in, day out."

For Instructor 7, one way to facilitate ease of learning is by teaching cadets decision-making at each stage of the use of force event, thereby walking them through the situation. Whereas, Instructor 9 felt that imbedding the technique into the training is an optimal way to simplify the learning process. That is, instructors can design drills that implicitly include technique without explicitly making recruits aware that they are learning a specific technique. In this way the trainee does not have to think when put under stress and can simply react instead. Instructor 9 refers to this as training to instinct:

"I do mixed martial arts. When I get tired, I start to forget proper technique and just rely on innate ability. When stressed and fatigued the officer will forget the technique they were taught. The natural reaction is, 'I'm totally exhausted. What do I do?' Imbedding the technique means the officer can just act under stress and rely on muscle memory. Fighting is a non-thinking activity. Instruction should be incremental and the design of the exercise should build technique into the work without telling the recruits specifics."

Instructor 2 echoed this notion of putting simple tools in the toolbox; however, he also spoke of the need for officers to practice these skills beyond the training stage. The increasingly diverse nature of policing decreases the likelihood that officers will have martial arts or combat experience, which places a premium on practice time. Thus, much like a professor teaching material to first-year students or coach teaching a new system to his players, while the material being taught must be learnable and retainable, there must also be buy-in and commitment from those being taught. He felt there is a disconnect between officers' willingness to learn arrest and control tactics and their willingness to put in the time and practice required to maintain and build on those skills. That is, training can only take officers so far, and they must take their own initiative to practice what they have learned. As with learning any new skill, practice is required to become proficient:

"Yeah. What do you have in your toolbox? So, if you've got no tools in your toolbox, you're basically going on a wish and a prayer that hopefully he'll calm down and hopefully he'll go away. That's what they're hoping. But if you have some tools in your toolbox, I dunno, I mean fighting is stressful, it's always stressful, but I like the challenge. So, if it's too tough for somebody else, it's just right for me and my attitude and I'd step in and I'd take em out cleanly and effectively and as safely as possible – as soon as I can. Go in there, take care of

business, but, you know, not everyone can do that. Now we're talking about my skill level versus someone that has never done any martial arts training. You gotta give them the basics here and you gotta hope they retain those basics and it's gotta be as simple as possible. And I find there's a huge disconnect between an officer's interest in learning arrest and control tactics and their actual willingness to put some practice time in. People are lazy and they're busy and they have families and they live out in the valley. Then they just, sort of, muddle through it."

A Lack of Innovation

Though academy training programs have evolved to factor in the impact of stress on fine and complex motor skills and perception, many use of force curriculums have failed to keep up with new developments in the field. According to Instructor 9, training has reverted to having officers, "stand there and punch each other in the head." That is, training programs may be more simplified, but they may still be teaching flawed techniques. Kaminski and Martin (2000) cite administrative apathy as the most common reason, with administrators being too busy to invest the time necessary to keep up with recent developments in the physical training field. According to some participants, a major issue in training is a lack of innovation and divergent streams of thought. Trainers go with "what they know" because that is the way it was taught to them and it is what they feel most comfortable teaching. Trainers also tend to be very proprietary of their teaching and do not necessarily welcome outside insights. This training philosophy is then developed into a "system" and passed on to other trainers, perpetuating a suspect training philosophy. Instructor 2 touched on this issue in his discussion of the evolution of what he deemed an improper handcuffing technique:

"Yes, a little bit. Police in general tend to be a fairly conservative bunch. So, sometimes things get passed on and they're held onto, not because they're necessarily the best but because that's the way it's been done before...For example, the way of handcuffing somebody when you're kneeling on them and they're laying face down with their arms in the air, and they always handcuff from the head side. And they come around in this really awkward circle, like they're going round a tree to get to the top of the wrist and I used to find it, for myself, difficult to do. And I watch the police do it during the panel test near the end [of training]. And we watched police officers who had just completed their training, having difficulty with that because it's a difficult...it's an awkward way of doing it... why not handcuff from the bum side? Just do a straight push on and then it was just very similar to the standing handcuffing compliant where you're just standing up and you just push the handcuff on. I realized that this difficult way of doing something was probably introduced because somebody went on a course. They do a weekend course, so these instructors with marginal knowledge go and

teach something that they can grasp. So, this awkward way of handcuffing did not evolve because it's more effective, it evolved because somebody copyrighted it, sold it, and somebody went on the course, took it, and is now teaching it cause that's what they know."

A prime example of a training practice that has remained over time in spite of its questionable effectiveness is pain compliance. Typically, officers are trained to place subjects in a preparatory hold such as a joint lock and if the suspect fails to comply, the officer applies pressure to the joint. The resulting pain results in an avoidance response by the subject who would then acquiesce (Martin, 1997). According to instructor 9, the most common problem with pain-compliance philosophy is that many individuals the police deal with are under the influence of narcotics, alcohol, or adrenaline and their ability to react to pain may be impaired or absent. In other situations, the person may simply have a high pain threshold and not respond to the pain compliance technique. As a result, officers may have to use escalated force, which can result in more severe injuries to subject and may be bad optically. For example:

"Pressure points are useless. I have a high pain threshold so they're pointless against me. If you will yourself to ignore the pain, then they have no effect. And the people that we're taught to use them on (passive resistors), well doesn't it look bad if you're on TV poking and prodding these people and they're going, 'Ouch, ouch, ouch.' Why not try words?"

The fact that use of force training occupies only a single aspect of the overall police academy curriculum, means that the material taught tends to take on a "one-size fits all" approach, which, according to some participants is not in the best interests of officers. Nor, it is it grounded in reality. As mentioned above, police recruits are more diverse than ever – in size, shape, and physical ability. While a technique may be successful for a particular type of individual, it may not be for others. While it is unrealistic, to think that each recruit should receive a specific training program, Instructor 7 argued that training should be flexible or malleable enough to meet the needs of a particular recruit class. The following anecdote by Instructor 2 exemplifies this:

"So, here's a prime example. The current instructor here [is] a well-seasoned in martial arts and all this kind of stuff, they were doing defense against gun grabs when the person straddled you or whatever. If the person was on top of you and reached for your gun across your body, you're supposed to trap the hand on the gun so he can't pull the gun out, and then since his elbow is this way then you can elbow him, either break the arm or roll him over. The other one, a same side

gun grab, then you're supposed to always trap the weapon, sit up, entangle your arm around, and grab your own wrist and then peel his hand up the gun and bring his elbow in-behind his back. Now, that is a jiu-jitsu move called a Kimura. Now to defend that particular technique, if the person who it's being applied to feels their arm being twisted behind the back, they just grab onto their shorts and that effectively anchors it. Now you have to really reef on that, but it takes a lot more strength to reef a person's arm, get it off whatever he's gripping onto versus he grabs nothing. And then you're asking a 110-pound woman with a 200-pound guy on top of her to do that when he has his hand on the handle of her gun, which is molded rubber fit to the shape of your hand. So, they're asking her to rip that hand off that natural handle, when he's twice the size of her. What a crock of crap. But this guy was a jiu-jitsu guy and may be he could do it. Maybe he could wiggle his body and crank it on and make it work cause of his skill level. But, at the same time they're espousing that, they're saying is it a theft in progress or a homicide in progress? What's more important?

He continued by providing a more appropriate technique for this situation:

"Unlikely he's gonna grab the gun, jump in the air and run away. He's pulling on that thing because he wants to kill you. So, in a deadly threat situation, you can use deadly force to repel deadly force against yourself. Every citizen has that right and police have that right as well. So, they have this saying for if somebody grabs your firearm or you're in a multiple assailant situation where they're gonna kick the crap out of you or the person's got a knife and you grab the knife or something - in a deadly threat situation, the prioritization of targets is vision, wind, and limbs. Vision meaning, I poke you in the eyes. Wind meaning I punch you in the throat or do an arm bar choke, which is normally prohibited, or limbs, breaking things. Now, if I get your gun in my hand and you grab my hand or my fingers and you break my arm, I can still shoot you. If you break my leg, I can still shoot you. If break the hand of the hand that's holding it, yeah maybe I'll drop the gun, but I could pick it up with the other hand and still shoot you. So, limbs are the least reliable, same with the breath. If you take my ability to breathe away, if I have a lung full of air I can still go. I can go for another minute. The most reliable one is vision because no one toughens up their eyes. A 110 pound woman can stick her bony little finger in some guys eye or thumb into his eye, he's gonna feel a huge amount of pain, which is gonna take him off of his target... So, from that point on...[its] trap your gun, finger in the eye. Somebody grabs you from behind, trap the gun, turn around, finger in the eye. If somebody's in front of you, grab the gun, finger in the eye. So, it became savagely simple."

According to Instructor 9, a problem with teaching unrealistic or impractical techniques is that in a training context they are invariably successful, which can give officers a false sense of confidence when they enter the field. This can have a doubly negative impact, in that false confidence may mean that officers are likely to employ the questionable technique in the field, which could produce negative repercussions for the officer. To illustrate this point, he provided the example of compliance handcuffing

training. Instructor 9 felt that while this technique was successful in training, it is not necessarily useful in the field, as its success depends on fairly specific conditions. For example:

“A lot of the National Use of Force Model is based on America, which has way more gun use than in Canada. For example, in the US a lot of the handcuffing technique that is taught is based on the officer having their weapon drawn and aiming it at the subject. If the subject moves, then the officer fires, so the technique is meant to be used on a compliant subject. In Canada, on the other hand, the same technique is taught only without a gun being involved. So, officers make the same command to the subject, ‘Police. Don’t move!’ But there’s no real consequence to the bad guy if he or she decides to resist. So what are you gonna do now? Beat him to a pulp? Yeah right. Compliance handcuffing when taught at the academy is always successful; yet, in the real world this is hardly ever the case. For me, handcuffing should be about speed. Act as swiftly as possible to take away their time to act. People never actually handcuff as they are taught. If you’ve got guns on them then have that protocol. But if there is not a gun involved then just use speed.”

Consequently, believing that a technique is sound only to see it fail can produce a backlash in which the officer loses confidence in his training and may be less willing to adhere to new training moving forward. It is particularly alarming when Instructor 9 stated that, “People never actually handcuff as they are taught.” Is this a result of poor teaching or being taught poor technique? Indeed, Instructor 7 noted that, “handcuffing is a really common skill you need to know, and yet not very many officers are adept at it.” Moreover, if officers are adopting their own handcuffing technique or developing bad technique, what is to prevent similar practices with other techniques? For Instructor 9, the way to prevent this is to find outcomes that are statistically most successful and teach based on that:

“What is gonna work for one guy, won’t work for the other. A brute officer may have success simply using his strength to control or overwhelm an opponent. One punch from that guy may be enough to incapacitate the subject. On the other hand, a smaller officer may punch a suspect multiple times and do no damage. So if you teach the same technique across the board to officers of different shapes and sizes then you are instilling false confidence that the results will be uniformly successful. The technique may be more successful for the larger officer, simply because of his size and strength. When a smaller officer uses the technique and is unsuccessful, they may ask, ‘what did I do wrong?’ When, in fact, it wasn’t them, but the technique that was flawed. My philosophy is to tie it in statistically.”

In continuing to improve training and overcome the inherent conservatism within the field, it is important that use of force training continues to take a data-driven approach to training. Further, while it is important that academy training evolves, use of force trainers and police administrators must be careful to avoid implementing “quick fixes” or adopting techniques that are new and popular but lack field testing and empirical support. As Instructor 1 states, while progress is important, it cannot come at the expense of the fundamental skills that officers need to learn:

“There’s a tendency to chase the next shiny things. You have lots of training tools out there that are great additions to your training tool set, but at the end of the day people still need to know how to handcuff people properly; they need to know how to do joint locks and levers; they need to know how to kick without hurting themselves; they need to know where to hit people and control them. You get emails from somebody every week saying, ‘I’ve got a great new training produce. Give this a try.’ But at the end of the day those are all additions too. In my mind you still have to train people how to do this stuff at a foundational level and make sure they’re proficient there and provide enough training opportunities for them to maintain that level of proficiency.”

In Service-Training: Using the Tools in the Toolbox

Training for officers does not end upon graduation from academy recruit to line-level officer. Each police service provides its own mandatory and voluntary in-service training programs in a variety of areas, of which use of force is one. An increasing number of police services are making in-service use of force training mandatory for all line-level officers and a growing number of officers from specialty squads and investigative units. Participants indicated that in addition to limiting liability, police services are also interested in demonstrating that they are doing their due diligence to ensure that their officers are given comprehensive, realistic training. A reason for this is that in investigations of use of force incidents, a department can demonstrate that the officers in question had been properly trained:

“...We can take an officer here, whether they’ve had two weeks experience or two years or twenty years, and they can make mistakes in here. That’s the difference. When you try it out there, ‘We’ll see how this works,’ you’re dealing with real people and real incidents and real complaints and real issues and liabilities. So, when we do it in here we can give them that experience right away and stop it right away if we have to for safety’s sake. And then tweak it and coach as we go.” (Instructor 4)

This quotation captures the essence of contemporary in-service use of force training. While academy training provides recruits with the basic skills or building blocks of the use of force, in-service training builds upon those foundational skills while shifting focus to the situations in which officers are required to use those skills. In this respect, in-service training involves a shift in attention from the proverbial tools that the academy placed in the officers' collective toolboxes, to the individuals employing those tools. Instructors 3 and 4 touch on this point below:

"I think, historically, police trainers have focused on the tool, the weapon system, as opposed to the person and how their brain works and their tactics – that all has to be together. So, make no doubt about it, when you're starting you need to know how to shoot, you need to know how to draw your baton and swing it, you need to know how to get your pepper spray out, [and] you need to know how to kick somebody. Yet, as you get the basics of the how to, then we need to move well beyond the basics and get into the judgmental decision-making of when is it appropriate to do it and then do it when it is appropriate in context." (Instructor 3)

"It's not about the gun. It's not about the baton. It's not about the pepper spray. Those are tools. It's about the decision to use force and that's how we're training our officers now. Guys, if you've got a tool on your tool belt and you think it's a good choice and you know how to use it, use it. If you think it's too much, you're probably right. If you think it's too little, you're probably right. If you have to use feet and fists and knees, it's probably right." (Instructor 4)

This is not to say that in-service training does not involve skill building or teaching. Participants explained that training is provided, to varying degrees, on all force options ranging from simple presence and communication to the use of deadly force in order to improve officers proficiency at each level of the force options hierarchy. Indeed, true skill development and proficiency requires extensive practice time and repetition. If officers do not have the opportunity to use what they have learned in the field and do not practice what they have learned, then these skills will perish. That is, there is a tendency to forget that which is sits idle. However, the major focus of in-service training is on the application of force options, not necessarily the what and the how, but the when and the why – that is, teaching officers when it is appropriate to use force and exploring why officers chose (or did not choose) the force option that they did and correcting any mistakes that occur along the way. Part of this process involves going from the basic (i.e., teaching/practicing a skill) to the complex (i.e., performing in a realistic scenario):

“We take a skill, drill, simulation, scenario approach. So, you learn the skill, sometimes in steps, sometimes in one step. And then you perform a bunch of drills that isolate those skills and they’re in context. And then you do it in like a micro simulation where it’s not hits big long drawn out thing. It is just at the moment where you actually have to do the thing. And then, of course, you can take it to a scenario, which takes more time and is more high fidelity and you have more things going on.” (Instructor 3)

In this respect, scenario-based or reality-based training has become a significant aspect of police services’ in-service training programs. Training scenarios provide officers with an opportunity to make decisions and use the skills they have learned in realistic circumstances, while giving instructors an opportunity to observe their performance and provide additional training or re-training where necessary. In interviews with in-service use of force instructors, reality-based training emerged as a significant talking point.

In-Service Training: A Reality-Based Approach

As in-service training is provided by individual police services there is variation in training programs, including the amount of time devoted to training, the amount of training that is given, when the training is given (annually or otherwise), the structure and content of the training, and which members of the department receive the training. This variation is largely dependent service size and resource availability. With that said, all participants indicated that their police service included a scenario-based training component and most stated that scenario-based training is a significant aspect of their service’s in-service training program. This is due to the fact that scenario training includes both experiential and educational components¹⁴.

At a fundamental level, scenario training seeks to bridge the gap between training and reality. In doing so, officers are placed in realistic, often scripted, scenarios with role players (either civilian actors or training officers) and required to make decisions and act based on the context in which the scenario takes place. In each scenario officers have all force options available to them, including deadly force –

¹⁴ Reality-based training is not a new phenomenon. Instructor 6 noted that it was first introduced to Vancouver in 1993; however, it has grown in the last ten years, both in terms of the number of police services that integrate it into their in-service training, and in terms of the equipment available to carry it out.

officers are given guns filled with non-lethal ammunition, usually paint projectiles known as SIMUNITION or FX marking cartridges – and the Taser (in inert form). The realism of the scenario combined with the elimination of risk enables instructors to, according to Instructor 6, indoctrinate officers in the use of force. That is:

“The advent of FX SIMUNITION, non-lethal projectiles – paintballs essentially – that has really revolutionized training, in that now we can do a lot of force on force training where we can write scripts, we can write scenarios based on incidents that we are actually involved in on a daily basis and we can actually indoctrinate them. It’s almost like flight simulators. We can put them in real world scenarios without the risk of the real world outcome.” (Instructor 6)

Central to both the realism of the training and to its ability to be ingrained into officers, is the context in which it takes place. That is, for instructors felt that for scenario training to be effective, it must be contextualized:

“I think context is the most important for the use of force. I don’t care what the use of force is, we have to make sure that as instructors we put the things into context cause if it’s just technique or a discussion or a debrief and it’s not in context for the members, the information could get lost, or worse, they could misinterpret it and use it the wrong way. So, my philosophy is making sure when I’m explaining it, or if I’m having my instructors explain it, that they put things in the right context.” (Instructor 10)

“You need to have it in context, such as, are you in an open field; are you on the ground; are you in the dark, in the snow, in the living room, a confined space? (Instructor 3)

In *Blink*, Gladwell (2007) spoke about the powerful role that context plays in subconscious (and conscious) decision-making and explored a situation in which officers misread the context of a situation and made a series of decisions that ultimately lead to the death of an innocent male¹⁵. Subsequently, a consistent point of emphasis thus far is that in use of force situations, officers are often required to make quick decisions based on their appraisal of the situation; the threat level exhibited by the subject; and the appropriate force options that are available¹⁶. The decisions that officers make

¹⁵ The incident in question is the 1999 shooting death of Amadou Diallo by members of the NYPD. An excellent discussion and analysis of the incident can be found in Chapter 7 of *Blink*, entitled “Seven Seconds in the Bronx.”

¹⁶ See page (?) for Instructor 5’s summary of the risk assessment that officers in his police service must use in use of force situations.

throughout the event can have a direct bearing on whether they use force and, if so, how much force they use. As such, a core component of reality-based training involves judgemental decision-making. It is here where training shifts from a focus on the tools, the skill, and the techniques (the what and the how) to a focus on the officers and their tactics (the when and the why):

“But I think the biggest benefit of it is being able to put the member right in time, being able to see their actions, being able to correct it right at that time as well. Either tactical based or there’s [sic] some other areas that we work with and then being able to see what their reaction is going to be.” (Instructor 5)

According to instructors, their goal is to ensure that officers are making the correct decisions based on the circumstances, even if those decisions are different for each officer:

“The nice thing about the scenarios is that an officer might perform it a little differently from someone else. Everyone’s independent. They have the same goal in mind of making an arrest and they can just approach it in different paths and we as coaches can follow them through that decision-making process and tactical process and help them deliver it.” (Instructor 4)

“If I present them with a problem and they make a decision that’s appropriate...for example, close quarters, somebody pulls a knife out. One person might draw their gun and shoot them. Another person might sweep the knife out of the way, disengage and run away. Another person might sweep their arm out of the way and stick their thumb and second digit into someone’s eye. Another person might shift and shoot the person from behind. They all did something different. Some used weapons, some didn’t. Some disengaged, some tactically repositioned. And they’re all good, but they’re all different.” (Instructor 3)

Moreover, the decisions that officers make during the course of use of force events do not necessarily take place in “normal” conditions. As has been discussed throughout, forceful encounters involving the police are inherently stressful events and a growing amount of research has shown that stress can produce physiological, neurological, and perceptual reactions that impact conscious and subconscious decision-making. In reality-based training officers are given a chance to experience what Instructor 3 refers to as “the moment” – a time when officers are presented with a threatening stimulus and must act:

“Typically, it’s like this. You’re at the window. This is the guy behind the door [motions like he’s coming out from behind a door]. You see gun, hand, arm...he’s pointing at me, I better shoot him before he shoots me...boom, boom, boom,

boom, boom, you shoot him. So, that's action, reaction. It's the perception, evaluation, assessment, [and] decision-making. You gotta shoot that guy with the gun, cause he's coming around to point at me. Or, it could be like this: coming through the door...gun, hand, arm...I better shoot him... 'Oh fuck, I just shot a cop...that was one of my guys coming through the door'."

Though an extreme example, it is illustrative of the dual role of training – to prepare officers for use of force encounters (the former) while allowing them to make mistakes (the latter), and then figuring out why the latter of the two situations occurred and correcting it if possible. It allows the instructor to get into the mind of the officer and ask them what they were thinking. For example:

"So, we have since progressed in our training to where if we see that happening we're stepping in. Kind of like watching a video and pressing pause. Stepping in and asking the member, 'What are you thinking?' Rather than, 'He's got a knife, why do you have your pepper spray out?' 'What are you thinking?' 'Well, blah, blah, blah.' So, from an officer safety perspective, what would be the better option than having your OC spray in your hand? 'Yeah, I should have my pistol' or 'I should be doing this or this.' So, kind of like the video again we rewind it back and replay it. So now, hopefully, rather than seeing the pepper spray being drawn out, we're seeing the pistol being drawn out. If they weren't behind cover or they were completely exposed, when we are in that pause we can ask them, 'So you're telling me you would draw your pistol? Okay. How do you feel about standing here in the open?' 'Yeah, I'm pretty unprotected.' 'So what would you do?' 'Well, I would look for cover.' 'So you would draw your pistol and go to cover?' 'Yeah, that's what I would do.' Okay, rewind, play, gun comes out, knife comes out [and] hopefully what we're seeing is pistol coming out, them moving to cover and then finishing the scenario on that high. Then at the end being able to sit down with them and say, 'Do you understand why I paused the scenario?' 'Yes.' Or if they don't quite understand, then working with them a little bit more on that point." (Instructor 5)

Furthermore, by exposing officers to a stressful encounter in training, the hope is that it will mitigate the level of stress they will feel in reality. Grossman (1996) refers to this concept as "stress inoculation". Instructor 4 felt that, while the use of force is rare, when it happens it is critical that officers "get it right", so to speak. The unpredictability of policing demands that officers be prepared for any situation. As such, officers have to be presented with chances to get it right, and this often comes in the form of training:

"You gotta know how to fight. Not just for you, but for somebody else. And fighting in uniform is different from fighting in a ring. It never happens on a predetermined...three months from now at MGM Grand we're gonna have this big brute versus that big brute and there's gonna be a doctor there right? There's gonna be refreshments when they get tired at three minutes of the scrap and you

can always quit at any time and you know they guy's not gonna kick you in the head. If he does, you know he's gonna bet banished from boxing. Police and fighting is different. It'll happen, usually, in a place that's no bigger than a phone booth. It's never in a padded area for the most part. It's with a person who could be high on drugs, boozed up, adrenalized, psychotic, covered in infectious bloods that aren't screened by the Las Vegas Boxing Council. So, we've got problems. We've got issues. We try and resolve them cause we don't wanna fight with people. But when we do we have win the thing and with a reasonable amount of force. We know that cops don't do it a lot, but when they do they gotta do it right."

For participants, going through an experience in training gives officers a frame of reference for the field. Training can form the basis of a template or script that officers can use in the field, and the more training and repetition they do, this script can become ingrained in the subconscious so as to become instinctual. This can be connected to the statements by Instructor 9 regarding the need to imbed technique into officers so it becomes instinctual (or subconscious) allowing officers to act and react as opposed to think. This is particularly important for use of force encounters, in that when under stress, much of the decision-making that is made is done so at the subconscious level (Murray, 2004). So, when officers see encounter a particular situation it won't be the first time because they have seen something similar in training:

"It allows them to experience something so they have that in their back pocket and afterwards we'll say, 'Hey, you've gone through this now. Even though it was safe, you won.' You have that experience in your back pocket now and if and when you encounter it you can draw back on that experience or when you're approaching a high risk call you can go, 'Okay, I've gone through training' – the positive self-talk that you have through street survival courses – 'I know I can do the skills.' And that stuff is powerful stuff.' (Instructor 10)

"We'll give them enough information up front to, hopefully perform well and if it doesn't go well, we do a debrief and we do it again, and we do it again, and we do it again. Hopefully, that psychological blueprint gets built and, all of a sudden, they'll go, 'Ah, I've been there before.' I think, for me the best thing I can hear as a trainer is for somebody to say, 'you know what? We had this thing last night and it was just like a training scenario.' And then I know, within the context of safety, that our scenarios have been as close to reality as they can be." (Instructor 3)

This psychological blueprint is particularly important when considering some of the neurological effects of stress. For example, Kosslyn and Koenig (as cited in Murray, 2004) refer to the "jangle effect", in which an individual under stress will have difficulty with some forms of reasoning or problem solving, especially verbal problem solving. So,

the verbal dialogue, which is essential to many people during problem solving, is vulnerable to “jangle.” However, Kosslyn and Koenig found that spatial (visual) problem solving is unaffected by the “jangle effect”, which means that problems can be solved, “through accessing experience through visual memory much more effectively than they can while trying to recall what someone said or what had been read about a specific situation” (Murray, 2004: 43). Thus, the experiences of and memories formed in training can guide officers’ decision-making when other cognitive reasoning abilities are inhibited.

In addition to creating a psychological blueprint, by placing them in the moment, scenario training allows officers to see how they would react when put under stress or presented with a particular set of circumstances. One possible reaction that was mentioned in interviews is hesitation. Indeed, in the discussion on factors impacting the use of force, participants touched on the phenomenon of officer hesitancy and the danger that it presents. The fact that a purpose of scenario training is to inoculate officers from stress, it may also be able to encourage officers to overcome hesitancy in use of force situations. If officers hesitate in training, instructors can explore why they hesitated and attempt to get them to overcome their unwillingness to act. When asked about the ability of training to eliminate or decrease the potential for hesitancy, the instructors’ beliefs varied – much the same as their beliefs about the existence of hesitancy in general varied. Some instructors felt that in-service training could decrease hesitancy:

“I’m hoping that they overcome that at the academy and we do still see it with some members where there is a hesitation to use force. There is, you know, that hesitation. They just can’t seem, for lack of a better term, pull the trigger when they need to. But, we need to get them to understand that your safety is paramount, the public’s safety is paramount as well and there are times where you’re going to have to step in and do something. If they are, you know, gun shy then scenario-based training is helping them through that because the way we conduct our scenarios is we can stop [the officer] in the middle of a scenario.” (Instructor 5)

“The last thing, and we see it time and time again – and there’s well-known, documented cases even locally – is where officers were clearly justified in using a certain level of force, even pressing the trigger, and they didn’t do it. It’s only by luck that the bad guy has a misfire, that the bad guy has a malfunction, and that they give it up and the person get’s arrested, that the officer lived. And we even fuck it up more by giving them a commendation for very poor decision-making.

And when they're dead what do we do? We have a big funeral...and we say, 'Oh fuck, the guy must've got the drop on him.' We try and look for the reasons when, I think, if you look back on those officers they qualified. They had the tick in the box that said they're qualified and good to go, but they had never been in a scenario where their decision to actually do the thing they were supposedly qualified to do was ever tested. So, I fault their training entirely. If they were in a scenario and that exact same thing happened and they got shot in a training scenario, they would go, 'That sucked.' Okay, so let's learn from that and let's learn either some tactics or probably more importantly, the willingness to engage, to commit, to do it, is more important than what you're doing in the first place. How do you imprint in somebody the ability to do that? You do a scenario that tries to replicate reality so they go, 'I've seen that before and I know what's coming, so I'm gonna do this'." (Instructor 3)

Conversely, while Instructor 10 saw the benefit of scenario training for the development of a positive experiential foundation, he did not believe that it could overcome timidity. For him, officers either have "it" or they do not. He went on to state that timidity in officers could only really be overcome through recruiting, as the amount of training required to coach people to overcome an inability to act is not feasible. However, it is important that police services do not hire officers that are over confident or over-aggressive. Again, like many aspects of policing, a balance must be struck:

"No. You're either hard-wired or you're not. You would have to have a continuous, on-going, multi-year training program to truly train people like that. And I've seen it at the police academy and in other agencies too. You see those people and you know right away and if you are able to talk them or talk to someone that talked to them, they are shit scared. Every day they go to work and they're nervous. And I empathize with them cause I think, what a life. You go to work all the time and you're worried about doing the wrong thing or can I do this? Can I do that? Everybody has self-doubt and it's a chronic thing. And the other side of the coin is you don't wanna hire people that are too confident, too aggressive.... So yeah, scenario training identifies that stuff but does it cure it? No. I haven't seen it. Some people might claim it, but I'd like to see the before and after. That's the litmus test."

At this point, the ability of training to help officers overcome timidity, fear, or hesitancy is merely conjecture. Until studies – the before and after that Instructor 10 mentioned – are conducted there is no evidence, other than anecdotal, to support whether timidity can or cannot be "coached" out of officers. Although the ability of scenario training to help overcome hesitancy or timidity may not be clear, what is evident is that strength of scenario-based training lies in its potential to improve officer decision-making and performance by placing them in real-time real-world situations and allowing

them to make mistakes that can be immediately corrected by instructors. As Instructor 3 states, the importance of improving officer decision-making and performance is critical at a time when the microscope that police are under is more powerful than ever.

“You would think that going home at the end of the day, having reasonable decisions on the use of force and shooting people that need to be shot and not shooting people that don’t need to be shot and only using the amount of force that is necessary and not any excess, that has been, historically, the driving mindset around training. The one that gets me more mileage as a trainer now is when I go to the chief and say, ‘This will reduce the amount of police complaints if our officers have better performance, have better decision-making, have better judgement, so what is recorded out there in the media has a better potential to be positive because the officers performed better.’ The judgemental decision-making, reality-based, scenario-based training component has that positive impact in the media about how the public perceives the police.”

Articulation: Painting a Picture and the Power of Perception

In his discussion of use of force encounters as events, Fyfe (1993) provided a three-frame analysis through which to view the use of force. Frame 1 involves activities prior to suspect contact; frame 2 involves actions prior to the use of force; and frame 3 involves the ultimate use of force decision (or indecision). As Instructor 4 noted, no two-officers will necessarily navigate these frames the same way. According to the instructors, the decisions an officer makes and the actions that they take are dependent upon the size of the officers, their level of experience, and, ultimately, how they perceive the situation as unfolding. The fact that officers vary in their decision-making necessitates the addition of a fourth frame to Fyfe’s analytical model – the articulation phase. Indeed, instructors stated that in addition to making sound decisions and using appropriate level of force, officers must be able to articulate (to justify) why they did what they did after the fact. It is critical that officers are able to articulate their actions, particularly when being questioned in a legal context, by investigators, by a coroner’s inquest or by members of review boards. For Murray (2004), each action that an officer takes in a use of force encounter, including the decision disengage (or not), must be articulable, a position supported by Instructor 3 who stated that the why is more important than the how. That is, “If it’s justifiable and articulable and you can do it, well then it doesn’t matter how you do it” (Instructor 3).

On the other hand, the inability to articulate one's actions can lead to uncertainty and doubt in the minds of those tasked with determining the appropriateness of decision to use force and the level of force used. Consequently, an important component of in-service training is the articulation phase that occurs following the use of force encounter. According to Instructor 5:

“So, not just how to deal with the situation, but after the fact how to articulate your reason why you used the force that you did. So that is another part that forms part of the scenario-based training, is the after the fact articulation. So, our scenarios are probably no more than five-minutes in length, but the articulation can be fifteen or twenty minutes in length. So a scenario goes by very quickly depending on the performance of the candidate, but the articulation is where we are putting a lot of focus right now.” (Instructor 5)

For Instructor 10, the importance of the articulation phase is significant to the use of force. He notes that when officers “get into trouble” it is most often not due to mistakes they made during the event, but in their inability to, as Instructor 7 states, “Paint the picture.” Thus, as Instructor 10 notes, scenario training is not simply about acting and reacting. It is about developing the ability to communicate those actions and reactions in the aftermath. His point is illustrated below:

“So what we do is spend half a day with the people in the gym here going through all the force options, then we have some micro-scenarios where we talk about the policy, the laws, get them to demonstrate the connection – use a handcuff or OC or whatever in a safe manner so they can show that they can still manipulate the tools effectively. Then we put em into small scenarios and see what tool they choose. When we design the scenarios there could be a whole range of tools they could use. If they're a big powerful person they could just grab onto the guy. If they are a smaller officer they may have to go to OC, you know, a CEW or a baton. And then after they do it we ask em, what did they see and why did they choose that force option? The communication for us is huge, as well as documentation. Get them to articulate why they did what they did, what was the subject doing and why did you choose that option. That's huge for me cause I wanna make sure that the members are doing the right thing and they understand why they did the right thing and they can articulate it. And nine times outta ten, if there's trouble it's because of poor articulation. Not because of bad decisions they're making, it's when they write it down or explain it they're a little confused cause things happen so fast and they make the right decisions, they just don't know why.”

Instructor 5 made a similar point, particularly how officers can get themselves into trouble with poor articulation:

“The biggest challenge...well number one, I think is the articulation. I think, probably, 90 plus, 95% of the time police officers respond the way they’ve been trained to respond and they respond appropriately. I think where some police officers get themselves in trouble is that they’re not able to articulate why they did what they did accurately. I think that’s where the challenge becomes for members using force.”

Part of this challenge lies in the ability of officers to articulate what they did without using policing lingo or “cop talk.” Instructor 5 went on to state that part of articulation training in his police service is predicated on the need for officers to be able to communicate what they did in language that non-policing personnel would understand:

“...after the fact, we ask them why they did what they did? And these three questions are what we start with: 1) Help me understand why you intervened in the way that you did; 2) I want you to explain it to me like I wasn’t there; and 3) I want you to explain it to me like I’m not a police officer. The reason we’re doing that is that at one time our articulation was very much based on speaking to a police officer, using words off our use of force model, which lay people may not understand, and it was very robotic. It was very much this way, this way, this way, this way. Where we’ve moved to is simply having members understand that when you’re on the stand and there’s a jury, they don’t get cop talk. They don’t get the police lingo. Or a judge or a coroner’s inquest, it doesn’t matter who you’re speaking with. They need to understand the type of situation you were dealing with. They need to understand how you were feeling at that time and why you did what you did. So that’s why we use those first three questions and we want them to paint us a picture of that moment in time. If you read fiction novels, a really good fiction novel you feel like you’re there. That’s what we want our members to be able to...how we want them to express themselves to somebody else. Almost like they’re sitting on the edge of their seat and at the end of the articulation, that person, that judge, that jury, that Coroner’s inquest – whatever – are able to say, “You know what? I understand why you did what you did. That was a very scary situation.” Or whatever it is. So that’s where we’re really trying to focus our articulation. Paint me a picture of that time.”

Yet, while articulating one’s actions in a “routine” situation may be a relatively straightforward task, articulation following a stressful event is far more of a challenge. It was noted in the literature review and the participants’ discussion of stress that, when involved in a serious, life-threatening situation, tunnel vision, auditory exclusion, the inability to recall details – even very important details – might occur (Pinizzotto et al., 2006). Thus, when an officer is expected to articulate what they did, they may have trouble remembering key details, may “misremember” certain aspects of the situation, and may have a different recollection of events than other officers and witnesses that

were present. The notion that no-two officers will perform a scenario in a given way can be applied to articulation, in that no-two officers will perceive an experience the same way. This has significant implications for oversight and the investigation of use of force incidents. This notion will be explored in greater detail shortly.

Gaps in Training

“There’s a whole lot of systemic problems with training that persist to this day.”
(Instructor 6)

Operating in Silos – The Disadvantages of Traditional Firearm Training

Before discussing participants’ responses regarding the nature of pre- and in-service firearms training it is important to emphasize the rarity with which the police use lethal force in Canada. Recall that in Chapter 2 it was mentioned that there are approximately twelve fatal police shootings per year in a country with a population of 34 million people and 70,000 police officers (Parent, 2011). In British Columbia, from where nine of ten participants were drawn, there are roughly three fatal shootings per year and approximately 6 – 10 non-fatal firearms discharges out of a population of 4 million people and 10,000 police officers (Parent, 2011). Furthermore, the last time a police officer was fatally shot in British Columbia was 1987, a period of almost thirty years without an officer being fatally wounded (Officer Down Memorial Page, 2014). As such, it should be clear that, in Canada, the likelihood of an officer killing or being killed with a firearm is extremely rare. However, as it is a force option that carries with it such heavy consequences, it remains a significant aspect of the training curriculum.

In reviewing the extant literature on use of force training in Chapter 2, recall the fact that, historically, firearms training has been taught separately from defense and control tactics and intermediate weapons training. As a result, those tasked with providing use of force training have also tended to operate in separate spheres or as distinct entities (i.e., firearms instructors, defense and control tactics instructors, and Emergency Response Team instructors) creating a situation in which individual instructors come to dominate the area that they teach, which creates a situation in which officers are getting mixed messages and are not necessarily getting a consistent level of instruction. As Instructor 3 stated:

“Historically, there have been firearms instructors, use of force instructors, and tactics/ERT instructors and there’s so much ego involved and the officers are the ultimate people that are getting less than the best quality product.”

Respondents stated that as use of force training has evolved, training has become far more integrated, particularly as it relates to defense and control tactics training. For example, Instructor 6 explained that whereas officers used to be trained separately on each force option (i.e., intermediate weapons separate from hand-to-hand combat), these options are now taught in conjunction, which allows officers to traverse the use of force continuum more seamlessly ideally better preparing them for real world force encounters. However, while training has become less compartmentalized, instructors spoke of the fact that firearms training, in some respects, continues to remain separated from other aspects of use of force training – a point that Instructor 6 lamented:

“Less compartmentalized training. You know, where maybe you’d used to go and work on your baton skills and you’d hit a heavy bag with your baton, and then you’d do some hand-to-hand skills; now its like, ‘No you gotta solve a problem and may be called upon to use one of the tools, whether its your mouth our your firearm. The one thing that’s persisted that’s really troubled me is there’s still a silo between firearms training and all the other force responses and its one of the things that I’ve been working on for over fifteen years.”

According to participants the separation between firearms and force options training presents a number of issues, chief among them is the fact that it has possibly stunted the growth of firearms training, insulating it from the advances made in other areas of use of force training. Consistent with previous research on firearms training, participants spoke of the static nature of traditional firearms training, with recruits and officers still required to qualify on a shooting range under stable conditions and taught to focus on the front sight of their weapons when preparing to fire. U.S. research has identified a number of issues with this style of training, specifically, that it does not adequately prepare officers for the field (Hendrick et al., 2008; Morrison & Vila, 1998; Vickers & Lewinski, 2012), as evidenced by the drastic drop-off between qualification hit percentages (an 80% accuracy standard) and hit percentages in the field (15-20%, on average). Yet, in spite of these flaws, participants stated that firearm training continues to be provided in a similar manner, operating in a silo that slows its evolution. For example:

“I don’t think firearms trainers have evolved to the same degree as control tactics trainers have. They still believe in qualifying officers on a static range, on paper targets, on a whistle [or] on a buzzer. It in no way relates to a gunfight. In fact, not only does it not relate to it, it actually creates bad habits that will get officers killed in a real world situation because it has them stand firmly in one place on two feet, point their gun, aim...It’s been proven through research that you cannot see your front sights when your body is under significant stress, life threatening stress. You won’t see your sights. You will not be able to aim...I mean gunfights generally take place at ten feet or less. They happen quickly. They happen unconventionally. Officers tend to draw their gun rapidly [and] fire rounds without looking at their sights. They point their gun and shoot. In qualification you’re required to shoot eighty percent on the range. In the real world our hit ratio is twenty percent. So, right there you have to realize there is a huge disconnect between what’s going on in firearms and what’s going on in the real world.” (Instructor 6)

“When you go to the range, you’re shooting at pieces of paper that don’t move and don’t shoot back. We do things and we have to be safe because we don’t wanna frickin shoot each other. Yet, the real world looks different from that. And I would never point my gun at you at the range, but when I go into this room and I clear left and you go into that room and you clear right, the only things between you and I are a couple of pieces of drywall. Or, I’m the low ready and now there’s just maybe a caret, some boards on the floor and the drywall and the ceiling below us, between me pointing my gun at you. Or, I’m on containment and the only thing between me and the guys in side is a piece of frickin glass. So, what we do for real is different than what we do on the range.” (Instructor 3)

The biggest concern for instructors, then, is how to create more realistic firearms training that is applicable to the real world. Participants felt that the best way to do this was to incorporate a dynamic element into firearms training – having officers move and shoot under stress and in response to a particular stimulus. This is position is consistent with American and European research (Oudejans, 2008; Nieuwenhuys & Oudejans, 2010; Vickers & Lewinski, 2012) that has suggested that training under stress will improve firearms performance and deadly force decision-making in the field. For Instructor 6, the shift from static to dynamic firearms training requires a total re-imagining of traditional firearms training:

“We should be point shooting. We should be shooting more SIMUNITION in training. Our qualifications shouldn’t look anything the way they look. But, the firearms community is one of the most traditionally based, firmly heels dug in entrenched group I’ve ever met in my life. It’s gonna change. It may be driven my economics because of the cost of ammunition. It may be driven by the green movement because of the lead in the air, but it will change.”

Indeed, based on the responses of participants, it is starting to change, particularly, in regards to in-service training. As noted in the findings regarding in-service training, instructors cited its integrative nature as a considerable advantage. Using non-lethal ammunition (SIMUNITION) scenario training integrates all force options to allow officers to escalate from dialogue to deadly force depending on how the scenario is scripted. Further, it also allows instructors to create scenarios in which officers can engage in dynamic shooting under stressful conditions. This integration of force options has been accompanied by a blurring of the lines between firearms and tactics instructors also, with participants indicating that their departments require trainers to be qualified in all force options or, at the very least, collaboration between training teams. For example:

“We’ve had a greater opportunity to work with the other part of the control tactics or force options team, which is the firearms unit. And now we’re collectively working together and having it all as one. It used to be very distinct. It used to be firearms and then defensive tactics. Defensive tactics has been termed control tactics, a bunch of different names, but really the stuff on the ground, the handcuffs, the batons, and the pepper spray and the firearms was separated from that. Well now here, housed as one unit, we can network together and deliver consistent methods and practices.” (Instructor 4)

“So, being a pistol, shotgun, rifle, Taser, beanbag instructor; being a use of force instructor/trainer; being an ERT instructor/trainer allows us, with our other trainers to integrate all those things. So, if we are doing a high-risk arrest day and we have to layer less-lethal, but it’s a no shoot and a guy wants to fight and now we’re doing in the dark and we’re gonna do it with three other officers, it all kinda comes together.” (Instructor 3)

“All of our use of force instructors have to be certified pistol, certified less-lethal instructor, certified rifle instructor, and certified to teach all other force options. So, we do everything here.” (Instructor 10)

In addition, to the dynamic deadly force training that occurs in scenario training, Instructors 3 and 10 also stated that they are beginning modify their live-fire training in order to make it more dynamic and realistic, as well as developing more realism into their lethal force drills. For example:

“We do static training and then we’ll do a little bit more dynamic training, which is very...its done in a safe manner but we have a lot of procedures in place so people don’t get shot. Cause we have to push that envelope to allow them to move, shoot past things, you know, have people in different part of the range where they can actually deliver live fire stuff.” (Instructor 10)

“So, you learn to do a stoppage clearance drill. You shoot your gun, you have a stoppage, and now you have to fix it. You have to reload it; you have to do whatever you do to clear the stoppage. And what do we typically do? We use a shot timer that times who can do it the fastest because the idea is if you have the pressure of time, you’re gonna fix your problem faster to get back in the game. But, it’s totally out of context. So, what we did in this drill is I had officers load up mags with some dummy rounds. They are going to create a stoppage. Then they inserted them into their partners’ guns, so they didn’t know if they had four rounds and a stoppage, three rounds and a stoppage, but they know they’re gonna have a stoppage so there’s already some awareness. Instead of a shot timer, I had a role player with blanks who was giving them stimulus – drawing a gun, swinging a baseball bat – that would induce them to shoot. But, of course, at some point, they’re gonna get a stoppage. Now, in the context of the pressure that’s on them to fix the stoppage, all of those things that they could do really fast on the range – fine and complex motor skills, hold on to the two mags – went out the window.” (Instructor 3)

Thus, there is evidence that the silos that exist between firearms and other force options training are beginning to be broken down. It appears that evolution of firearms training is underway, though in the early stages. With that said, while in-service training has seen an integration of all aspects of use of force training, live-fire weapons training remains distinct and static range qualification remains the standard training method. This separation, according to participants, is direct result of the safety concerns associated with using live ammunition. Further, at a pre-service training level the silos separating firearms training and force options continue to persist and static range training continues to be the standard format of academy firearms instruction. While participants wished to see full integration of both pre- and in-service training, there are barriers to this, such as the proprietary nature of use of force training, and a lack of resources and training time.

Instructor Qualification and Best Practice Standards

Throughout the discussion thus far it is clear that while much of the content of use of force training in Canada is based on national standards (i.e., the National Use of Force Model), the experience, background, and philosophy of a particular trainer also has a significant influence on the way training is configured and applied. For example, one instructor may favour a certain technique over other instructors or may teach a technique a certain way, while others may teach it differently. Further, the principles guiding one’s training methods may be vastly different from the guiding principles of another use of force trainer. This can create a degree of dogma in which instructors hold

what they teach as gospel and are not necessarily open to new interpretations. As Instructor 6 put it:

“Use of force training is like the bible. Everyone just adopted parts and tried to make it fit what they wanted it to be. They took their own interpretations and built on that.”

Instructor 3 expanded upon this notion by likening it to a university course that is taught by several different instructors. That is, while the course may have the same underlying material, a student’s learning outcomes may be vastly different depending on who their professor is.

“So we might do some great stuff in [our department] and it might be the way, but if the instructor development and the design isn’t there to deliver it then, like anything else.... You’ve been in courses that are maybe the exact same topic, with five different instructors and they are five different courses. So, as you’ve learned from your interviews, you’ve got five different trainers, doing it five different ways. Some are better than others.”

For these officers, while the essence of the material being taught is critical to officers’ skill development and preparedness, the individual teaching the material is equally as important. In a way, cadets and officers are at the mercy of their instructor. If they are incorrectly taught a particular technique or taught a technique that is ill suited for real-world application, then they may be entering the field at a disadvantage. Instructor 2 touched on the balance that must exist between both content and application. That is, instructors that are quick to adopt techniques that are not applicable to real-life situations are putting their officers at a disadvantage when they enter the field. For him, any material being taught must be grounded in reality, and it is incumbent upon instructors to make this realization:

“There’s this thing called S.P.E.A.R.¹⁷, I dunno if it’s ever come up, but it’s another weekend course that they’re pushing. You know that ‘oh shit’ reflex, like when a baseball flies into the crowd and they go like this (makes a flinch motion).

¹⁷ S.P.E.A.R. is an acronym for Spontaneous Protection Enabling Accelerated Response. It is a close quarter protection “system” developed primarily by Tony Blauer in Canada in the 1980’s. It is a closer quarter protection system that use a person’s natural ‘startle-flinch’ response when under threat as a basis for self-defense. A number of military and law enforcement agencies around the world have adopted the system. It is also offered as a course of use of force instructors (Murray, 2004).

You're supposed to turn it into a positive thing by pushing across the guy's sternum and neck like this (makes the motion) when somebody attacks you. Well you know the last time that happened to me? Never. Or anybody I know of. And yet, it's a week-long course and these use of force trainers are going, 'Whoa this is such a good course.' And I'm going, 'Yea but how often does that happen?' Never. So how about when the guy goes, 'Well fuck you?' Where's that course?

Respondents emphasized the importance of instructor development that produces qualified trainers that can achieve a level of credibility with officers. However, use of force training is an area that is dominated by strong personalities, with deep-rooted beliefs and philosophies that are difficult to re-shape. That is, once a particular trainer becomes established in a position and his or her philosophy becomes ingrained, it is challenging to introduce new ideas and personalities. For Instructor 10, the wrong instructor can derail a training program:

"...we've had that in the past to where it's all about the instructor and that's like a cancer. It destroys the confidence of the membership and if they don't have confidence...."

At a fundamental level those charged with teaching officers on when and how to dispense force must be eminently qualified to do so. This means having the depth of knowledge of the use of force model, as well as having the personality that lends itself to teaching. Further, one's experience as a police officer is also important, in that officers' are less likely to buy into the message being espoused if they do not view the instructor as being a "good officer". For example:

"If you don't have qualified competent, trusted instructors, you don't have a program. Period. Get someone else to do it. I'm very, very, very selective about who comes through the door and I've made some enemies. I say, 'You need to get your use of force up to speed, your firearms up to speed, your instructional techniques up to speed before I'm gonna invest even one penny in you. You have to show me what you have and you need to show me that you're consistent and reliable and you don't have an ego. You don't have to be the biggest, toughest, fastest, meanest, [and] nastiest; but you have to be the most compassionate, empathetic, understanding, articulate person, and be able to back up what you say. If you say do something, you better be able to do that...at least at a basic level.'" (Instructor 10)

"What we tell our instructors from a development standpoint is, more than anything else your reputation precedes you. And if you were a dog fucker on patrol and you didn't have good habits, then don't think people are gonna listen to you and pay respect to you cause now you're wearing the instructors shirt." (Instructor 3)

However, the fact that one is adept at a particular skill or use of force technique does not necessarily mean that they will excel as an instructor. Indeed, one of the criticisms of police training programs is that they often hired instructors based on the fact that they had a certain level of “expertise” in martial arts (Dossey et al., 1997; Parsons, 1976; Redenbach, 1998), with little consideration given to the actual effectiveness of the techniques they were teaching or the way in which they were teaching them (Dossey et al., 1997; Parsons, 1976; Redenbach, 1998). According to Instructor 3, instructor selection must be based on more than proficiency in a particular area. Potential candidates must demonstrate an ability to properly communicate the material and facilitate officer development. As such, it is critical that potential trainers are given the proper tools and not just put in positions of influence because they look like a good trainer or paper:

“You could be an awesome practitioner, but that won’t make you a good instructor. Just because you’re a good shooter doesn’t mean you’re going to be a good firearms instructor. Just because you’re a good grappler and good jiu jitsu guy doesn’t mean you’re gonna be a good instructor. Just because you’re a big gronk (sic) and can kick down a door doesn’t make you a good trainer. You can’t just have cadre development off to the side. It needs to be a live thing where you take care of your people, you treat them well, and you give them courses.”

In this respect, the Instructor is discussing the need for police services to avoid what Gladwell (2007) refers to as the Warren Harding error, which denotes the practice of associating a person’s appearance with the belief that they will excel in a certain position. In this case, assuming that a police officer will make a good use of force instructor because he or she is physically imposing and/or proficient with a weapon. However, avoiding this error is made more difficult because there is currently no national standard for use of force qualification. A potential instructor can take a course or number of courses and be deemed an expert in use of force. According to a number of interviewees, this means that officers that are best suited to be instructors are not necessarily selected for those positions. Instructor 9 illustrates this below:

“Right now there is something called CALEA [The Commission on Accreditation for Law Enforcement Agencies Inc.]. This states that you have to have qualifications to be a use of force instructor. Even though you must have qualifications, they are pretty minimal. You can complete a one-week course and be certified as a use of force trainer. This leads to a major flaw in the delivery of training. You have guys that are severely out of shape, that don’t practice what

they preach, and start preaching what they don't understand. Like, the current instructor in [my department]...he took a one week course and now he thinks he's an expert in teaching and fighting."

Instructor 2 made a similar point in discussing the need for police services to discontinue their reliance on unqualified or under-qualified instructors. In doing so, he advocates they need for instructor development:

"So you see really unsafe practices being adopted because, obviously it's being taught by people who don't know what to do or they're civilians or have limited street experience. They've taken a couple of weekend courses. We talked before about that. Do a weekend course and building your foundation from there. Well is ass-backwards. You should be fit first and then have some basic core strengths and ability in training and then you can add that little weekend course on to the top of the pile. But if you got nothing for a base and you're waiting for some specific thing to happen that this weekend course addresses, well it may never happen."

Furthermore, Instructor 3 noted that those who are best suited and most qualified to be use of force trainers are also well-suited in other positions of authority in policing, thus diminishing the pool of suitable instructor candidates. A diminished pool of suitable candidates may force police services to hire less qualified individuals to fill instructor positions, which could initiate or perpetuate a system of poor training. As such, in addition to having the necessary experience and personality for teaching, Instructor 3 believes that trainers must also have a level of selflessness:

"The problem is that those people who would do well as trainers also have the aptitude to do well as NCOs. They end up getting promoted and they go down a different path and training is out for them. So, I think the selfless side of a trainer is sometimes and undervalued attribute."

According to Instructor 6, the dearth of suitable instructor candidates is compounded by departmental rotation policies that limit the development of so-called experts – individuals that are allowed to remain in positions for extended periods of time, becoming ingrained in that position, so as to become an authority in the area. Once an individual has been in a position for certain period they are either transferred by the department, are promoted, or willingly leave to explore a different area of policing. As such, police services struggle to retain qualified instructors and replace them with qualified replacements. Instructor 6 saw this as a major issue:

“And one of the problems is there’s a policy in policing where they rotate people constantly through different jobs. They actually really struggle with people like me who want to become an expert in that area and to make an area of the department better. And I don’t know why that is. I don’t know if they feel that you’re gaining too much knowledge in one area and it’s a threat or if they think that everyone deserves a chance to have that job...It’s a huge handicap to progressing.”

The need for a more rigid instructor qualification standards is exacerbated by the fact there is currently a lack of scrutiny or oversight for use of force trainers. Scrutiny is largely reserved for the actions of line-level officers with no formal accountability mechanism in place for use of force trainers. That is, when police are involved in an improper use of force situation the individual officer(s) is the subject of internal and external scrutiny, while the trainer that taught the improper technique is not held to the same level of oversight. For Instructor 9, this lack of oversight for trainers facilitates poor training and improper or unsuccessful techniques being taught to officers. He went on to note that in addition to a lack of oversight, trainers are also not required to recertify (other than on firearms like all officers). This also allows poor or under-qualified trainers to continue to work and train officers as long as they occupy the position. Instructors 2 and 9 felt that there needed to be far more rigid physical standard in place for use of force instructors:

“If you’re out of shape, the heart rate accelerates over 145 bpm and it doesn’t matter what you know. A lot of instructors are out of shape, and aren’t good role models for the officers they’re training. So, there should be extensive training for use of force instructors and much higher and rigid physical standards.” (Instructor 9)

“I think they should hire people who are physically fit as a lifestyle. They don’t. And they should have mandatory fitness testing, which I wrote a paper on in 1982 saying mandatory fitness testing should be part of the terms of employment.” (Instructor 2)

Insufficient Resources and Training Time

Both in-service and academy instructors cited a lack of time and resources as a barrier to providing comprehensive use of force training. The use of force is one aspect of the police profession and the time devoted to use of force training must be balanced against the need to train officers in the myriad other aspects of the job. In addition, use of force training requires a significant amount of resources (e.g. instructors; tools),

making it cost-intensive for police services. The result is that at both the police academy and individual police services, there is a finite amount of time and resources available to conduct use of force training. According to Instructor 3, the lack of resources available for pre-service training means that the training provided at the police academy is not as comprehensive or as contemporary as it needs to be:

“I know that the [Academy] has limited time. They have, from an instructor-student ratio, a bigger challenge than we have. For example, our scenario-based training days we limit to six officers and at least two, sometimes three, instructors versus a class of twenty-four at the [Academy] with two or three instructors.... I will be the first to say that the police academy isn't the hub, even though everybody goes there and that's the base training that an officer gets. Just because of those challenges, they are not able to be contemporary. In some ways it's just, 'Get em done'.”

The result, for Instructor 3, is that while recruits leave the academy with the requisite foundational skills (i.e., they know how to shoot a gun and effect an arrest), they lack the higher-order skills that can only be achieved through more comprehensive situational training. As such, a heavier burden falls on police services to fill in any gaps in training that their officers may have. However, like the police academy, police services operate on limited budgets and, depending on the size of the department, the resources available, and administrative policies regarding training, they can only offer a limited amount of in-service use of force training. Consequently, there is significant variation across police services in the amount of training they provide, how often it is provided, and whom it is provided to. For example, Instructor 3 works for a small police service with considerable resources that facilitates the small instructor to student ratios mentioned above, as well as allowing them to develop a comprehensive and innovative use of force training program. Other police services do not necessarily have this luxury, as Instructor 10 points out below:

“Some years we have the luxury of providing additional training on those training days; other days we don't. Police services, they have a lot of things we have to do [such as] domestic violence, critical incident de-escalation technique, and other things that are mandatory for the province that competes with some of our use of force instruction.... Over the past few years our use of force training has been really compressed due to these other competing interests.”

For larger police services the challenges are even greater. For example, Instructor 5 explained that all members of his police service are given in-service use of

force training; however, firearm training is only done on an annual basis, while all other force options training is conducted in three-year cycles that take place over the course of five days. When asked if he felt more training was necessary, his response was:

“Yeah we could use it more often. We could use firearms training more often, but, again, it becomes money issues, a resource issue, those kinds of things.”

Additionally, Instructor 4 stated that at present his police service is currently unable to offer training to all members, as their current in-service training program is mandatory only for patrol officers and some specialty squads. For Instructor 4, this is a significant barrier to overcome:

“The biggest challenge is getting more time and more resources to give this training to everybody. Right now a lot of guys aren’t even getting much training except for shooting their gun. One-third of the department is not operational. They’re in support-type services [and] investigative positions. The only training they really get is – when we can, given limited resources and time – put on some training for their squad. They won’t come through the door and wrestle on mats like everyone else. They’ll come and shoot their gun but they won’t get the benefit of everything else. We’re trying to change that. We’re making some inroads but we’re vastly understaffed here. That’s a huge issue as well as manpower for the training section.”

It should come as no surprise that use of force instructors would like to see more time and effort put into use of force training. It is likely that those giving investigative training, legal studies training, or crisis intervention training would feel the same way. Indeed, given the fact that officers utilize force so rarely, limited training time would seem to be warranted. However, according to instructor 10, it is this very rarity that demands officers get sufficient training time. The lack of opportunity to use force coupled with the high level of risk means that officers must be prepared for if/when they find themselves in a dangerous encounter:

“It’s high risk, low frequency. So, the higher the risk and the lower the frequency means we have to train more on it cause we’re not doing it. Do we have to train officers how to shine their boots and put their pants on? What’s the risk to the community if the police officer has dirty boots and dirty pants? Who cares? However, if they discharge their firearms in an inappropriate manner or they can’t hit what they’re aiming at or they’re shooting in a situation where they shouldn’t shoot, that’s a super high-risk, very low-frequency that we have to make sure that the members have the comfort and the public has the confidence that we’re carrying these tools that could cause death [or serious bodily harm].”

The other issue is that many of the skills required to perform the use of force require constant practice and refreshing. If these skills are not being used and practiced on a day-to-day basis then there is an increased likelihood that they will perish or that the officer will not be as proficient or sharp when required to use them. And this could have serious ramifications. Even though trainers are providing more simplified training, the skills and techniques being taught demand practice to be truly mastered. Instructor 9 shared this sentiment, citing Malcolm Gladwell's (2008) 10,000 hours principle of learning a skill:

"Learning a skill is a long-term process. Most people will not be able to learn a skill in a short period of time. So, for any kind of training you need 10,000 at one particular skill to become proficient at it, or to gain expertise."

Instructors 3 and 4 echoed this notion, while offering the analogy of competitive athletes who are required to practice regularly to achieve an optimal level of performance. It's a philosophy that he would like to see adopted by police leaders:

"So, from a training standpoint, yes you go to the academy as a recruit and you learn the how's. And you have to do that, no doubt. But we are expected to be...If you want the Canucks to win the Stanley Cup, they train all the time, they train every day, they practice all the time, they play eighty games [and get] paid big buck. You have expectations that they're professionals and that they're gonna perform like professionals. Well, the public expects that we will be professionals too and that we will perform at a high standard. And we can't make mistakes because people can die. Yet, you only get to train three hours, once a year at the range. 'But don't fuck up when it happens for real!' It's apples and orange right? So, you can clearly see the effect of good training on outcome. Yet, in policing there's not the same dedication or same purposeful design of training. A lot of times it's just 'Get it done'." (Instructor 3)

"When you have a kid playing high school football or high school basketball, he or she is probably practicing Mondays and Wednesdays for two hours. That's four hours right there. By week two, he's done as much training as an officer's done in half a year. So, then he goes on to play scrimmages in games and the whistle's blown and he's healthy and he's getting stronger and he's working. He'll put in a couple hundred hours of solid training for a game. We need to get that philosophy embedded into our leadership that says, 'we need to get our officers trained more.' Unfortunately, it's usually a result of a catastrophe that happens where there will be more training. We call it the crosswalk syndrome." (Instructor 4)

Lastly, for Instructor 2, it is simply not realistic to believe that a four-hour training session, given once a year will have a long-lasting impact on officers. This is particularly

true if the skill or technique being taught is complex. As the complexity of what is being taught increases, so too does the time required to master it:

“You’re talking about so much training time to do that. It’s not just, “Oh I know how to do it, I can do it.” You’re talking about ten thousand reps and ten thousand hours to do stuff like that. You can’t just have officers come in for team training day and do it for four hours and expect them to say, “Oh thanks for teaching us. That’s really good.” Well, it might make you feel good cause you got to teach somebody something, but it’s useless. It’s absolutely freaking useless.”

However, as Instructor 10 cautions, while instructors would like to see more time and resources allocated to use of force training they must be careful to avoid over saturating officers. If officers are given too much training or given training that is too complex, they could be negatively impacted:

“There’s a tipping point though. We gotta stick to what the members have to have and their stomach level for the training. And do they feel comfortable and safe, cause if we have scenarios that are so complex that they have little meltdowns then they’re not gonna have any confidence in us and maybe themselves.”

Summary of Findings

As an exploratory study on a topic as complex and nuanced as the use of force, the findings of this study are admittedly broad and touch on a number of areas. The findings range from identifying some of the key internal and external factors involved in the police use of force to an examination of current use of force training and how it addresses some of these factors. In terms of the use of force, findings are consistent with previous research, in particular, those relating to the role of the situation in police decision-making. Specifically, instructors’ responses support the findings of Terril (2003) and Worden (1989) who cited the behaviour of the subject as playing a central role in police decisions to use force. The findings here confirm what is already known about the actions, intentions, mental state, and resources of the subject as being a correlate of police use of force. Based on the perspectives of the instructors, the actions of the both the subject/suspect and the officer(s), especially at the front end, can both escalate and de-escalate situations to the point where force is necessary or unnecessary, which has a direct bearing on officer training.

In addition to touching on the micro-level interplay that occurs between officer and subject, instructors also touched on some macro-level factors of police accountability and scrutiny (visibility) that operate beyond the control of the individuals involved, yet can have a considerable impact on how use of force events play out. While other studies may have touched on the impact of visibility and accountability on police use force, the findings of this study are important in that they explore that impact through the eyes of police officers. Participants agreed that that the spotlight and visibility of the police is at an unprecedented level; however, the degree to which is this impacts officers remains a topic of debate. The biggest potential impact of increased visibility and accountability of officers raised by instructors is the notion of hesitancy. That is, officers are reluctant to use force out of fear of their actions being recorded and/or a fear of being subject to supplementary discipline in spite of their being justified to use a particular level of force. Based on the findings here, the degree to which this issue has permeated policing remains unclear; however, several instructors did view it as potentially growing issue in policing and one that deserves attention.

In relation to pre-service training findings are consistent with the previous literature (see Oudejans, 2008) characterizing training as focusing predominantly on the technical, tactical, and physical aspects of performance. The purpose of pre-service training is to teach the foundational skills officers will be required to use when facing a resistive or combative subject – characterized as “putting tools in the toolbox.” Yet, where previous research has stated that pre-service training neglects psychological factors, the findings here suggest that that is not necessarily the case. As Kaminski and Martin (2000) note, American academy use of force training has evolved in response to research on the psychological impacts of stress, specifically, as it relates to the breakdown of fine and complex motor skills. The findings here demonstrate that Canadian use of force training has undergone a similar evolution, in that the pre-service instructors discussed the simplification of use of force training so as to not overload recruits with techniques that they will invariably forget in pressurized situations. In this respect, pre-service training is attuned to the psychological aspects of use of force. However, interviews revealed that this evolution has been stymied in some respects by a lack of innovation by defense and control tactics instructors and a continued reliance on techniques that are ineffective in real-life scenarios. When instructors do implement new

techniques they turn to “quick fixes” or “systems” the effectiveness of which have yet to be tested. Such a finding is consistent with previous U.S. research on defensive tactics training (see Kaminski & Martin, 2000; Redenbach, 1998; Dossey et al., 1997) that found a level of dogma within training and the perpetuation of training programs that are not necessarily grounded in reality.

Where the focus of pre-service use of force training is putting tools in the proverbial toolbox, in-service use of force training can be characterized as teaching officers how to better use those tools. That is, where pre-service training focuses on the technical, tactical, and physical elements of performance, in-service training moves beyond this to focus on the mental elements of performance. Previous research has suggested that police training should expose officers to anxiety and stress in order to improve field performance. Research has also suggested that training should require officers to make judgements that relate to using different degrees of force control to control different degrees of resistance, as well as providing force tasks that focus on both the responsibilities of an individual officer and a team of officers (see Gallo et al., 2008; Nieuwenhuys & Oudejans, 2011; Nieuwenhuys et al., 2009). Based on interviews with in-service instructors it appears that current training is implementing these suggestions. Reality-based training places individual and teams of officers into realistic scenarios that replicate actual use of force encounters (integrating the key situational factors discussed by instructors) requiring them to make appropriate force decisions under conditions of stress and anxiety. Further, scenarios require officers to move throughout the force continuum, using all options ranging from presence and tactical communication to deadly force. Here, judgemental decision-making is a central focus of training – with the goal of conditioning officers to diagnose situations and to act in a manner proportional to the threat level presented. Findings also suggest that increasing importance is being attributed to, not only the performance of officers within use of force situations, but the ability of officers to articulate their actions in the aftermath of use of force events. Such instruction is, at least partially, in response to the accountability and scrutiny officers face following the use of force.

Besides highlighting the current content use of force training, the findings raise some noteworthy concerns that have the potential to undermine officer safety. First, the schism between firearms and force options training, particularly in pre-service training

may undermine recruits preparedness for the field. This is exacerbated by what participants saw as an unwillingness of firearms instructors to contemporize their training. Secondly, the lack of accountability mechanisms and best practices standards for use of force instructors is worrisome, given the fact that instructors have such a significant influence in officer skill-development and preparation. Interviews evoke a scenario in which there are few performance standards in place to both reward good instructors and to punish or remove poor or under-qualified instructors. This is exacerbated by the fairly minimal qualification standards that instructors must meet in order to become certified, effectively widening the net to include individuals that lack the optimal skill-set required to be a successful instructor. Second, though the use of force is a rarity, many of the skills required to perform in use of force encounters demand continuous education and training; however, the resource intensive nature of training means that most police services are only able to offer training on an annual or semi-annual basis. With such minimal training time available, police services cannot expect officers to be able to learn vital skills and, more importantly, to maintain those skills given the limited opportunities they have to use some of them in the field (Morrison, 2006).

Chapter 5.

Implications

Training and Policy

This study has important implications for how police can best introduce, maintain, and supplement use of force training. The foundation laid down at the academy for recruits has a direct bearing for departmental stakeholders who upon graduation have the responsibility for their officers' in-service training. As such, the degree to which in-service instructors and police leaders perceive pre-service training outcomes to be satisfactory is relevant. While in terms of breadth, use of force training is its most lengthy and comprehensive at the academy, this training takes place beyond the direct control of recruits' employing departments. While this does not necessarily represent an inferior arrangement, it creates the potential for inconsistency in training. Though not mutually exclusive entities, there is a tendency for different branches of law enforcement to operate in silos, unaware of what the other is doing. Based on interviews, this does not appear to be the case; however, there does seem to be a need for improved collaboration and communication between the police academy and individual police agencies in regards to setting the training agenda that satisfies all involves and, above all, maximizes officer and public safety.

Further, within resource limitations, police agencies have latitude in how they design and deliver in-service use of force training. Though the police services studied here share a number of similarities regarding the material they teach, there is considerable variation in training approaches (time, number of instructors, training philosophies). This variation is likely also a product of at least two factors. First, the complex Canadian policing model in which all three levels of government play a different role creates a lack of consistency. Secondly, the lack of national use of force data and

use of force research creates a situation in which individual police services and use of force trainers must adopt training practices from other jurisdictions or create curricula driven by experience, essentially going with “what they know.”

Given the variety of approaches taken by departments, a “one-size-fits-all” curriculum for officers from police services seems unlikely to satisfy all stakeholders. With that said, since a core intent of police officers standards and training commissions is standardization (Morrison, 2006), and given that the characteristics common to dangerous encounters faced by officers from isolated villages to large urban cities are well-known, departmental variation in training seems counterintuitive. Again, this variation is largely dependent upon departmental resources and policies, and unless regionalization occurs, standardization of training is unlikely. Yet variation in training, however small, raises questions of how different training programs are able to produce comparable outcomes and can have similar impacts in the field.

Although there is variation in training across police departments, instructors were unequivocal in their belief that there needs to be increased training, particularly, in-service training. Instructors recognize that use of force tactics at all levels of the force continuum are perishable skills that deteriorate without practice. The question, then, is how often should police train? At present, in-service training is usually provided on an annual or semi-annual basis, with training time ranging from three hours to several days. At a minimum, police departments should provide officers with annual refresher training in order to keep officers sensitive to identifying force situations and using effective methods to manage them (Gallo et al., 2008). However, instructors agree that it is not realistic to think that an annual three- or four-hour training session will be sufficient to teach officers’ a particular skill set or to mitigate skill-perishability. While the feasibility of exponential growth of training is limited, police services should consider adding an extra cycle of use of force training each year, or increasing devoting extra time to use of force training in the annual in-service training cycle. Another possibility is for departments to encourage their officers to train and practice on their own time – something that Instructor 2 cited as being fairly rare.

Perhaps more important than the amount of time devoted to training is the question of who is providing the training? The broad latitude given to use of force

instructors and the considerable impact they have on officers' training outcomes, demands that police agencies put more emphasis on instructor development and evaluation. A talking point for a number of participants was that the quality of the use of force instructor can make or break a police services use of force training program. As such, it is surprising that while there are a plethora of accountability mechanisms in place for line-level officers, there are not such mechanisms in place for instructors. Moreover, the qualification standards and selection criteria to become a use of force instructors are fairly relaxed, or dependent upon a particular police service. Police administrators need to consider developing a standardized, comprehensive qualification system for potential use of force instructors, as well as implementing evaluation standards, physical fitness standards and accountability mechanisms. Instructor 3 suggested that one of the barriers to attracting qualified candidates, is that many officers with qualities that would make them good use of force instructors are also desirable candidates for administrative and leadership positions. Police services should consider incentivising instructor positions to make it more attractive to those seeking advancement, or make an effort to identify potential instructors early in their careers in order to set them on the appropriate career track.

The Need for Research-Driven Training

The evolution of use of force training is directly tied to the availability of sound empirical research. For example, research on the impact of stress on fine and complex motor skills has led to a simplification of contemporary pre-service defense and control tactics training. Similarly, research demonstrating the poor relationship between static firearms training and real world shooting accuracy has led a growing number of police services to implement dynamic firearms training. Indeed, participants in this study discussed the importance of research in shaping training practices. Instructors spoke of the need for research to inform training in order to ensure that what officers are taught in training is grounded in reality and supported by accurate data, so they do not enter the field at a disadvantage. They also discussed the need to design and re-design training programs as the field of force science expands and we develop a greater understanding of how the human body reacts when threatened and/or under stress. Having said that, the historically conservative nature of policing as well as the current state of policing

research in Canada represent significant barriers to the development and implementation of data-driven use of force training.

The Conservative Nature of Policing

Participants spoke about the fact that the evolution of use of force training has, in some cases, been stymied by an unwillingness of some instructors and police leadership to contemporize. Instructor 6 argued that this adherence to tradition makes it very difficult to effect change:

“The one thing in policing is its very staid and traditional, right to the top of the food chain. From the chief...from the executive on down, it's very difficult to get people to change their ways of doing business.”

The proprietary and fairly individualistic field of use of force training is such that training programs or “systems” are developed and become the accepted way of doing things regardless of the fact that there may be no evidence of their effectiveness. Trainers become wedded to the particular system he or she teaches and have an intrinsic interest in the growth of their popularity. As instructors become personally invested in their training methods, the biases of ego and fear of having their reputation questioned or tarnished create a situation in which they are unwilling to modify or change their training in spite of their questionable efficiency and safety. These methods then get adopted by other trainers and taken to other police services and, as Instructor 9 characterized it, become treated as “gospel.” As a result police services fail to keep up with new developments in the field. Part of this is due to administrative apathy, as police leaders are too busy with myriad other responsibilities and have little time or interest in keeping up with recent developments in the field of use of force training. This is compounded by the fact that police boards and community participation in shaping policing is also lacking (personal communication, May 26, 2014). The historical reluctance of the police or government to impart change unless in response to either a critical incident (the “crosswalk syndrome” Instructor 4 spoke about) or the demands of vociferous interest groups, makes it difficult to abandon the status quo.

The aforementioned fact that police administrators may be too preoccupied with other responsibilities, means that they are left to trust their instructor(s) is staying current with new developments and research to ensure that maximum effectiveness is

maintained. Unfortunately, this may not be the case. As there are no established best practice standards or accountability mechanisms for use of force trainers, they are essentially left to their own devices. And while some instructors have taken the initiative to shape their training based on research findings, other instructors, for lack of a better phrase, stick to what they know. As a result, police leaders may lack objective information as to whether their officers are being taught the most efficient methods for safely subduing resistive and combative subject (Kaminski & Martin, 2000).

Thus, in addition to using research to inform training, there is also a need for empirical research to evaluate the effectiveness of current training methods in order to provide the evidence necessary to move beyond the dogma that exists in training – especially in light of the potential biases that are inherent in evaluating the various training systems and methods now available to police leaders for training officers. The biases of ego, time investment, peer pressure, and personal profit motives on behalf of trainers can only be avoided through empirical research. This will allow police leaders to make more informed choices, even if the only other source of information they have is the department or academy instructor(s) who may be married to the particular methods he or she teaches (Redenbach, 1998). However, standing in the way of this is the currently poor state of policing research in Canada and the distinct lack of Canadian data on police use of force.

A Lack of Canadian Use of Force Research and an Overreliance on U.S. Practices

In the broadest sense, the current state of policing research in Canada can be described as disjointed, incoherent, fragmented and inconsistent (Griffiths, 2013b). According to Griffiths' (2013b) *Baseline for Policing in Canada* report, the current capacity to conduct policing research in Canada is limited; there is a lack of access to Canadian and international research studies; and there is often little communication between academics and policing stakeholders. As such, there is a dearth of contemporary policing research being conducted in Canada, and what little research that is being done tends to be “hidden in plain sight”, published in professional journals that are rarely accessed by police services, and not written in a manner that is understandable by police leaders (Nixon & Bradely, as cited in Griffiths, 2013b). A

ramification of this situation is that the policies and practices of police services are not based on evidence-based research.

The absence of a substantive body of police research in Canada means that policing practitioners – including trainers - lack the empirical research that is necessary to inform practice. Thus, for use of force instructors who wish to develop data-driven or research-driven training, there simply isn't enough research on the area to support such an approach. As such, the paucity of Canadian use of force research has forced instructors to rely on research findings from other fields – such as sports science – as well as other international jurisdictions. The extent to which findings from alternate fields and jurisdictions are applicable to the Canadian policing context has not been examined. However, Instructor 3 felt that it simply is not realistic to expect research from other fields to be transferable to the world of policing:

“...so when you look at specific police research, of which there is very little, it's not a sport, it's not a game, and maybe the difference between an athlete who doesn't make the playoffs or loses a game, that's completely different than the life or death pressures that are on the officer in the moment that they have to make the decision. So, I think a lot of well-intentioned training that relies on a sport-based approach isn't applicable to law enforcement.” And when we look at what the hell you think we should be doing...you know...whether it be neuroscience, emotional, psychological, physiological, the things we know happen to us in a time of stress, that has to be the starting point in even designing our training.”

In addition to forcing use of force instructors and administrators to rely on research from outside of the policing sphere, the lack of Canadian use of force research has also resulted in a heavy reliance on U.S. research and practice. Indeed, it can be said that every aspect of police use of force – policies, training, weapons systems, and practices – are based largely on U.S. models of policing. For example, Instructor 9 noted in Chapter 4 that much of the National Use of Force Model is drawn from the United States, while reality-based training was developed in the U.S. and is predicated largely on U.S. policing research and use of force statistics (e.g. the FBI LEOKA reports and FBI Uniform Crime Reports). Simply put, much of what is known about the use of force is derived from the experiences of U.S. police officers. While the findings of the current study are consistent with the finding of some U.S. research, the inherent issue with relying so heavily on U.S. policing research and practice is that the contexts –

geographical, political, cultural, social, racial, jurisdictional, and legislative – in which U.S. and Canadian police officers operate are vastly different, rendering the applicability of U.S. use of force research highly questionable.

First and foremost, the U.S. has a greater prevalence of gun use than in Canada, which increases the likelihood that police officers will be involved in shootings, will be required to use (or threaten to use) deadly force, and will be more likely to be killed or wounded by a firearm than in Canada. According to the FBI, 47 law enforcement officers were feloniously killed in the line of duty in 2012 and in 43 of those deaths, offenders used firearms (FBI, 2013). Furthermore, although the U.S. government does not collect data on officer-involved shootings, Fisher (2013) unofficially reported that in 2011, police officers in the U.S. shot 1,146 people and killed 607. Conversely, in 2012, there was one criminal homicide of a law enforcement officer in Canada and it did not involve a firearm (Officer Down Memorial Page, 2012). Parent (2011) notes that, upon adjusting for population figures, the deaths by legal intervention within the U.S. is almost three times greater than the corresponding number of legal intervention deaths within Canada (FBI, 2010). Understandably, deadly force, particularly firearms, is a significant component of U.S. use of force training and is the focus of much of the existing empirical research. However, in Canada, police officers are far less likely to be confronted with a firearm and also less likely to be required to employ deadly force.

As Instructor 10 stated, the fact that deadly force is high risk but occurs at a extremely low rate, demands that officers be prepared for if/when they are in a deadly force situation. However, the fact that gun use in Canada is low may mean that police officers are more likely to be confronted with edged weapons, and thus, increased training to defend knife attacks should be considered¹⁸. Unfortunately, there is a lack of research on the prevalence and nature of edged weapon-use in Canada (personal communication, March 8, 2014), so this thought is merely speculative. Moreover, some instructors agreed that since (based on their experience) the use of OC spray and the baton is low, less attention should be given to intermediate weapon training and more

¹⁸ Instructors did indicate in interviews that knife attacks are incorporated into scenario-based training. As with other aspects of training, the amount of time dedicated to this type of dependent on the amount of time devoted to use of force training in general.

attention should be given to arrest and control (e.g., fighting and handcuffing) training as officers are more likely to be involved in hand-to-hand altercations. Yet, without any systemic data to identify the force options police officers most commonly use, it is difficult to state with certainty the aspects of use of force that trainers should put the greatest emphasis on¹⁹.

Using research and practice from a jurisdiction with a distinctly different policing landscape than Canada to inform training presents a considerable risk, in that officers are being trained to police in a reality alternate from the one they will be confronted with. Consider the example provided by Instructor 9 in Chapter 4 regarding compliance handcuffing, which is taught in both the U.S. and Canada. The technique is predicated on the officer having their weapon drawn and aimed at the subject – a scenario that is he noted was more likely to occur in the U.S. than in Canada. So, officers are being taught a technique that they will very rarely have the opportunity to use in the field, and thus, are ill prepared for more common handcuffing situations.

This is not to say that research from other jurisdictions is completely inapplicable to Canada. For example, force science research on the physiological, neurological, and psychological impacts of stress on the human body is critical to our understanding of police behaviour in use of force situations. How the human body reacts to stress transcends jurisdictional boundaries. Further, it is important to continue to look at data such as the FBI LEOKA reports to examine the factors involved in officer deaths and assaults; yet, this research should be supplementary and should not form the foundation of use of force training in Canada. Developing a Canadian body of use of force research is crucial to developing a more comprehensive understanding of what officers are most likely confronted with and the force options that are most commonly used, among other things. This will enable the development of training that optimally prepares officers for the realities they will face in the field.

In order to accomplish this, police services must be open to conducting their own research while also proactively partnering with academics to study various aspects of

¹⁹ Based on the interviews, it seems that much of what is “known” about use of force is anecdotal or based on instructors’ experience. Thus, there is some variation regarding the areas that instructors believe require the most training.

police use of force. Moreover, as part of the instructor development that participants felt was so critical, police services should put a premium on having use of force instructors that have a university degree (or background in research) or seconding instructors to universities for a period of time in order to conduct research²⁰. For example, at the time of the interview, Instructor 3 was in the process of completing his Masters degree on the cognitive neuroscience of use of force and his research had a significant influence on the design of his training.

Accountability and Civilian Oversight

A common theme that runs throughout this study is that the police are the most visible and accountable branch of the Canadian criminal justice system. To a greater extent than other agencies, the police must justify their actions, counter the initial perceptions and accounts of events that are broadcast by social media, and are held accountable to political bodies, including municipal councils, provincial/federal governments and, in some cases, First Nations governments (Griffiths, 2012a). They perform the vast majority of their duties, including exercising their ability to use force, in full view of the public. This creates a situation in which the legitimacy of the police is constantly at risk of being undermined and challenged. Indeed, use of force events, in general, and events resulting in death or serious bodily harm (e.g., shootings, use of the Taser), in particular, are among the greatest challenges to police legitimacy. Optically, police use of force events never look particularly good, and thus, they tend to engender strong reactions on behalf of the public and can lead to calls for increased scrutiny and accountability of police services. More frequently the demand of increased accountability is coming in the form of calls for independent (civilian) oversight of police. The desire for independent oversight bodies is most often a result of high-profile use of force incidents. In general, a significant aspect of the mandate of oversight bodies is the investigation of police use of force events resulting in death or grievous bodily harm²¹. The prevalent

²⁰ A prime example of this is the “Practitioner-in-Residence” program initiated by Australia’s Centre of Excellence in Policing and Security (CEPS).

²¹ For example, the Independent Investigations Office (IIO) established in B.C. in 2012, is mandated to conduct investigations into officer-related deaths or serious harm in order to determine if the officer committed an offence. It is an entirely civilian body established in the Ministry of Justice.

belief is that police should not be investigating police in these situations as they are too biased to conduct an impartial investigation. While consensus for the need for independent oversight of police is growing, the complexity of use of force events has major implications regarding police accountability and civilian oversight.

The challenge for independent oversight of police use of force incidents lies in the complex nature of use of force touched on throughout this paper. While there will invariably be cases of egregious misuse of force or misconduct, the majority of use of force events are not always clear-cut and are not always as they appear to the uninitiated. While supporters of civilian oversight see the benefit of being able to examine a use of force event through an impartial lens, the very nature of use of force review requires investigators to see the situation through the eyes of the officer(s). This requires a level of knowledge and experience that most civilians lack. At present most of the investigators for the IIO in BC are former police officers (retired for 5 years or more) for the very reason that they are able to understand the elements involved in the use of force. Ideally, civilian oversight bodies would employ truly civilian investigators, but to do this would require extensive training. That is, if it takes a career worth of pre- and in-service training and field experience for police officers to learn the circumstances in which they can use force, the legal justifications for force, as well as the requisite skills and abilities, it stands to reason that those tasked with holding police accountable and investigating use of force incidents receive at least some degree of the same training. Indeed, Instructor 2 mentioned that it is simply not realistic to hire civilian investigators without giving them training on the use of force. He cautioned, however, that once given the necessary training, the civilian investigators will essentially be de-facto police officers:

“They wanna have, for example, a civilian use of force board. Okay, but if you have a plumbing problem are you gonna call an electrician? No. And then if you wanna train somebody to understand the nuances of use of force and all that stuff, they’re basically a cop because you can’t just bring somebody in – have a civilian’s knowledge of stuff they’ll go, ‘Oh the police must have done wrong.’ It’s not like a civilian review board’s gonna have a different set of rules to find the officer guilty. No. They have to follow the same rules. They have to understand the same rules of force and all that stuff. So this person won’t be hired on to do a use of force investigation against me because he or she doesn’t have the knowledge and a different set of rules don’t exist for them and for me. The rules for them are ignorance and for me it’s experience and the rule of law. So, by the

time they do [the training], they're no longer...they're still civilians maybe, but they're civilian police officers and now they understand the rules and would come to the exact same conclusion. They'd say, 'Yes, I was justified in putting the handcuffs on.' They would get that. So, civilianized boards are fine, but they need to take the training."

Further complicating matters is the fact that the objective appearance of a use of force event may differ from the officer's subjective experience. This relates directly to the discussions in Chapter 4 on judgmental decision-making and articulation. So much of the officers' decision-making in use of force situations is predicated on their perception of the situation and the potential level of threat they are facing. Officers can only comprehend the facts and circumstances of situations in which they are involved based on their understanding of the environment that their mind crafts from various sensory input. As research has shown and as the instructors stated, stressful situations can have a significant impact on officers' physical (breakdown of fine and complex motor skills) and perceptual abilities, which, in turn, can influence officers' decision-making abilities, as well as their ability to recall and articulate what happened after the fact. So, the decisions that officers in use of force situations in general, and deadly force situations, in particular, may be based on perceptions of the situation that do not enjoy a one-to-one correspondence with objective reality. Thus, an incident that may objectively appear on the surface to be misuse of force may not necessarily be the case from the officer's perspective. At the time, the officer may have subjectively believed that the force they were using was legally justified. Recall the training scenario outlined in Chapter 4 by Instructor 3 in which one officer mistakenly shot another officer as he came around the corner with his gun drawn. On the surface this may appear to be an egregious error in judgement; however, given the stress of the situation and the limited time the officer has to make a decision, the officer could have genuinely felt that his life was in danger. These decisions are made on a razor's edge and as more is learned about the physiological and neurological impacts of stress through research and in training, the actions of officers in use of force situations cannot be taken at face value.

In a related vein, police officers' reactions during use of force events, particularly shootings, may adversely affect their ability to recall the facts and circumstances surrounding an event accurately when they are questioned by investigators in the wake of the incident. A key aspect of use of force training discussed in Chapter 4 is the ability

of officers to articulate their thoughts and actions following a use of force situation. For instructors, it is here where officers “get into trouble” because they are unable to properly articulate what they did and why they did it. The fact that two or more officers may have different recollections of the event or an officer’s account may be inconsistent with the physical evidence (e.g., video) and/or witness statements, does not necessarily mean that they are being dishonest. The stress of the situation may have lead them experience the situation differently or render them unable to remember certain aspects of the event. If, under stress, an officer is unable to remember his or her training, then it is unlikely that they would be able remember specific details of the event. Although police officers have been known to lie (Manning, 1974; Noble & Alpert, 2008), the lack of fit between an officer’s statement and other evidence developed in a use of force investigation may simply be the result of distortions or reactions that officer experience during the stress-filled moments of violent encounters.

In theory, it is fairly easy to view a thirty-second video clip of a police officer using force against an individual or read an after the fact account of a use of force event and feel that the officer could have or should have acted a certain way or made a different decision. Yet, most people have never confronted a threatening and possibly armed person and have never attempted to subdue a physically resistant subject (Engel & Smith, 2009). Often, people provide opinions on how police can and should use force that are not anchored in reality but rather are informed by second-hand stories, images from the media, or simply a lack of knowledge and experience. The reality is that the use of force is a result of the interaction of a diverse set of factors and the culmination of a complex decision-making process that cannot be accurately reflected in a thirty-second video clip. Based on the findings of Chapter 4, it is clear that there are a plethora of situational and environmental variables that officers must account for while also being subject to the unpredictability of the suspect(s), the effects of outside forces operating beyond their control (e.g., bystanders with camera phones; the spectre of possible disciplinary action), as well as the physiological and neurological effects of stress (e.g., visual narrowing, perceptual distortions, startle/flinch response, breakdown of fine and complex motor skills). Moreover, participants admitted that there remains much to learn about how officers’ subjectively experience use of force situations and the use of force in general. If practitioners and experts in the use of force admit that there is still much they

have to learn about use of force events, then how can independent oversight bodies be expected adequately investigate police use of force incidents?

One way to bridge the gap is for police agencies to do a better job of improving the public's understanding of the challenges faced by officers confronted with the threat of serious injury or death. Police agencies can do much to improve community awareness and the awareness of oversight bodies' understanding of the use of force. One way to do this is by inviting members of oversight bodies, the media, and critics of the police to observe and participate in use of force training. Though police services have been historically poor in laying the groundwork for an accurate public understanding of the police profession (Engel & Smith, 2009), findings indicate that police services would welcome the opportunity to explain how officers use force, the lethal and less lethal weapons at their disposal, and the legal and administrative rules that govern how force is used. Indeed, it is important that police services reach out to community leaders, activists, oversight bodies, and departmental critics and begin an ongoing dialogue about the use of force and how officers experience these situations that can be beneficial in the aftermath of a high-profile use of force event. This proactive engagement should include a discussion of the recent empirical findings on use of force, as well as placing members of oversight bodies, community leaders, and police critics in training scenarios that would help expose them to the realities of use of force and the stress that accompanies decision-making when under threat. For example, Instructor 4 discussed the benefits of bringing in members of oversight bodies to observe and experience his agency's use of force training, as it provides them a realistic perspective of the challenges that officers' face:

“So, now we bring people in, oversight people, and I wanna bring in people that are not anti-police but suspicious of the police and that don't quite get it and bring them in... 'Come on down. Come on guys, bring your friends and we're going to do this stuff with you.' And it's no smoke show. This is not snake oil. This is just reality. Reality-based training. And when they don't perform...or may be they do. But, when they don't perform like when comps come in here and don't perform like they wanted to, we'll coach em and show em a little bit and it's not that easy. Then they can go out going, 'Jeez, I won't be so quick to judge now,' cause we're not. We're trying to treat everyone properly and we try not to judge people. After a little behaviour, then we can start to judge them. I'd be totally open to bringing anyone in here – special investigations sections, oversight bodies, and watchdogs. Come on.”

The critical challenge is how to best ensure public confidence in the integrity of use of force investigations, while simultaneously preserving officers' departmental and criminal due process protections. Such considerations have implications for how information is gained from officers. For example, how much time should lapse before officers are interviewed about the incident? Who should conduct the investigation (independent oversight agencies, internal investigations sections, other police agencies) and what level of expertise/training about the use of force should they have? What is the proper scope of the questions to be asked? What is the exact mandate of independent oversight agencies in relation to use of force investigations? How these questions are answered may have significant implications for the quality and accuracy of the information developed during use of force investigations.

Chapter 6.

Conclusion

Limitations

While the current study is among the first to gain an understanding of police use of force instructors' perspectives of use of force practice and training, some limitations hamper the ability to generalize the findings to other policing jurisdictions across Canada. Due to challenges of access and the limited number of use of force instructors in the Lower Mainland of BC, the sample of instructors (n=10) in this exploratory study is quite small, although it constituted most of the foremost instructors in their field. Furthermore, the current study examined only the perceptions of instructors from municipal police services in two provinces (BC and Manitoba) and therefore may not speak to the practices of other agencies and their training sections. It should be evident at this point that while there are standardized aspects of use of force training that are taught nationally (i.e., the National Use of Force Model), the content and application of training largely depends on the instructor and the resources and policies of police services and police academies. Future research, therefore, might benefit from collecting data from use of force instructors from other police services across Canada to facilitate a comparison of findings with the current study, which may shed light on issues of generalization. Moreover, in relation to pre-service use of force training, the instructors interviewed were defense and control tactics instructors – no pre-service firearms instructors were interviewed for this study and, as such, the findings do not present a complete picture of academy use of force training. Future research should include pre-service firearms instructors in their sample.

In addition to its limited size, the sample was also exclusively male. However, this is to be expected, in that females are underrepresented among Canadian police

officers, making up 20% of the 69,539 police officers in Canada as of 2012 (Statistics Canada, 2012). Although there are no statistics for the number of female use of force instructors it is likely that the number is small, in that female officers tend to be underrepresented in administrative positions (Griffiths, 2013a) and the fact that participants intimated that training is a male dominated field. Therefore, the lack of females in the sample should not be seen as jeopardizing; however, future researchers should be apt to explore the experiences of female instructors, particularly in light of the masculinity that is traditionally ascribed to the use of force and the unique challenges that females face in use of force situations. Lastly, the perceptions and opinions discussed here are those of instructors only – the perceptions of line-level (general patrol) officers are not explored here. In this respect only one half of the story is being told. It would be beneficial to interview line level officers to examine their perspectives on the use of force and their perceptions of the training they receive.

In exploring the limitations of the sample, it is important to discuss the challenges that were faced in gaining access to participants, as this it will hopefully serve as a lesson to future researchers. Essentially, the small sample is a result of the fact that only a limited number of use of force instructors and police services responded to interview requests and physically sat down for interviews. Attempted contact was made with police services and instructors throughout the lower mainland; however, either no response was received or instructors were too busy to participate. This is a reality of policing research and presents a limiting factor to those endeavouring to interview police officers and/or access police data. The invariably time-consuming nature of police work limits availability and accessibility of officers; however, the greater challenge for researchers is overcoming the wariness that police have towards academics. Griffiths (2013b) found that the relationship between law enforcement and academia has been described as either being non-existent or characterized by some degree of mutual suspicion and distrust (Griffiths, 2013b). As a result policing researchers face challenges of access, as well as gaining the trust of participants. Police officers are concerned that their statements may be used negatively towards them personally and/or towards their police agency. This makes it extremely difficult to attract participants and to obtain substantive responses. Thus, it is incumbent upon researchers to develop trust with the police in order to bridge the gap that currently exists and to facilitate collaboration and future

research moving forward. Until this is accomplished, attempts to conduct policing research will be limited.

Despite the limitations, this study contributes to the extant literature on police use of force by providing an understanding of use of force instructors from several urban Canadian police services and a municipal police academy. As there are several limitations of this study, future researchers should, therefore, consider expanding on what has been found in this exploratory study. There are a plethora of research avenues that can be explored moving forward.

Future Research Directions

The apparent lack of contemporary Canadian policing research means that there are endless avenues for exploration. Yet, in spite of the plethora of options, it is important to identify key research streams that facilitate long-term continuous research, while also being malleable enough to allow short-term projects also. Research should expand on what has been done internationally, while also examining issues that are specific to Canadian policing. With that in mind, below are several potential future research areas.

Identifying Instructor Skills and Establishing Best Practice Standards

Based on the interviews, it is clear that the effectiveness of both pre- and in-service use of force training is heavily dependent on the quality and ability of instructors. Participants spoke of the importance of instructor development, while also lamenting the lack of best practice and performance standards for instructors. Though the importance of having capable, experienced instructors is evident, there is currently a lack of research on what makes an effective use of force instructor. Indeed Kaminiski and Martin (2000) highlight the need to develop research that focuses on the identification of the necessary skill-set and level of experience required to effectively train recruits and/or officers in the use of force. As such, there needs to be an examination of the interpersonal skills, teaching skills, and physical fitness level that are required for developing and applying training programs, as well as research on the functional skill assessment and competency profile for instructors. This research would go a long way

in identifying best practices in use of force training and developing an optimal instructor development program.

Continuous Improvement Research

This type of research should include the collection and analysis of use of force data and management information pertaining to police academies' and police services' use of force training curricula that would lay the groundwork for the establishment of performance measurement goals and objectives. Research that will explore the content (effectiveness, comprehensiveness, realism) of contemporary pre- and in-service use of force training will benefit individual police services and their officers, as well as contributing to a broader understanding of police use of force and use of force training in general. This type of research can be conducted in a number of areas, using a number of methods, including:

- Operational reviews of police services' use of force training programs and academy use of force training. This would include surveying and interviewing officers about their satisfaction with their training and their perceptions of the effectiveness and applicability of their training (see Kaminski & Martin, 2000 for an example).
- Gaps between pre- and in-service use of force training
- Costs of use of force training – including the costs of implementing reality-based training
- Identification of optimal instructor to officer ratios
- Evaluation of instructor aptitude (proficiency, teaching style, flexibility) and physical fitness levels
- How much initial training should be provided to recruits
- How frequently in-service training should occur
- What specific techniques and training programs work best for defense and control, and firearms training

Continued Research on Police Decision-Making and Performance Under Stress

For the most part, much of the research on the psychological and physiological impacts of stress on police officers has focused on deadly force (i.e., firearms) situations – typically finding that both decision-making and performance suffers under pressure

(see Oudejans, 2008). However, given the importance of the successful use of arrest and self-defence (or arrest and control) tactics in the line of duty, attention should be given to the impact of stress on officers' arrest and self-defence skills. Though the work of Nieuwenhuys et al (2009) did find that officers' arrest and self-defence skills suffer under pressure; however, little research has been conducted beyond this. Indeed, future research should examine the impact of stress on officer performance at all levels of the force spectrum – from tactical communication, up to and including the use of deadly force. A number of instructors did indicate that, in their experience, officers' communication and handcuffing skills do tend to diminish within the frantic and pressurized nature of use of force events. Future research will need to investigate whether training under stressful conditions (i.e., reality-based training) will improve officers' communication skills and execution of arrest and self-defence tactics in addition to their shooting performance. Such research may include studying the brains of officers as they experience use of force scenarios, as well as their heart-rate, breathing, skin-response, and basal constrictions. Measurement of officers' biological responses may have significant value to the evolution of scenario training and training in general.

Use of Force and Persons With Mental Illness (PWMI)

Patrol officers are encountering more and more people with mental illness. A study by Parent (2004) found that in roughly one-third of officer involved shooting in the U.S. and Canada involved persons with mental illness, emotional stress, or substance abuse. Indeed, whatever the common image of police activities, officers are as likely to be called to a mental illness crisis as to a robbery. In part, this is because governments have failed to provide enough community-based treatment programs and facilities despite the massive deinstitutionalization in Canada during the 1960s and 1970s (Canadian National Committee for Police/Mental Health Systems Liaison, as cited in Griffiths, 2013a). Persons with mental illness present police with a variety of challenges, of which the use of force is one. That is, there are occasions where persons with mental illness can be overtly violent and/or self-injurious (suicidal), posing a risk to both themselves and to others. These situations place officers in the unenviable position on having to use force [including lethal force – see Parent, (2011)] on an individual that is in an obvious state of distress. Officers are often required to become de-facto mental health professionals, first identifying whether the person appears to be mentally ill, then

determining if he or she poses a threat, and then responding to that threat if necessary (personal communication, August 2, 2013).

In recent years police services have been developing specialized approaches to managing encounters with mentally ill people, including providing officers with specialized training. For example, in British Columbia, police recruits are given training on dealing persons with mental illness in the first and third blocks of training, while also being required to undergo crisis-intervention training (CIT) from their police service (Wilson-Bates, 2008). According to Wilson-Bates (2008) one of the goals of CIT is to minimize the use of force by police when dealing with mentally ill people in crisis. While most incidents involving persons with mental illness are resolved peacefully, there is little research on officers' experiences with persons with mental illness and the perceived effectiveness of crisis intervention training. Indeed when dealing with the mentally ill officers must strike a balance between crisis intervention training and their use of force training and one of the challenges that respondents noted was that officers sometimes struggle to recognize an appropriate time to switch gears. Responding to a mentally ill person in crisis injects an added layer into police use of force situations and developing and understanding of the challenges officers face in these situations and how they respond will benefit the police and the public. That is, police services may be able to augment their training to address any concerns raised by officers. Further, by gaining insight into minds of officers, the public may be more empathetic or understanding following situations in which officers use force on a person with mental illness. As such, future research should explore the use of force as it relates to PWMI.

Impact of Increased Visibility and Scrutiny on Police Officers

Much of the literature on use of force tends to discuss the impact that it can have on the public both in terms of victimization (i.e., those who are the subjects of misuse of force) and attitudes toward the police. That is, examining the type of people that police officers tend to use force against, assessing public satisfaction and level of trust in the police following use of force events, and the number of misuse of force complaints lodged against the police. While exploring the impact of police use of force on the public is critical, the impact of increasing accountability and scrutiny on police officers is something that is often overlooked by researchers and policy-makers. Indeed, surveys of

police perceptions of the level and deterrent impact of public visibility and internal/external accountability mechanisms may have value. Without a police perspective, any understanding of police use of force would be incomplete.

Understanding the impact of increased accountability and scrutiny on officers is also important from both a quality of life perspective and an officer safety perspective. Studies should be conducted that examine the experiences officers that have been the subject of investigations following a use of force event or that have had misuse of force complaints lodged against them and gone through the complaints process. Being the subject of an internal (or external) investigation is certainly a stressful event and the emotional and psychological toll that it takes on officers needs to be explored in greater depth. This is particularly important for officers that have been investigated or gone through the complaints process and been cleared of any wrongdoing. Police need to feel confident that they will be treated fairly and receive support from their police service if they are involved in a use of force event. One possible line of inquiry here is whether going through a use of force investigation or being aware of increased visibility and accountability impacts how officers perform their duties?

In interviews with instructors, several respondents did identify officers' hesitancy or fear of being investigated or having a complaint lodged against them as a potential problem. Officers become unwilling to use force in certain circumstances based on a fear of disciplinary repercussions or being videotaped by a bystander. While this phenomenon is relatively new and opinions of respondents on its prevalence – and existence, for that matter – are mixed²², it does merit further exploration. This exploration should also include the ability of training to help officers overcome hesitancy and timidity, as no pre- and post-test studies of that nature have been conducted in Canada. A common refrain for those calling for increased accountability of the police and civilian oversight is that they believe it will lead to increased police professionalism and decrease the use of unnecessary force; however, this professionalism should not come at the expense of officer safety or performance.

²² Though instructors did indicate that they remind officers that their actions have consequences and that they are highly likely to be on film, but that this should not impact their decision-making.

A further stream of inquiry within the sphere of police visibility and scrutiny is the use of body-mounted video (BMV) in police work. Although in the early stages, the use of BMV's is being considered/adopted by police services across North America and the U.K. (Griffiths, 2012b). Part of the impetus behind the use of this technology is that it provides an officer's view of the situation, providing the opportunity to see how the situation evolved from the officer's perspective as opposed to relying on a cellphone video clip or eyewitness testimony. Such technology may serve to minimize analyses of use of force events that fail to account for the totality of the circumstances surrounding an event. According to Griffiths (2012b), the use of BMV's has the potential to reduce the number of complaints against the police and increase public confidence. However, the use of BMV's does have limitations. In particular, BMV's do not capture the larger environmental context in which an encounter occurs, nor does this technology record how the officer perceives and cognitively processes what he/she sees and senses in the encounter (Griffiths, 2012b). Furthermore, officers that are wearing body-mounted video may alter their behaviour or may structure their decisions differently knowing that their actions are being recorded. Research needs to examine the impact of body-worn video on police decision-making in use of force encounters.

In sum, although there is still much work to be done in forwarding the understanding of police use of force, this exploratory study was able to set lay the groundwork for future research endeavours. The findings of this study highlight the complexity of use of force events and the challenges the police services face in sufficiently preparing their officers for these situations. Advances in training can emerge from further research that police agencies could adopt in their pursuit for pre- and in-service curricula that increase the safety of officers and the public.

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Appendix A.

National Use of Force Framework



(policechiefmagazine.org, 2014)

There are a number of parts to the model that start in the inner circle and radiate outwards:

- The **situation** requires the officer(s) to continually assess, plan and act.
- The **subject's behaviour** can range from cooperative to passive resistant, active resistant, assaultive, and presenting grievous bodily harm or death to the officer.
- The **perception and tactical considerations** of the officer(s) are interrelated and interact with the situation and behaviour of the subject and impact how the officer(s) perceives and assesses the situation.
- The **force options** available to the officer range from officer presence and communication to soft and hard physical control tactics, the use of intermediate weapons, and deadly force. The model requires the officer to continually reassesses the situation to ensure that the appropriate level of force is being used.

Appendix B.

Police Use of Force: Study Detail

Working Title: Police use of Force Choice Structuring and the Intersection of Training and External Factors²³

Principal Investigator: Joshua Murphy, MA Student, Department of Criminology, Faculty of Arts and Social Sciences

Supervisor: Dr. Curt T. Griffiths

Graduate Committee Member: Dr. Richard Parent

Director, School of Criminology: Dr. Rob Gordon

Research on the police use of force has typically focussed on the ultimate decision to employ force. Yet, in taking this approach one cannot gain a complete understanding of the use of force event as a whole. A common presumption of police reports is that there is a decision point at which the officer decides to use force. A point-in-time event shooting, or deployment of a TASER or Oleoresin Capsicum spray is conceptualized as involving a terminal decision. Examination of that point invariably leads to the conclusion that there is a relatively short interval within which an officer has an opportunity to act (Reiss, 1980). These moments are characterized by Reiss as “split-second” decisions. However, the decision to use force is the culmination of a series of choices that were made by the officer leading up to the event and within the event itself. Theoretically, each choice is part of a script that has been formulated within an officer’s mind based on training, experience, and the acquisition of what Chan (1996) refers to as “recipe knowledge.”

As such, identifying the situational, organizational, and contextual variables influencing the course and complexion of officers’ actions requires a conceptual framework for the entire event (Cornish, 1994). The concept of the script (Cornish, 1994) has been used to examine the entire crime commission process in order to determine the decisions and actions of offenders at each step of the criminal event in addition to the variables that influence the event (Beauregard et al., 2007). Given the complex nature and series of actions and decisions that occur within police use of force events, and the interaction of individual and situational variables, a script theoretic approach would seem to be a useful tool for facilitating that analysis.

The goal of this exploratory study is to uncover the variables that form the basis for the construction of a police officer’s script and influence how their choices are structured in use of force situations. This includes examining the organizational (i.e., training), individual (i.e., officer attitudes and make-up), situational/environmental, and external (i.e., government legislation, media) factors that influence a police officer’s decision to ultimately use force at varying levels.

²³ This was the original title of the thesis. A working title was required as part of the submission for ethics approval. The title was changed during the writing stages.

This is a largely exploratory study with the intention of uncovering the variables that influence police officers in use of force situations. The current study will be a qualitative analysis of the thoughts, perceptions, and experiences of police use of force trainers representing the different police jurisdictions within the lower mainland of British Columbia. This population was selected in order to get an understanding of the current nature of police use of force training at two levels. The first level is the type of training that recruits are given at the academy. The second level is the in-service training that officers are provided with during their field training. Furthermore, participants will be asked to assess the impact that external factors, such as the increased level of visibility of police actions, media attention, and government legislation, have had on police decision-making in regards to the use of force.

The sample will be obtained through a purposive sampling technique, relying on the contacts provided by Professor Richard Parent and Professor Curt T. Griffiths, professors in the Department of Criminology. Participants will be contacted via email or telephone based on the contact information provided by Professor Griffiths and/or Professor Parent. As the individuals involved are police officers, their contact information is not immediately available in the public domain. However, if the instructors work at the Police Academy, then their contact information will be available through the academy's website or via telephone. Professor Parent has access to this contact information based on his relationship with the officers that will be contacted as participants. Further, professor Parent will gain the consent of these individuals before he provides me with their information. They will be asked about their willingness to participate in the study and if agree to participate then an interview will be set up at a location of the participant's choosing.

The data collection method that will be used for this study will be in-depth, semi-structured interviews. Semi-structured interviews are well suited for the exploration of perceptions and opinions of respondents regarding complex and sometimes sensitive issues and enable probing for more information and the clarification of answers. As such, interview questions will be open-ended with each interview subject given free reign to talk about whatever they feel is relevant. A number of pre-determined questions will be included in a formal interview protocol in order to explore specific avenues of inquiry and to address particular experiences or perceptions. Interviews will be tape-recorded (on a digital recorder) contingent upon the consent of the participant. If consent is not given, then responses will be recorded in note form (written text). The fact that this is an exploratory study implies that the data obtained here may form the basis for future studies on police use of force.

As with all research of this nature, there are a number of ethical issues that must be addressed. Informed consent will be acquired from each participant prior to each interview. Consent will be obtained verbally (see script attached to the application) due to the fact that an informed consent form is problematic in that it tends to give the interaction a legalistic feel and may create an aura of formality that will hamper the resulting discussion. Furthermore, signed confidentiality can be problematic in that it provides a visible trace of the individual's identity and participation in the research. This seems counterintuitive in terms of protecting participant confidentiality. When verbal consent is given, a record of this consent will be maintained. That is, the participant's name, the date of the interview and/or the date the verbal consent was given will be recorded in a separate note book that will be stored in a separate, secure location from the data. Confidentiality will be promised to all participants and the names and

distinguishing features of the participants will not be included in the finished study. Prior to each interview, participants will be informed of their right to withdraw from the process at any time and to refuse to answer any questions. Although, interviews will be recorded, participants will not be asked to provide their name or any other potentially recognizable features on tape. In addition to the principal investigator, Joshua Murphy, professor Griffiths will have access to the data based on his role as MA supervisor. Data will be stored on a memory stick that will be stored in a locked cabinet at the home of the principal investigator. That data will be retained for a span of 5 years after the anticipated completion of the study, which is 2012. As such the data will be retained until 2017.

This project can be described as minimal risk in that potential subjects can reasonably expect to regard the probability and magnitude of possible harms incurred by participating in the research to be no greater than those encountered in their daily life. That is, subjects are being asked about their thoughts, experiences, and perceptions on the subject of use of force. They are not being asked to participate in any physical or psychological testing, nor are they being asked to revisit traumatic events that may have occurred at any point in their lives. Furthermore, the goal of this study is to examine use of force training and not the misuse or illegal use of force.

Appendix C.

Informed Consent Protocol

Application Number: 2011s0602

Dear Participant,

Thank you for agreeing to participate in the current study, *Police Use of Force: Choice Structuring and the Intersection of Training*. This study is being undertaken by Joshua Murphy, an MA student in the Department of Criminology within the Faculty of Arts and Social Sciences at Simon Fraser University. As such, this study is being conducted under the auspices of SFU. This document is to be read prior to participation in the research study.

The purpose of this study is to gain an understanding of the factors that form the basis of police officers' knowledge regarding the use of force and how these factors influence police decision-making within the use of force framework. This study will focus on the role of use of force training at two levels – at the academy and in service – in preparing officers for real world use of force situations. Further, the study will examine how external factors such as media attention and the social environment interact with training in police decision-making. The hope is that this study will provide a new lens through which to examine police decision-making and choice structuring in use of force situations. In doing so, it is believed that the results of this study will improve the understanding that we have regarding the various sources from which police officers formulate their knowledge and of how their thinking is influenced. Consequently, this research can be beneficial to both academia and to law enforcement in that it could have utility in the formulation of police and/or the development of police academy and field training.

Direct benefits of this study for the participants include participants having a platform to contribute their extensive knowledge of their field to the academic domain and to voice any issues or concerns as they relate to police use of force. Furthermore, upon completion of this study, you will be provided with a copy of the findings as both a thank you and in order to provide the complete picture of which you were a part.

It is important to note that psychological risks may be associated with participation in this study; however, the risks of participating do not seem to be greater than the possible harms that police officers encounter in the course of their duties. Psychological risks include, but are not limited to: mental discomfort, psychological stress, and possible emotional exhaustion. Moreover, as this will be an interview scenario, you will not be asked to perform any physically strenuous or potentially hazardous activities. As such, the physical risks of this study are negligible.

Participation in this study is completely voluntary and if you feel the need to withdraw from the interview at any moment regardless of the reason, you may do so without prejudice or negative consequences. If participants feel any physical or psychological discomfort or strain during the interview, the interview will immediately be halted until they feel able to continue. Further, participants can choose to decline to answer any question in the interview and put an end to the interview at any moment, without prejudice.

Prior to beginning the interview, participants will be provided with the consent protocol and asked to read over it and then asked if they understand the procedures and stipulations outlined in the study. Following this, participants will be read a verbal consent script and then asked if they agree to participate in the study. Participants will then be asked if they are willing to have their interviews tape recorded via a digital recorder. If consent is given the interview will be recorded, thusly. If consent to record is denied, then responses will be recorded in written form.

As departmental or agency permission is not being sought to conduct these interviews, the name of your police service will not be included in the final copy of the report. Further, no distinguishing features of the department beyond its geographical location (e.g. British Columbia) will be included in the final report.

All information provided will remain anonymous and confidential. Anonymity will be maintained through the use of pseudonyms. Names and distinguishing features will not be included in the study. Anything said in the course of interviews will remain confidential as limited by law. This means that confidentiality may be breached if required by law. If participants require the need to review your responses prior to release, then they will remain confidential until that time. All data and relevant documents will be stored in a secure, locked cabinet at the residence of the principal investigator, Joshua Murphy. Data will be stored for a period of two years following completion of the study.

Following the conclusion of the interviews, re-contact may be necessary in order to clarify any statements that were made and/or to ask follow-up questions regarding a particular issue or issues. If a participant does not wish to be re-contacted following the interview, then they are free to refuse and will not be re-contacted.

Research results can be obtained from Joshua Murphy via email at [REDACTED] or via telephone at [REDACTED]. If participants have any concerns or complaints, the primary individual to contact is Professor, Curt T. Griffiths via email at [REDACTED] or by phone at [REDACTED]. The secondary individual to contact regarding concerns and complaints is Dr. Hal Weinberg, Director, Office of Research Ethics at [REDACTED] or [REDACTED].

Thank you for your time, and I am looking forward to taking part in this project with you.

Sincerely,

Joshua Murphy

Participant Signature

Date

Appendix D.

Interview Schedule: Academy/Pre-Service Instructors

Before proceeding with this interview, please be advised that you are aware of the research procedures and consent to participate in this research. The content of this interview will remain strictly confidential and anonymous. If you, for any reason, wish to discontinue your participation in the interview and withdraw from the study, you are welcome to do so at any time.

If you have any ethical questions or concerns you can contact the Office of Research ethics at [REDACTED] or the Director of the Office of Research Ethics, Dr. Hal Weinberg via email at [REDACTED] or via phone at [REDACTED]. Furthermore, you have permission to contact my supervisor, Dr. Curt T. Griffiths, via email at [REDACTED] or via phone at [REDACTED] if you have any other questions, comments, or concerns.

Introductory Questions

- Tell me about yourself.
- How long have you been a police officer?
- How long have you been in your current position?
- Can you discuss your experience prior to becoming a use of force trainer?
- How did you come to be a use of force instructor?

Current Issues Impacting the Use of Force

- Talk to me about your experience as an officer in use of force encounters.
- Discuss the factors that generally enter into a police officer's decision to use force?
- How does the environment impact an officer's decision-making regarding the use of force?
- Are there any specific clues or cues that you look for as an officer?
- Talk to me about the different types of situations in which the use of force can occur.
- Are there any differences between a situation that escalates into a use of force situation versus a situation in which you are aware beforehand that force may be an option?
- When you're in that situation, do you ever think about the consequences of what your actions may be?
- Discuss the level of visibility of the police. Do you find that the police are more visible?
- Has the media affected the way in which the police use force? If so, how?

- Has social media impacted police decision-making in use of force situations?
- Do you believe that police officers are aware of the fact that their actions are highly visible to the public?
- Has increased accountability affected how police use force? Has it affected officers' willingness to use force?

Pre-Service Use of Force Training

- Discuss your philosophy as an instructor or your approach to training.
- Can you describe the current use of force training that cadets receive at the academy?
- Has this training undergone any changes in the last ten years?
- How has your approach to training evolved over your time as an instructor?
- Identify your biggest challenge as an instructor?
- How would you describe the personality/make-up of recruits entering the academy?
- Have you noticed a change in the type of recruit that is entering the academy – no vs. in the past?
- Discuss the willingness of recruits/officers to use force.
- What are the biggest deficiencies that recruits have in terms of using force when entering the field?
- Does training address the increased visibility and scrutiny of police officers? If so, how?
- Do police officers receive specific training for specific situations or environments?
- Do you find that the use of force training is retained by officers when they enter the field and to what degree?
- How do you see the use of force training evolving?
- Are there areas of the current training curriculum that require improvement?

Appendix E.

Interview Schedule: Departmental/In-Service Instructors

Before proceeding with this interview, please be advised that you are aware of the research procedures and consent to participate in this research. The content of this interview will remain strictly confidential and anonymous. If you, for any reason, wish to discontinue your participation in the interview and withdraw from the study, you are welcome to do so at any time.

If you have any ethical questions or concerns you can contact the Office of Research ethics at [REDACTED] or the Director of the Office of Research Ethics, Dr. Hal Weinberg via email at [REDACTED] or via phone at [REDACTED]. Furthermore, you have permission to contact my supervisor, Dr. Curt T. Griffiths, via email at [REDACTED] or via phone at [REDACTED] if you have any other questions, comments, or concerns.

Introductory Questions

- Tell me about yourself.
- How long have you been a police officer?
- How long have you been in your current position?
- Can you discuss your experience prior to becoming a use of force trainer?
- How did you come to be a use of force instructor?

Current Issues Impacting the Use of Force

- Talk to me about your experience as an officer in use of force encounters.
- Discuss the factors that generally enter into a police officer's decision to use force?
- How does the environment impact an officer's decision-making regarding the use of force?
- Are there any specific clues or cues that you look for as an officer?
- Talk to me about the different types of situations in which the use of force can occur.
- Are there any differences between a situation that escalates into a use of force situation versus a situation in which you are aware beforehand that force may be an option?
- When you're in that situation, do you ever think about the consequences of what your actions may be?
- Discuss the level of visibility of the police. Do you find that the police are more visible?
- Has the media affected the way in which the police use force? If so, how?
- Has social media impacted police decision-making in use of force situations?

- Do you believe that police officers are aware of the fact that their actions are highly visible to the public?
- Has increased accountability affected how police use force? Has it affected officers' willingness to use force?

In-Service Use of Force Training

- Discuss your philosophy as an instructor or your approach to training.
- Can you describe the current use of force training that the officers in this police service receive?
- Has this training undergone any changes in the last ten years?
- How has your approach to training evolved over your time as an instructor?
- Identify your biggest challenge as an instructor?
- Have you noticed a change in the type of officers that are entering the department – now vs. in past years?
- Has this affected the type of training that officer are given or the way in which training is delivered?
- Tell me about scenario training.
- What are the benefits of this type of training?
- Is firearm training a component of scenario training?
- Do you find that scenario training helps officers overcome any unwillingness to use force?
- How does scenario training deal with officer stress?
- Does this training address the increased visibility of officers?
- Where do you see the evolution of use of force training going?
- Are there any areas that require improvement?

Appendix F.

Full transcript of Instructor 2's anecdote quoted in Chapter 4:

Question: Do you think that the increased visibility of police has had an impact on officers' decisions to use force?

Yeah. I remember very early in my career this woman phoning me up – she was the manager of a rooming house – and saying there's this guy, I wanna evict him and I want you standing by to keep the peace cause he carries a knife with him everywhere, even to the bathroom in his underwear. I went, "Ohhh okay, a survivalist-type guy." So she's telling me about this guy and she goes, "There he is, there." And he shows up and he's got nice jeans, almost pressed, and a jean-jacket, very well groomed. Not your average [REDACTED] bum. And he's there and he goes, "You looking for me," and he was throwing his hands up in the air and you could see a buck knife up in his belt and it was unsnapped, ready to go right? So my partner, worried about the knife thing, just pulls the knife out of his belt and he grabbed my partner's arm. And I grab him by the throat and I remember there were two dry-wallers (sic) that were working in this landing. All I remember at the time is that, here we are grabbing this guy and they're gonna think that whatever we're doing is going to be inappropriate. I mean, I since changed my mind. It was just my inexperience talking.

So my partner got the knife off the guy and I go to give him a ridge hand smack on the nose cause he's fighting pretty good. He ducks and I get him in the forehead. I hurt my hand more than I hurt him. Then I went right into and headlock and I've got my legs in a horse stance, legs wide apart. I got him in a headlock [and] my partner falls down these three steps, but somehow grabs this guy by one of his legs. I can't see what he's doing, but my partner can't get up or doesn't wanna get up or he's holding on to this guy. And the manager is going, "He's got a knife! He's got a knife!" And I'm going, "What the fuck is she talking about? I got the knife." So then, when I grabbed him we fell against the wall and I had a big three d-cell flashlight, a formidable metal club, and he hit the wall and it snapped the rivet and it fell down. So I'm holding this guy, bent over, and he's staring right at the flashlight that's near one of my feet. My hands are tied up; I don't know what my partner's doing, he's still holding on. So the guy picks up the flashlight and I figure, "Okay I'm gonna lose some teeth here," and as he brings his arm up between my leg and the wall, I move my body forward and I jam my knee right into his forearm, causing him to drop the flashlight and it rolls away. I said, "[REDACTED], he's got my flashlight," and then I went 'bam' and then he grabbed my crotch. "[REDACTED], he's got my balls." But my pants were stretched out so tight, he was gripping but...and then I was reluctant to stand up cause I might...so anyways, at that point, I just said, "Aww piss on it." So, I got up really fast and I smacked the guy, down we go, get him into handcuffs, and the fights on.

Well she's going, "He's got a knife," [but] she doesn't tell me he's got a knife in his boot. So the whole time he's there – Mitch has got one leg – he's reaching down, trying to reach down...he's got tight jeans and cowboy boots on an he's trying to get his jeans up over the boot to get at the boot knife he's got in there. Instead of him grabbing me by the crotch, it would've been a knife right up my ass. So anyways, I had nightmares over that for a while. And then we continued to search him. He had another knife in a holster, a

knife holster. He had three knives. So, there's an example where I let the public influence what I would normally have done. I would not normally have gone through this long, drawn-out tussle. I would've dummied him. I coulda (sic) got knifed there cause I was trying to be gentle with him. Except near the end there when I realize this was getting out of control. So I had him by the throat, I shoulda (sic) head-butted him, squashed him, taken him down and said, "I don't care what those guys think."

But now everybody's got a video camera, you're being video taped or audio taped like you're audiotaping me now. And the future of policing and evidence giving, they call it 'best evidence', so you present the best evidence, which will be a videotape. Probably within the next ten years the best evidence will be to, "Sir, I'm videotaping you right now. This will be used in court." And then read him his rights and warn him and show it in court. That's the best evidence. That'll be the best evidence rule and it'll stop or cut to the quick all these people who are making allegations that the police didn't do this or the police did do that or whatever. And it will also keep the officers in check so they don't do anything inappropriately and then maybe lie about it later cause they lost control of themselves or whatever. If they did, you can see how maybe they were adrenalized by what the subject was doing.

Since Rodney King on now people have been going, "Well what if the police are the problem?" And then they start looking at the police differently. And with the advent of more and more film – there's tons of stuff on YouTube of officers acting inappropriately or not professionally, or even criminally and they get caught. But even the video doesn't tell the whole story. I don't know if you ever saw that one – it's an exercise - with two officers at different ends behind each other and they're both talking to a suspect. The suspect looks like he's doing something, getting his ID, and the other officer shoots him. And they go, "Whoa what did you do that for?" From one officer's perspective he's not doing anything but the officer sees him going for [something] and it's totally justified. Whereas the other officer is aghast as to why he would shoot an unarmed man. Both police officers have a different perspective. So, I like seeing that because the media would not tell one hundred percent of it depending on the angle. If you listen to a tape and hear the audio and the visuals and stuff generally there's not a lot of tricks there.