



# FORCE SCIENCE<sup>®</sup> NEWS

Chuck Remsberg  
Editor-in-Chief

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## Memory and the question of deception: Recommended reading

### I. Memory and the question of deception: Recommended reading

Gaps, inconsistencies, and errors in officers' accounts of high-stress events may look like evidence of lies and deception. But a recent blog posting by an Advanced Force Science Specialist explains why leaping to that conclusion is likely to be wrong.

The article, "Imperfect Recall: How Memory Impacts Police Use of Force Investigations" by Jason Helfer, can be accessed free of charge by clicking [here](#). Helfer, deputy chief in the IA Division of the Greece (NY) PD, wrote it for the blog on "hot topics in public safety" conducted by Lexipol, the law enforcement policy advisory and risk management organization.

Drawing on his Advanced Specialist training, Helfer explains how innocent shortcomings of memory—not just in cops but in human beings generally—can falsely convey sinister implications if not fully understood.



"It's not uncommon for an officer's recollection of an incident to contain inconsistencies when compared with witness accounts, the recollections of other officers, and video and audio footage," Helfer writes.

"But when we consider the science of memory, we should probably be more suspicious of recollections that exactly match one another."

When an officer's "misleading, incomplete, or false recollections" are considered deliberate or collusive, "we fail to acknowledge an established body of science proving that memory...is far from the robot-like qualities we expect," he writes.

**MEMORY QUIRKS.** From there, he explains ways in which memory differs from "a record of reality, like a video recording."

He elaborates, for instance, on the phenomenon of "selective attention." Under stress, he explains, a natural "filter" kicks in so that only "information that we deem important gets through" to the brain. "Information that is filtered out is no longer available to us," so it simply isn't possible to remember it later.

In life-threatening situations, officers automatically "selectively focus on items and behaviors crucial to their safety and performance," such as weapons or a suspect's movements, leading to "inattention blindness" to other elements considered less important at that given moment. "We won't remember seeing something, even if we are staring right at it," Helfer writes.

Because of that and other processing-related reasons, an "officer's recollection of [an] event may seem inaccurate when compared with other accounts or video evidence. And that, in turn, can make the officer seem untruthful to those not aware of the scientific principles" involved.

**VIDEO LIMITATIONS.** In one section of the article, Helfer deals with video evidence and the temptation to regard it as "unbiased and free of human perceptual distortions."

Of course video recordings, he acknowledges, have "proved critically important in many police use of force cases." But, he cautions, force investigators and reviewers need to be aware of the "inherent limitations" of such recordings.

As explained in Force Science's classes on body cameras, these shortcomings include the potential for distorted images, the inability of the lens's field of view to capture an event in its entirety, the failure of a camera to exactly mirror an officer's visual perspective, and so on.

"Inconsistencies between an officer's recollection and that of video recordings is not necessarily indicative of deception," Helfer notes.

**RECOMMENDATIONS.** Helfer concludes his article with suggestions for dealing with the flawed realities of memory.

First, he writes, in fairly assessing an officer's truthfulness "anyone involved in a use of force investigation—including those responsible for relaying the process to the media and the public—must understand that...the very nature of perception and memory can affect an officer's ability to

recognize, effectively process, store, and recall sensory input associated with an event.”

Next, “we should look for ways to help officers improve [their] recollection of events.” That would include delaying an officer’s formal statement about a critical incident to allow time for “emotional decompression and memory consolidation,” and then employing “cognitive interview strategies by a trained investigator familiar with the science of perception and memory.” This approach, he says, can help officers recall information more accurately and comprehensively.

Finally, “it’s important that officers themselves understand the forces affecting their ability to recall.” Otherwise, contradictory video or bystander accounts can add to the stress of an incident and “bring about guilt and doubt” that could lead to an officer changing his true recollections in search of consistency.

“Understanding that inaccurate or missing details...are perfectly normal can help [officers] emerge from critical incidents in a more emotionally healthy state,” Helfer writes, as well as help them provide valid testimony about what they do remember of what happened.

For additional recent articles from Lexipol about use of force and other important law enforcement issues, go to: [www.lexipol.com/in-the-news](http://www.lexipol.com/in-the-news). Dpty. Chief Helfer, who wrote the article in his capacity as a professional services representative for Lexipol, can be reached at: [jhelfer@lexipol.com](mailto:jhelfer@lexipol.com). Our thanks to Dr. Ed Geiselman of the Force Science Analysis certification course faculty for his help in presenting this report.

EDITOR’S NOTE: Final results are in from a new memory-related study by a Force Science research team. The study concerns the ability of officers to recall critical details after a high-stress event and the implications these findings may have for officer-involved shooting investigations.

Full details will be reported in a forthcoming issue of Force Science News.

## II. How 1 trainer put the media in officers’ boots regarding resistance

Civilians who’ve never had to physically restrain an “ain’t-gonna-be-controlled” suspect usually have no idea how much force and how many officers may be required to gain compliance. So when they see video of cops trying to subdue an unyielding subject, it’s easy for their naïve eyes to interpret knee strikes, baton strikes, CEW hits, and the like as blatant evidence of excessive force.

When the Charlotte-Mecklenburg (NC) PD drew criticism for officers caught on camera delivering body blows to a gun suspect who stiffly defied efforts to get his hands behind his back, training director Sean Mitchell created a demonstration for local media that he hoped would be mind-opening.

“I didn’t expect them to necessarily agree with our point of view,” says Lt. Mitchell, a Force Science News subscriber. “If they hate what we do, they’re not going to leave a demo and say, ‘Now we support you.’ I just wanted to give them a point of reference for better understanding what we do and why.”

“SIMPLE” TASK. In a training room, about 20 reporters and crew members who showed up recently for Mitchell’s special Media Day

were introduced to two volunteers from the department's current recruit class who had agreed to act as uncooperative bad guys. One recruit was "a big guy, muscles," the other a "small-stature" female.

The assignment seemed simple enough. Two at a time, volunteers from the media pool were to approach one or the other of the "suspects" and get his or her arms into proper position for handcuffing.

The media "officers" were not allowed to strike the suspects in any way to get the job done. And the suspects were prohibited from striking or actively fighting back, as well. Their defiance would be limited basically to stiffening and assuming resistant stances, "nothing overly aggressive." Mitchell told the group, "All you have to do is get their hands behind their back."

For Round 1, the suspects would be standing. Round 2, they'd be prone, with their hands under their body; kneeling on either side, the media officers were to get the hands out and back for cuffing, again with no striking permitted.

To add a touch of realism, Mitchell had the media volunteers wear weight belts to simulate the heft and interference of gear on a typical duty belt.

**RESULTS.** Only a handful of the media folks volunteered for the experiment. Women wearing skirts largely begged off as being inappropriately clothed for the task. But the newsies who did participate got a revealing workout and the others saw their trials and errors close up and in-person.

"I let each attempt run until they got tired—usually about 30 seconds or less," Mitchell

told FSN. "In some cases, they tried persuasion or commands, which didn't work. Sometimes they tripped over themselves and fell down." Even when the suspect was smaller and not exceptionally muscular, determined resistance proved surprisingly effective against larger officers' tugging and grappling.

One suspect was toppled to the ground with a leg sweep. But with suspects on the ground, the media officers weren't able to get hands from under the body within the limits on force that Mitchell had imposed. One prone suspect defeated them just by standing up, putting them back to Square One because the legs hadn't been controlled.

The participants "began to get some appreciation for the challenges and emotions officers experience in overcoming resistance and why an escalation of force is often necessary," Mitchell says. "When you're actually involved in an event, things aren't always as clear cut as they appear when seen on video later.

"And this was in a safe environment. They were on mats, not concrete. It wasn't raining and slippery. They knew the suspects were not armed, not going to kill them or even hit them. The suspects' family and friends weren't around, adding to the hostility. So many of the factors that affect an officer's decision-making weren't relevant here."

The lessons of the day reached far beyond the range merely of Charlotte-Mecklenburg media when one of the participating journalists posted video and commentary of his experience on Facebook. His report quickly received more than 2,000,000 views.

MORE TO COME. With the support of CMPD Chief Kerr Putney, Mitchell has more Media Days in the works. A prospective attendee at a future Force Science certification course, he is busy devising participation events that will explore for civilians other human factors that influence police decision-making and behavior.

These include:

- Drills with body shields and Simunition pistols that show action/reaction realities and the time-pressured urgency that can drive officers' decisions to use deadly force;
- Range sessions that allow reporters to experience first-hand how quickly rounds can be fired by would-be assailants and officers alike using modern weapons;
- Driving track demonstrations that show the difficulty officers have in maintaining road focus while attending to job-related distractions like computer communications and license plate reading;
- Analysis of body-cam and cell-phone footage to prove that what's recorded on video is not always how events actually appear to officers as they're experiencing them.

The goals, he says, are always the same: to show the impact of inherent human factors on officer performance and to improve outsiders' understanding of tense, rapidly evolving, and uncertain confrontations before there's a jump to judgment.

Lt. Mitchell can be reached at: [tmitchell@cmpd.org](mailto:tmitchell@cmpd.org)

Our thanks to Lt. Glen Mills, president of the Massachusetts Assn. of Crime Analysts, for alerting us to Mitchell's creative endeavors.

III. From our inbox: Permission granted...

As part of a course on First Line Supervision for Law Enforcement, I will be instructing a class on Risk Management for the St. Louis (MO) County & Municipal Police Academy.

The information in Force Science News #348 [which dealt with research on unintentional firearms discharges and the phenomenon known as inattentive blindness] would be useful in this class as a handout. I am requesting permission to use it.

Patrick Horine  
Training coordinator,  
Eastern Missouri Police Academy

EDITOR'S NOTE. Part of the Force Science mission is for scientific information useful to law enforcement to be shared with as broad an audience as possible, so we are almost always willing to approve dissemination of FSN material with appropriate credit. For permission, please email: [editor@forcescience.org](mailto:editor@forcescience.org)

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