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Force Science pinpoints human dynamics of police-on-police shootings, Part 2 of a series

Part 2 of a 2-part series

A Governor’s Task Force in New York recently issued a 147-page report on police-on-police shootings in which it emphasizes that “unconscious race bias” may be a compelling factor when out-of-uniform officers, working plainclothes or taking some law enforcement action off-duty, are mistaken for life-threatening criminals and are shot dead by other cops. [Click here to read PART 1 of this special report highlighting the report’s findings.]

During 6 months of nationwide research, the task force asked Dr. Bill Lewinski, executive director of the Force Science Institute, for his perspective on these tragedies. In a special 7-page position paper, attached as an appendix to the group’s report, Lewinski argues that human dynamics wholly apart from race are, in fact, most likely to shape these unfortunate incidents.

“I greatly respect the efforts of the task force in surfacing important data about this little-studied phenomenon,” Lewinski told Force Science News. “We at Force Science are wholly in favor of racial equity in law enforcement. But I believe that the core of the problem of police-on-police shootings lies with more fundamental factors than any race bias.

“I believe that by exploring universal laws of human performance that cut across all racial lines, we stand the best chance of truly understanding why these horrible fatalities occur and how to prevent them.”
In his paper, Lewinski points out that he has studied more than 1,200 officer-involved shootings and that the police-on-police, mistaken-identity encounters he has investigated “share some common elements” with the vast majority of other OISs.

“They are seldom static and frequently involve elements of time compression and urgency,” he writes. “Simply stated, the [challenging] officers’ perception is that if they don’t respond extremely quickly something very serious will occur.

“Performance of psychomotor skills under conditions such as this produce some very predictable and characteristic errors, including ‘stimulus confusion’ where the officer misidentifies the behavior or action of the subject.”

His paper then presents in detail what he believes are “some of the behavioral science dynamics” that are pivotal in cop-on-cop shootings. His comments provide a template for explaining other OISs as well, including many that provoke great public controversy.

Pattern recognition. “Human beings from birth begin to organize experiences into patterns,” Lewinski explains. Understanding familiar patterns or “schemas” allows us to “read the context of information” coming into our brains from our senses “and predict an outcome.

“This means that we do not have to see each new incident to its completion before deciding what to do. The better we get at reading patterns and the more unconsciously we can activate skills, the more we can effectively engage in strategy and planning.

“[F]or police officers to be effective and safe, they must learn to recognize certain movements, behaviors, objects, and scenario characteristics as being potentially or immediately threatening” and respond with “prompt, definitive action.” Depending on circumstances, that could range from “seeking cover to create more options” to issuing “additional verbal commands” to, “in the most extreme situations, the delivery of deadly force.”

Police-on-police example. Lewinski poses a common mistaken-identity shooting scenario and dissects the influence of pattern recognition in its tragic outcome.

In his example, an out-of-uniform officer is attempting to arrest a criminal suspect at gunpoint. Unaware of who’s who, a civilian witness calls 911 to report a man pointing a gun at another individual. A responding officer, approaching the “gunman” from the rear, repeatedly orders him to drop the weapon and raise his hands. No response. Then, gun still in hand, the man begins to turn toward the officer who, not aware the man is a cop, believes he’s presenting a deadly threat and shoots him.

For the responding officer, Lewinski explains, pattern recognition in this incident begins with being dispatched to a man-with-a-gun call, which he knows “can be a very
dangerous, potentially deadly situation.” At the scene, with “no visible or auditory factors” to the contrary, he believes he’s dealing with “a civilian pointing a gun at another civilian.”

When his verbal commands are ignored, particularly the commands to drop the gun, the known pattern this suggests is “indicative of a defiant individual who is determined to follow through on a mission of violence regardless of police presence and the results.”

When the “gunman” begins to turn toward him, the responding officer has “significantly limited options” because an individual can spin around and fire accurately “in an extremely short period of time.” Indeed, the officer has “less than a second to respond appropriately to end this [perceived] threat.”

**Inadvertent threat.** The “threat” the out-of-uniform officer presents, of course, is unintentional. Lewinski cites the effect of stress on human performance as a salient factor.

In these incidents when circumstances have prompted the out-of-uniform officer to draw his gun, he is likely to be “funneled in” on the suspect he’s engaged with, “failing to take into consideration the observations and perceptions of the responding officer,” Lewinski writes.

“Typically, the stress of the encounter causes the [challenged] officer to lose focus on—or completely ignore—the fact that he/she is not in uniform, is not immediately recognizable as a law enforcement officer, and is armed.”

In turning toward the challenging officer, which proves to be “a fatal move,” the victim officer may not actually point the gun in a threatening manner, Lewinski says, but if the responding officer is not behind cover he may need to shoot in self-defense before the turn is completed.

**Auditory exclusion.** Research shows that officers involved in high-stress encounters commonly fail to hear certain things, “ranging from verbal comments to gunshots,” Lewinski told the task force. “This is a normal process” of selective attention. That is, when we are focused on something we have decided is important, “our brain assists us in focusing by ignoring or suppressing information that could distract us.”

In police-on-police confrontations, this “auditory exclusion” can work both ways, Lewinski suggests. When the out-of-uniform officer is trying to control a dangerous suspect, the “attentional focus” required by that stressful effort may cause his hearing to diminish dramatically, resulting in his “inability to clearly hear and comprehend” commands to drop his weapon.
Under his own stress, the responding officer, in turn, may be “unable to hear the ‘gunman’ loudly identifying himself as a police officer.” The challenged officer “begins to glance behind him and the responding officer shoots him. Later, witnesses recall the [victim] clearly identifying his office. The officer who shot him claims to have heard nothing.”

**Selective visual attention.** In life-threatening encounters, an officer’s vision also typically narrows “to an element of threat while filtering out seemingly superfluous elements” in an “instinctive survival response,” Lewinski writes.

“In a law enforcement context, this phenomenon…would be clearly illustrated by [officers] ‘zooming in’ on the barrel of a gun or the blade of a knife pointed in their direction or zeroing in on a suspect’s hands, which they have been trained to watch closely, while simultaneously filtering out extraneous visual elements, such as clothing color, facial features, and even subject race or gender.” [See FSN Transmission #2, sent 9/29/04, for a detailed description of experiments in which highly stressed test subjects had difficulty accurately recalling important personal characteristics even of people they had been in close contact with for as long as 40 minutes.]

This visual narrowing can pose difficulties in ambiguous cop-on-cop confrontations, Lewinski states. For example, “Some suggest that the presentation of a badge or other visual identifier [like a color-coded armband] by an off-duty or plainclothes officer would be sufficient to avoid a tragic misidentification.

“Science may suggest otherwise,” Lewinski cautions. “It’s quite possible, if not probable,” that a responding officer experiencing “a high level of stress may not even be able to notice such things.”

**Training deficiency.** Most agencies provide “little or no training in how to handle” police-on-police face-offs, thus leaving officers “dependant upon their own resources” in these encounters” and leaving officers on both sides of the confrontation “in a precarious situation,” Lewinski writes.

He notes that the use of a firearm in any deadly force encounter is analogous in some ways to a high-stakes athletic activity. “I find it fascinating that in any athletic activity… instructions about the rules of the game and the development of skills with the tools of the game are only the beginning of the instruction into the game.

“A tennis or soccer player with [only] this level of instruction would not do very well in competition. The strategy and tactics of the game—the recognition of patterns of play, the anticipation of outcomes, the play patterns that defeat an opponent’s attack before it develops—all need to be developed in the athlete if they are to perform well.
“In law enforcement, for the most part, we stop or move very little past the rules of the game and the development of fundamental skills with the tools.” The result: “a high level of both predictable and preventable errors in judgment during the game.”

And this, Lewinski writes, may be a fundamental underpinning for “both predictable and preventable errors in officer-on-officer shootings. I suspect that the roots of [these] shootings start with the limitations of skill training and then proceed from there.”

Bottom line, in Lewinski’s judgment: cop-on-cop confrontations are just one aspect of force training that in general needs extensive expansion and improvement. Research that takes human dynamics into consideration needs to continue in search of training methods that can improve officer assessment, decision-making, and reaction in uncertain, rapidly unfolding, and potentially threatening situations.

Meantime, Lewinski fully agrees with a cautionary suggestion stressed by the task force in its report: Off-duty officers in civilian clothes should not attempt a law enforcement action except in life-threatening situations where there is no alternative. “This may go against officers’ instincts,” he says, “but the risks of actively intervening in most cases are likely to be greater than the benefits, all things considered.”

The task force poses these “4 rules when considering intervention”:

1. It’s usually wisest to show restraint and “serve as a good witness rather than intervene unless someone’s life or personal safety is at stake.”

2. If you feel you must intervene, call 911 or have some else do so, alerting “other police units to your presence, including your physical description, that you are armed, and that you are in plain clothes.”

3. Display your badge “close to your firearm,” where it stands the best chance of being seen.

4. “Communicate frequently your identity as a police officer in a loud and clear voice.”

Most important, Lewinski advises out-of-uniform officers who are challenged in possible mistaken identity circumstances to obey commands of the challenging officer to the letter, work to slow things down, and above all do not look or move toward the challenging officer with a gun in your hand.

“We may differ on some conclusions about mistaken-identity shootings,” Lewinski says, “but the task force has provided the first in-depth study of this sad phenomenon and has initiated important dialogue on how to address it.”
“Any police death is a tragedy but when one inadvertently occurs at the hands of other officers, the tragic impact on the participants, their families and departments, and the communities they serve is double regrettable.”

The full report of the Governor’s Task Force, entitled Reducing Inherent Danger, can be downloaded free of charge at: by clicking here.

For a full copy of Dr. Lewinski’s position paper, click here.

Written by Force Science Institute
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