



BUREAU OF THE ATTORNEY GENERAL
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C.

Deadly Force Training Project Impact Evaluation Report

MFI

112041



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U.S. Department of Justice
National Institute of Justice

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Prepared for the Bureau of Justice Assistance of the Department of Justice by the International Association of Chiefs of Police under cooperative agreement #86-SN-CX-K040.

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112041

IMPACT EVALUATION REPORT
of the
Deadly Force Training Project

As carried out under cooperative
agreement between the Bureau of
Justice Assistance of the
Department of Justice and the
International Association
of Chiefs of Police



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Executive Director

May 18, 1988

Charles Smith
Acting Director
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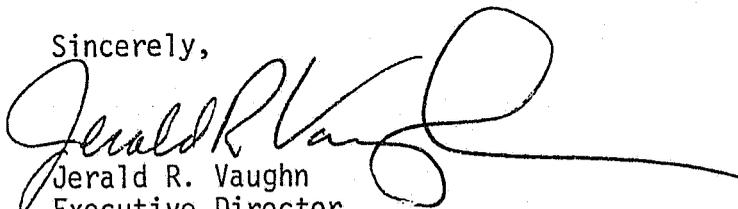
Dear Mr. Smith:

Attached for your consideration is the impact evaluation report for the Deadly Force Policy Training Project. This report clearly defines the positive influence the cooperative agreement had for the broad segment of the law enforcement community it touched.

I would like to take this opportunity to thank the Bureau of Justice Assistance for the support and assistance it has provided to law enforcement through such projects. As a result of this program and others, law enforcement agencies are provided an opportunity to progress in the many technical and critical areas of policing that are so often not available without Federal assistance. It is also gratifying to know that an extension of this cooperative agreement has been announced to continue this valuable training evolution for field supervisors and field training officers.

The International Association of Chiefs of Police is looking forward to continuing its association with the Bureau of Justice Assistance towards our common goal of serving the law enforcement effort throughout the United States.

Sincerely,


Jerald R. Vaughn
Executive Director

DEADLY FORCE TRAINING PROJECT
a cooperative agreement with
THE DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE
and the
INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE
IMPACT EVALUATION

INTRODUCTION

As the result of ongoing interest regarding the use of deadly force that has been continuous for over fifty years, and the fact that no single issue has dominated the conscience of law enforcement as has this dilemma, the Bureau of Justice Assistance of the United States Department of Justice provided the International Association of Chiefs of Police the opportunity to offer a training program for police executives.

The Bureau of Justice Assistance funded the project entitled, "Deadly Force Policy Development and Implementation Workshop for Police Executives." The workshops were presented at ten separate sites throughout the country.

The development of a professional curriculum and the selection of the most knowledgeable and experienced trainers on the subject of deadly force issues was a high priority of the program manager Mr. Fred Becker. A strong advisory board was convened to help in curriculum development, previous works by noted researchers were referenced, and an intensive search provided an outstanding workshop faculty.

Technical assistance to law enforcement agencies was a strong provision of the project and continues to be provided in the form of on-site visits when requested, technical assistance packages, and telephonic support. Well over 300 technical assistance requests have been responded to.

The participant approval factor was one of the factors considered by the Bureau of Justice Assistance when the decision was made to extend this cooperative agreement to provide another series of workshops. The projected target group will be field supervisors and field training officers. Both the Bureau of Justice Assistance and the International Association of Chiefs of Police are enthusiastic and optimistic about the potential value of this new program to law enforcement.

SUMMARY

The project began on September 15, 1986, and will conclude on August 15, 1988. The purpose of the project was to develop a workshop for police executives for development and implementation of deadly force policy.

Participants: Over half of the participants in all of the workshops were chiefs of police. All participants were either chiefs, heads of departments, deputy chiefs and undersheriffs, or policy writers and trainers of deadly force policy who were in the workshop to evaluate their policies. The only exceptions were one mayor of a city and two attorneys who represented police agencies. At the conclusion of the workshops, participants received a survey to complete.

PROCEDURE: The survey used to assist in project impact evaluation was designed to evaluate component parts of policy that were existing, that were nonexistent, or were to be changed as a result of the workshops. In some cases, there was more than one person in a workshop from the same department. Only one member of a department submitted a survey to prevent duplication. At the conclusion of the workshop, the survey was completed by the participants and then provided to the coordinator to be used in this evaluation.

RESULTS: Included are twenty graphs, each representing an individual survey item. Each graph contains graphic representation of responses as well as a table containing the count of responses and a listing of the relevant policy sections.

THE EVALUATION

This evaluation is the result of a three-phase project funded by the Bureau of Justice Assistance. The first phase was the development of a workshop based upon a needs assessment and expertise of staff and an advisory board of twelve experts in the field of deadly force. The second phase was the presentation of the workshops and the offering of a technical assistance package to those agencies that applied for attendance but were unable to participate, and to all agencies who requested a technical assistance package. The third phase is the evaluation of the project and its impact on the agencies and their deadly force policies as a direct result of the workshop. A final report is also a part of this phase and will follow this impact evaluation.

BUREAU OF JUSTICE ASSISTANCE

Fred Becker
Program Manager

PROJECT STAFF

Dan Rosenblatt
Project Director

Ron McCarthy
Project Coordinator

Hedy Cronin
Project Secretary

PHASE I

The advisory board met to provide guidance and input regarding the development of the workshop curriculum, and as previously stated, all activities were funded and monitored by the Bureau of Justice Assistance.

The board was instrumental in workshop structure. There were a total of 73 suggestions made, of which 68 were implemented as part of the syllabus, the curriculum, or the instructors' presentations in the workshop.

The advisory board was also provided copies of the completed syllabi by mail and asked to provide additional guidance prior to its finalization. The members were also invited to attend one of the workshops. Mr. Robert Lamb did attend, and his letter to the project coordinator is a part of the addenda section of this evaluation.

ADVISORY BOARD

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Billy D. Prince
Chief of Police
Dallas, Texas

In order to fully examine the impact, if any, that this cooperative agreement had on the law enforcement agencies whose police executives and other members attended, it is necessary to review the program goals that relate to measurable factors emanating from the project. It must be noted that some project goals are not reasonably quantifiable at this time.

MEASURABLE GOALS

1. To enable participants to evaluate the adequacy of the deadly force policy, procedures, and rules of their agencies.
2. To provide the knowledge that participants need to develop new, or improve existing, deadly force policy, procedures, and rules that comprise all appropriate and essential elements.
3. To provide technical assistance to achieve the same goals as the knowledge transfer.
4. To influence participants to implement new and improved deadly force policy, procedures, rules, and training.

PROJECT GOALS THAT ARE NOT MEASURABLE AT THIS TIME

- A. To reduce the rate of homicide by police officers.
- B. To reduce the rate of injuries and deaths of officers in deadly force situations.

It is possible to obtain data to support or refute hypotheses dealing with homicide rates or officer deaths, but to obtain the kind of data necessary would require a study spanning four or five years.

It must be understood that national research indicates that deadly force related incidents are not common to every community on a regular basis; about 75 percent of the incidents occur in the one hundred largest cities in the United States. Therefore, a tendency to see this issue as something "that won't happen here" can exist. For this reason, the workshops were offered to all police agencies, from five-person departments and up, in all areas of the United States. The workshops were designed to accommodate fifty participants, two from each of twenty-five agencies if practical. Six hundred four requests to attend were received, and five hundred of those requests were accepted. Over half of those participants who attended were agency heads; the remainder were policy-writing specialists for agencies, training supervisors, city and county attorneys who defend agencies in civil litigation, and one mayor.

PHASE II

The workshops were advertised by brochure with ten specific workshop locations and dates announced:

- | | |
|----------------------------|---------------------------|
| (1) Omaha, Nebraska | 4, 5, 6 August 1987 |
| (2) Dallas, Texas | 19, 20, 21 August 1987 |
| (3) Columbus, Ohio | 1, 2, 3 September 1987 |
| (4) Nashville, Tennessee | 8, 9, 10 September 1987 |
| (5) Boston, Massachusetts | 14, 15, 16 September 1987 |
| (6) Baltimore, Maryland | 28, 29, 30 September 1987 |
| (7) Minneapolis, Minnesota | 6, 7, 8 October 1987 |
| (8) Portland, Oregon | 20, 21, 22 October 1987 |

(9) Phoenix, Arizona
(10) Charleston, South Carolina

9, 10, 11 November 1987
17, 18, 19 November 1987

The instructors selected to make presentations in the workshops were:

The project coordinator, Ronald M. McCarthy, who was responsible for covering the following workshop class titles:

- Introduction and Course Overview
- Understanding Rules, Regulations, and Policy
- The Model Policy and Why
- Policy and Training
- Policy and the Community and Media
- Policy Development
- Policy Development Modules

Mr. McCarthy instructed in all ten workshops.

Charles Higbie, of Cotkin Collins and Franscell, Los Angeles, instructed in "Deadly Force Investigation," and also taught in all ten workshops.

"Policy and Law" was taught by a total of four different instructors, all of whom are lawyers:

- Michael Avery, of Avery and Friedman in Boston, Massachusetts
- John Dise, of Craig, Farber Downs and Dise - Detroit, Michigan
- Henry Klein, a private attorney representing the Memphis Police Department, Memphis, Tennessee
- George Franscell, of Cotkin Collins and Francell, Los Angeles, California

All were involved in litigation of deadly force issues and are respected as experts in that field.

Three psychologists, all from the law enforcement community, taught the "Psychological Aspects" segment of the workshop. They are:

- Steven D. Sherrets, Ph.D., Omaha, Nebraska
- Martin Sloane, Ph.D., New York, New York
- Roger Solomon, Ph.D., Colorado Springs, Colorado

PHASE III

The workshops were completed on schedule, and this phase consisted of this impact evaluation, compilation of course evaluation, and the final report.

The workshop participants rated the entire instructor group 4.5 out of a possible 5, making it the highest rated element of the entire workshop. Commentary on the critiques that were completed by the participants continually emphasized the "real world" experience the instructors brought to the workshops.

The total number of participants who attended all of the workshops was 312. Of this total number, only three participants stated they would not recommend the course, indicating a disapproval factor of less than one percent. A compilation of all course critiques is included in the addenda section of this impact evaluation.

METHODOLOGY

This impact evaluation is based upon a survey instrument that was completed by the workshop participants. The five-page instrument was completed by the participants after the workshop concluded, and the survey was patterned after the recommended model policy.* There were twenty components, and each component had three response boxes that would provide the data necessary to determine several factors relating directly to degree and type of impact. A copy of the survey document can be found in the addenda section of this evaluation.

The total number of deadly force policy development evaluation instruments that were completed and returned was 202. Obviously, not all participants who attended submitted a completed evaluation document.

As mentioned previously, the survey instrument was developed around the structure of the model policy to identify components that provided the basis and format for the evaluation data. Those components are:

1. Legal Disclaimer
2. Defining Deadly Force
3. The Value of Human Life
4. Shoot to Stop
5. Defense of Life
6. Significant Threat
7. Juveniles
8. Warning Shots
9. Risk to Innocent Bystanders
10. Shooting at or from Vehicles
11. Shots to Destroy Animals
12. Safe Handling of Firearms
13. Secondary Weapons
14. Off-Duty Weapon
15. Firearms Training
16. Body Armor
17. Investigation Process
18. Civil Rights Investigation
19. Psychological Services
20. Administrative Leave

Each component was examined independently of the other components to determine what impact the workshops had on that component in question. This was accomplished by identifying the component, providing a policy definition for the component, and then evaluating a resultant bar chart to determine impact.

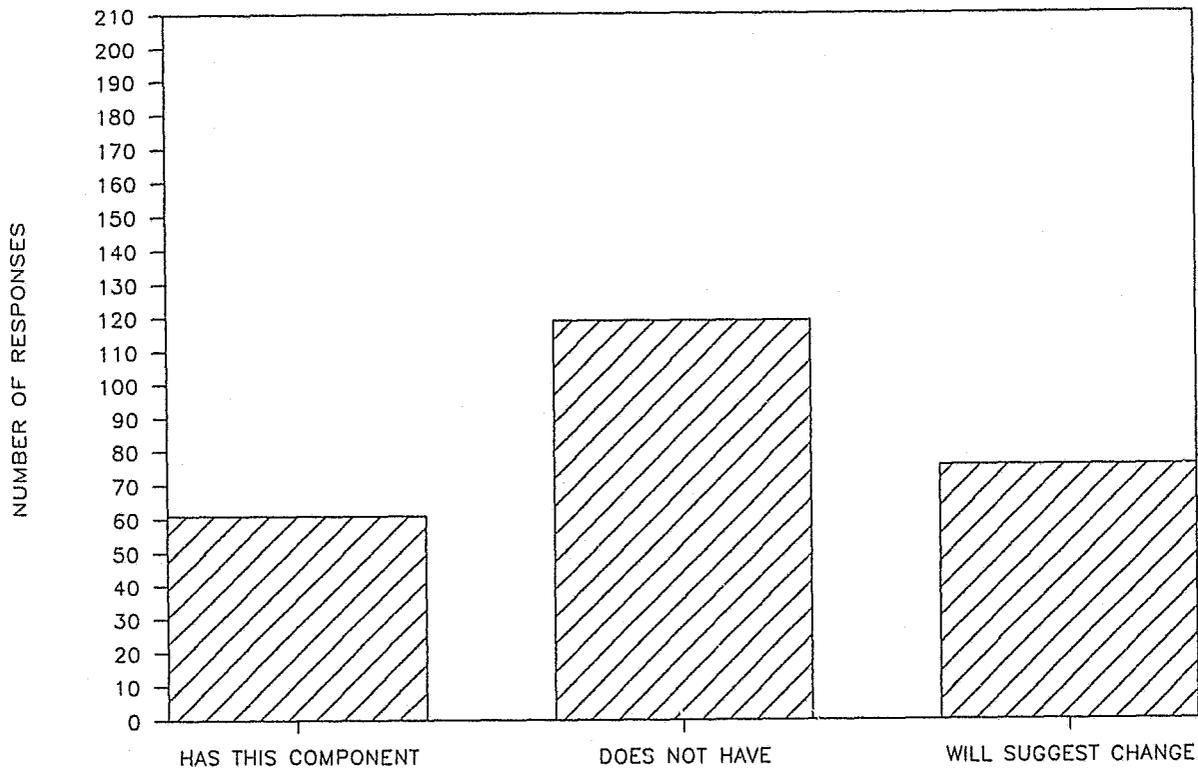
It must be noted that the policy component descriptions provided herein are the result of this deadly force project, and will differ from the model policy. In some cases the descriptions will differ substantially. In one case, the model policy component is not included; that component is titled "Legal Representation." The chiefs of police, police executives, and training supervisors who attended the workshops were almost unanimous in their disapproval of this component's being a part of their policy. The full explanation for removal can be found in the addenda section of this report.

A compilation of the data and resulting bar graphs led to the following findings:

Model policy as found in this document in the product of the research project known as the "Balance of Forces", originally published in 1985.

LEGAL DISCLAIMER

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #1

LEGAL DISCLAIMER

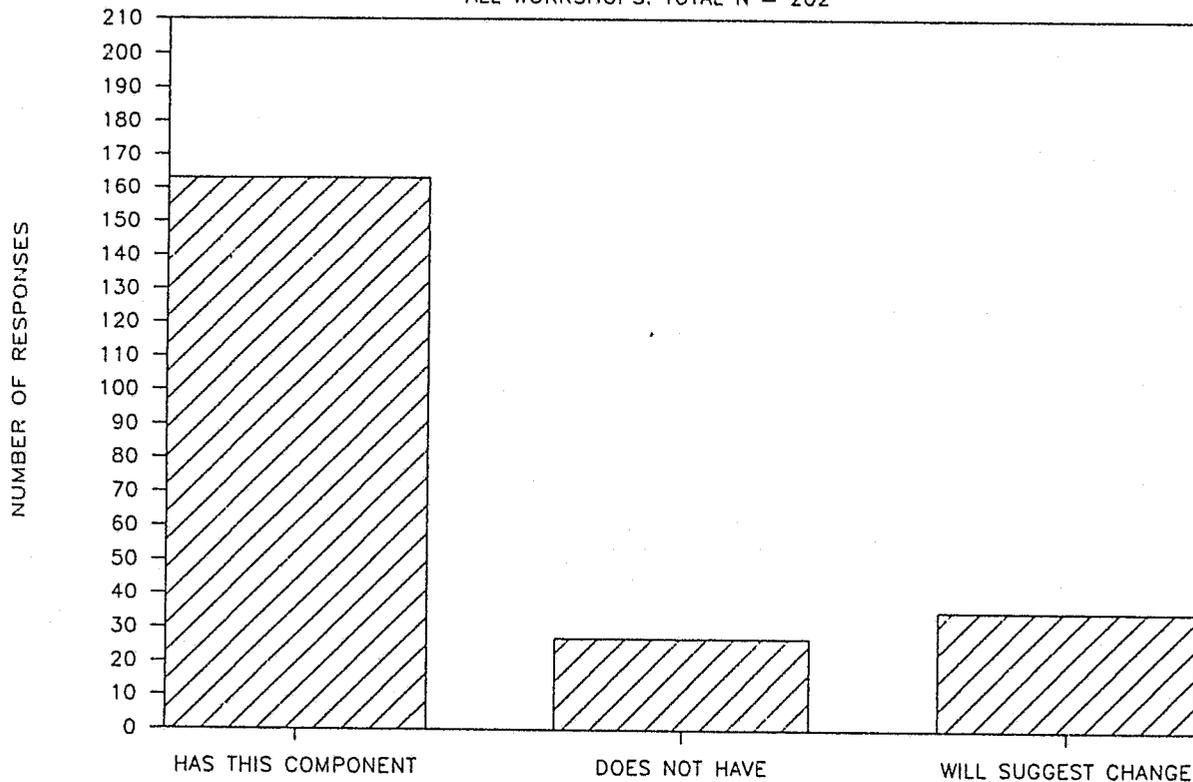
Component Description: This directive is for departmental use only and does not apply in any criminal or civil proceeding. The department policy should not be construed to create a higher legal standard of safety or care in an evidentiary sense with respect to third-party claims.

Agency policy has this component	61
Agency policy does not have	119
Agency participant will suggest change	76
Total Sample	202

Comment: A surprising number of agencies did not have this component and at first were reluctant to include it. The primary objection was that they thought it could be interpreted by civil jurors and courts as an attempt by the agency to avoid responsibility.

DEFINING DEADLY FORCE

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #2

DEFINING DEADLY FORCE

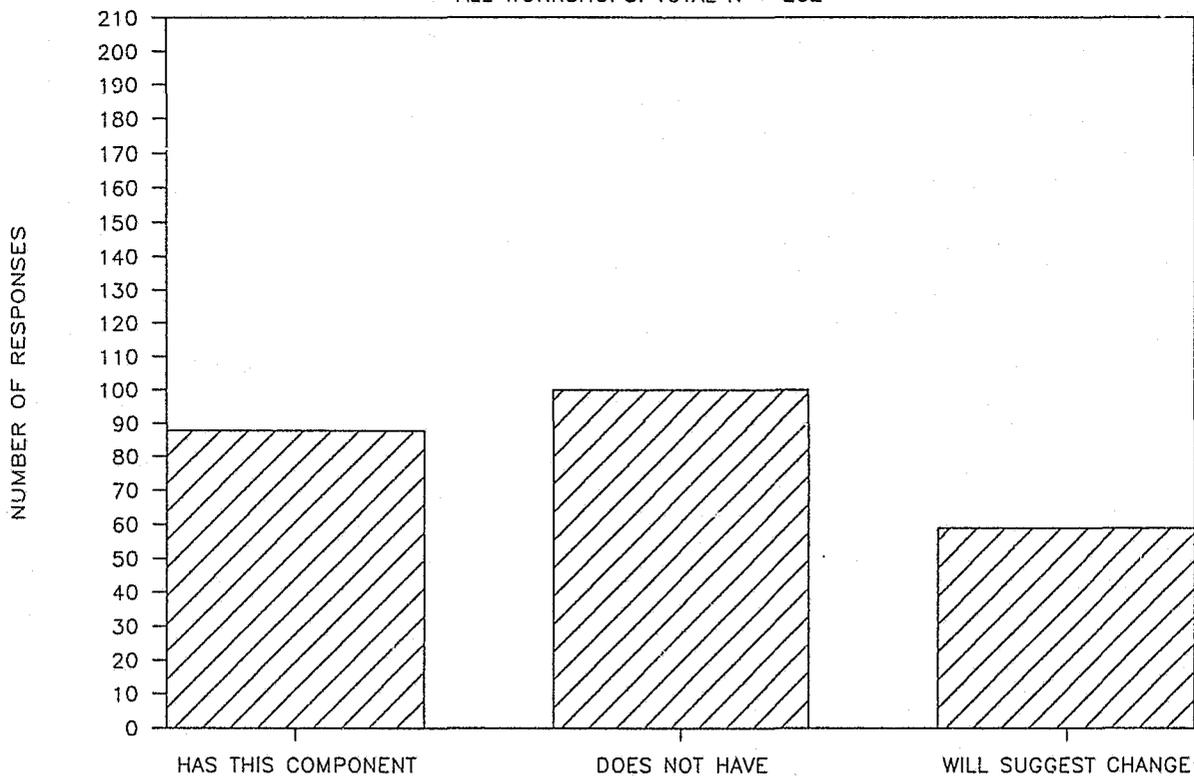
Component Description: "Deadly Force" as used in the policy is defined as that force likely to result in great bodily injury or death.

Agency has this component	163
Agency does not have this component	27
Agency participant will suggest change	35
Total Sample	202

Comment: The sixth most often found component in policies. The definition varied greatly and tended to be too wordy.

THE VALUE OF HUMAN LIFE

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #3

THE VALUE OF HUMAN LIFE

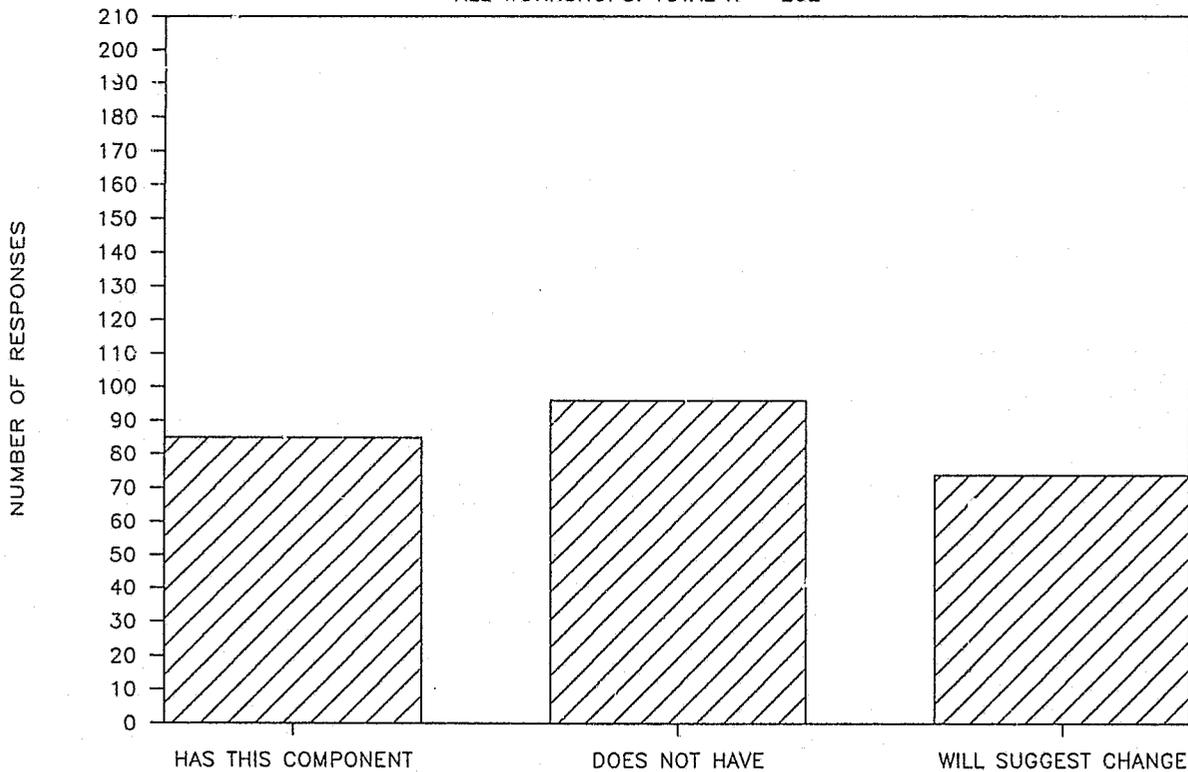
Component Description: The value of human life is immeasurable in our society. Police officers have been delegated the awesome responsibility to protect life and property and apprehend criminals. These responsibilities include the officer's having the ability and responsibility for protecting his own life. Society must be reluctant to license deadly force by police officers, but support its use by officers when it is used reasonably to prevent great bodily injury to the officer, an innocent victim, or death to the officer and innocent victims.

Agency has this component	88
Agency does not have this component	100
Agency participant will suggest change	59
Total Sample	202

Comment: If an agency does not express an appreciation for the value of human life, it could easily be inferred that an agency doesn't have one.

SHOOT TO STOP

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #4

SHOOT TO STOP

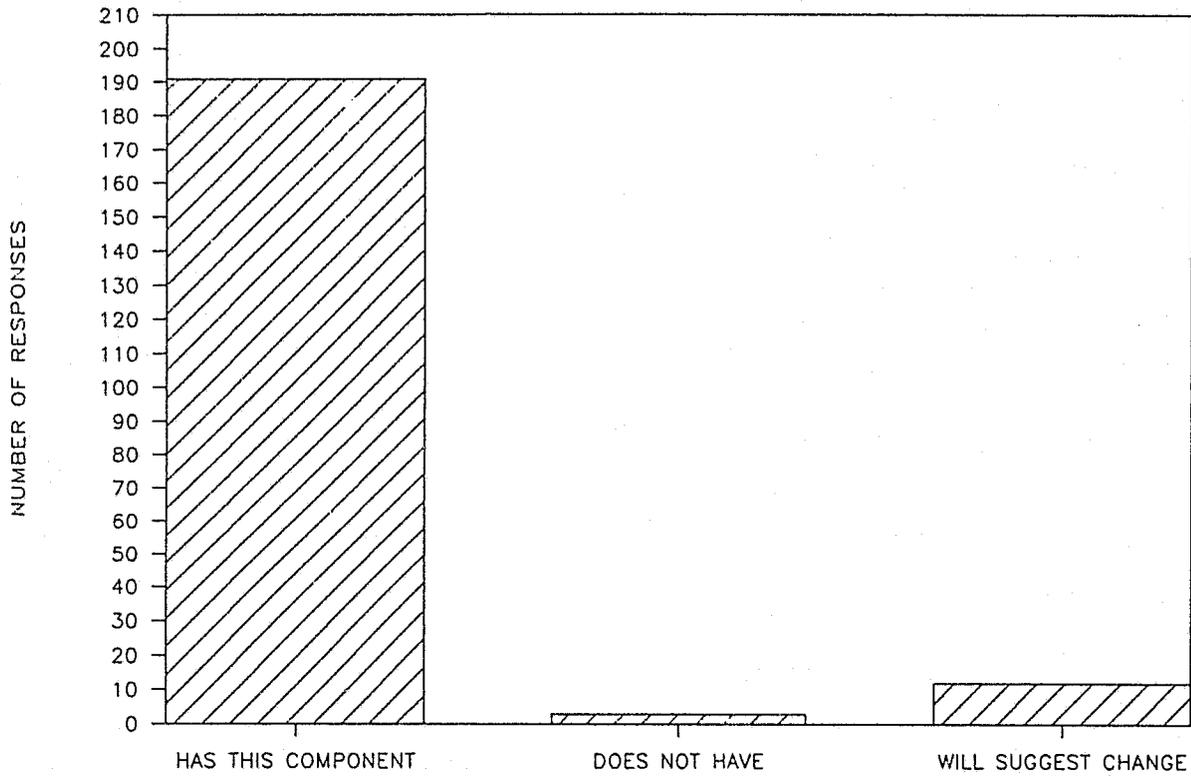
Component Description: Members shall fire their weapons to stop an assailant from completing a potentially deadly act as described in the collective sections of the policy: officers should shoot at the largest available mass provided by the assailant as a target area for the officer, to stop the threat, and to minimize danger to innocent bystanders.

Agency has this component	85
Agency does not have this component	96
Agency participant will suggest change	74
Total Sample	202

Comment: The above component description is substantially different from the model policy and was the recommended description used by the instructors in the workshops. The reason for change was to achieve a more concise, clear directive to reduce potential misunderstanding.

DEFENSE OF LIFE

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #5

DEFENSE OF LIFE

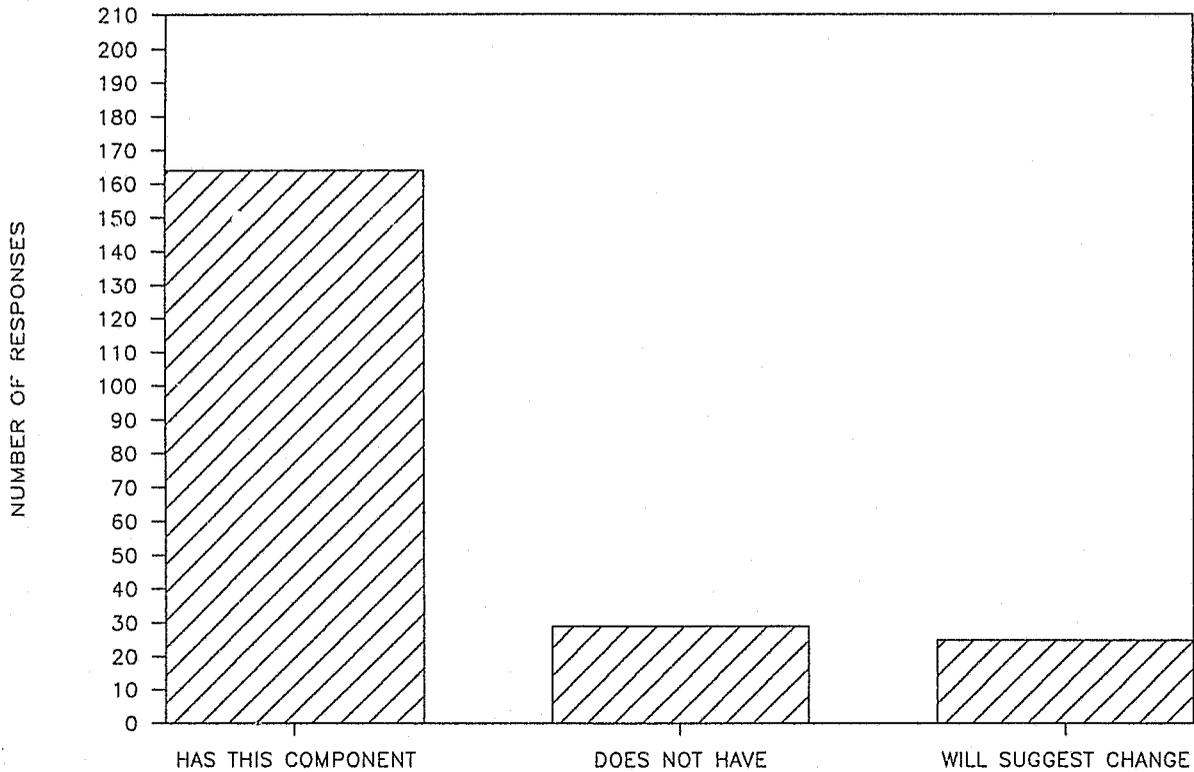
Component Description: An officer may use deadly force to protect himself or others from what he reasonably believes to be an immediate threat of death or (near death) critical bodily harm.

Agency has this component	191
Agency does not have this component	3
Agency participant will suggest change	12
Total Sample	202

Comment: It is apparent that of all deadly force policy issues, this is the issue most often and most commonly addressed, and the one that provides the least amount of discussion and disagreement.

SIGNIFICANT THREAT

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #6

SIGNIFICANT THREAT

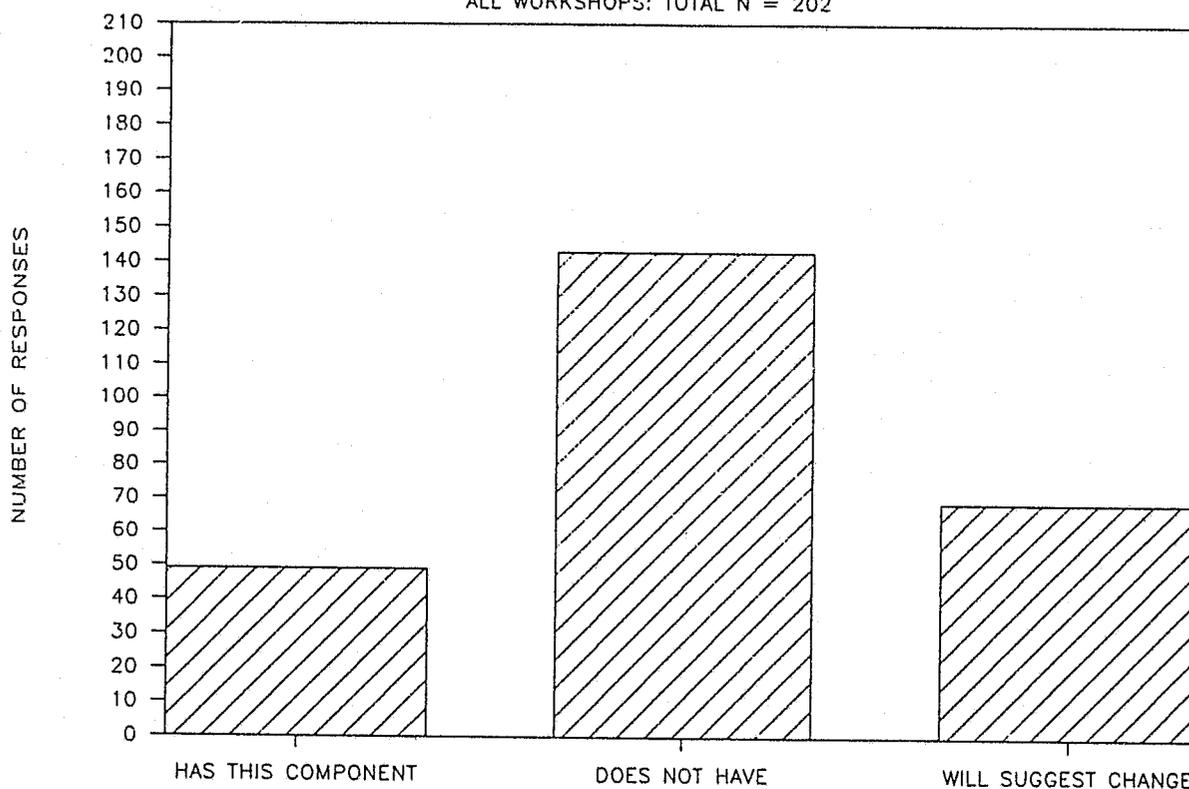
Component Description: An officer may use deadly force to effect the capture or prevent the escape and the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others.

Agency has this component	164
Agency does not have this component	29
Agency participant will suggest change	25
Total Sample	202

Comment: This issue is found quite often as the bar graph indicates. It is also one very strongly argued. The primary argument is: should the officer be forbidden to shoot any fleeing suspect regardless of circumstances? The strong consensus among the executives and the instructors participating in the training was that forbidding an officer to shoot any fleeing felon was too restrictive; that some felons were of such a danger to the public that it was reasonable and absolutely necessary to shoot them. The classic case used was mass murderer Ted Bundy.

JUVENILES

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #7

JUVENILES

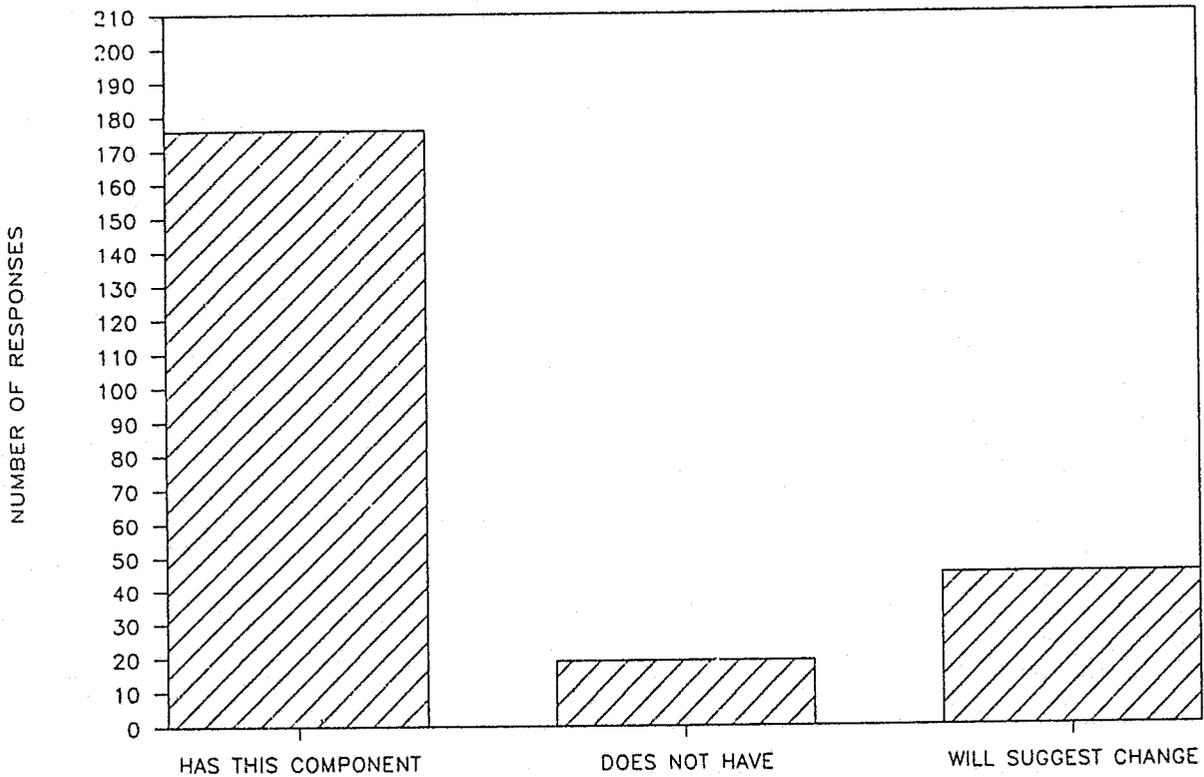
Component Description: No distinction shall be made relative to the age of the intended target of deadly force. Self-defense and imminent threat shall be the only policy guideline for employing deadly force.

Agency has this component	49
Agency does not have this component	143
Agency participant will suggest change	69
Total Sample	202

Comment: The bar graph indicates that this policy issue was the second leading issue not contained in existing policy around the country. The reason for this was determined to be a fear of civil liability arising from any statement dealing with this issue. The fact that 69 participants will include this issue is a very significant change.

WARNING SHOTS

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #8

WARNING SHOTS

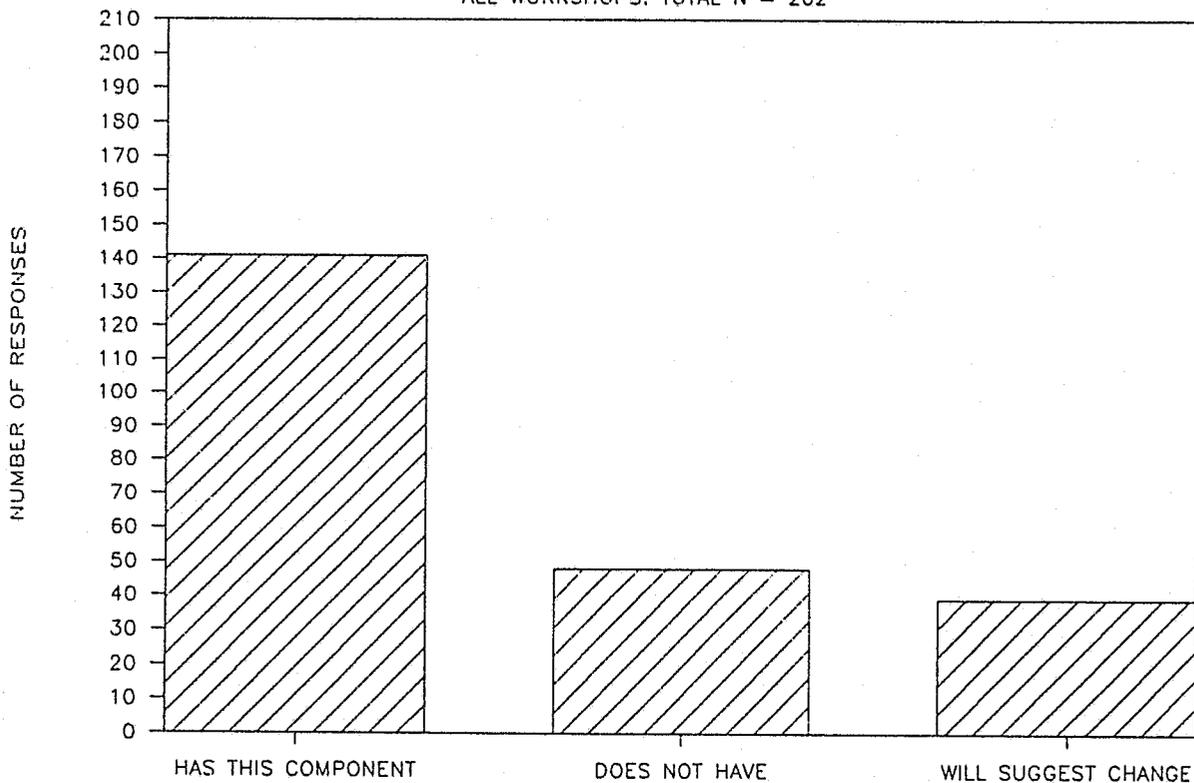
Component Description: Generally, warning shots are ill-advised and should not be fired. There are extreme circumstances that may occur that would require this action.

Agency has this component	176
Agency does not have this component	19
Agency participant will suggest change	45
Total Sample	202

Comment: Although most agencies address this, their method of addressing it will change because of the workshop. The "will suggest change" bar clearly demonstrates this with a total of 45 of 202 responses.

RISK TO INNOCENT BYSTANDERS

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #9

RISK TO INNOCENT BYSTANDERS

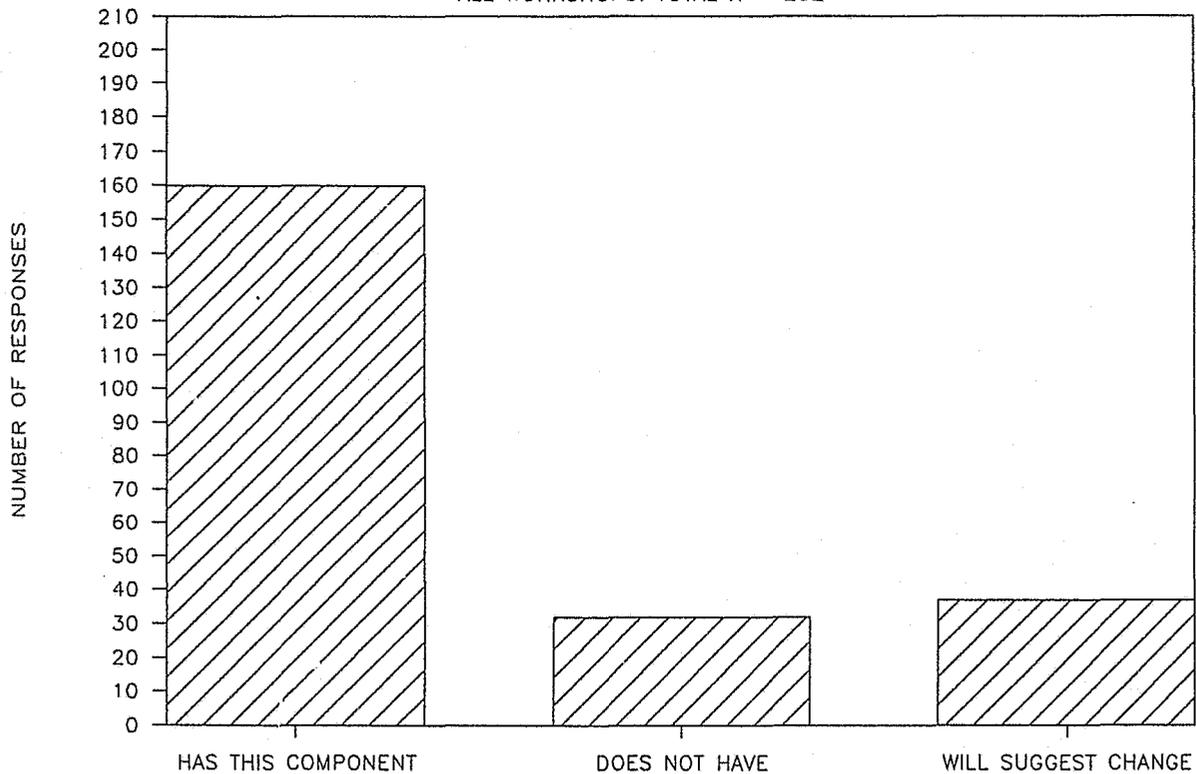
Component Description: Officers are prohibited from discharging firearms when it appears likely that an innocent person will be injured.

Agency has this component	141
Agency does not have this component	48
Agency participant will suggest change	39
Total Sample	202

Comment: The most often mentioned area of confusion that was discussed in the workshops was the hostage situation whereby the police must, of necessity, fire guns in close proximity to innocent persons in order to rescue those persons from the threat of death.

SHOOTING AT OR FROM MOVING VEHICLES

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #10

SHOOTING AT OR FROM MOVING VEHICLES

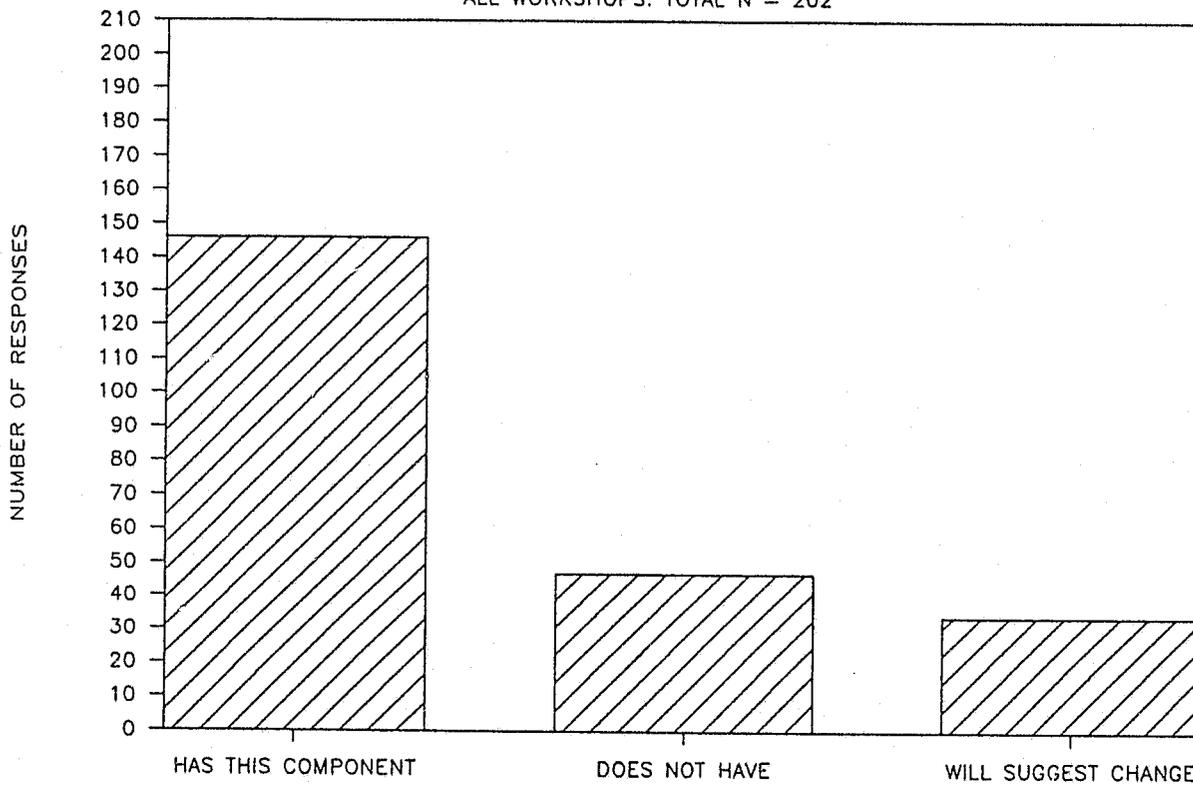
Component Description: Generally officers should not discharge a firearm at or from a moving vehicle except as the ultimate measure of self-defense or defense of another when the suspect is using deadly force by means other than the vehicle.

Agency has this component	160
Agency does not have this component	32
Agency participant will suggest change	37
Total Sample	202

Comment: The bar graph indicates this issue is not as strongly in dispute from a policy perspective as some might have thought. Most departments had this issue covered, and most had it covered effectively. However, 37 will adjust based on the workshop.

SHOTS TO DESTROY ANIMALS

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #11

SHOTS TO DESTROY ANIMALS

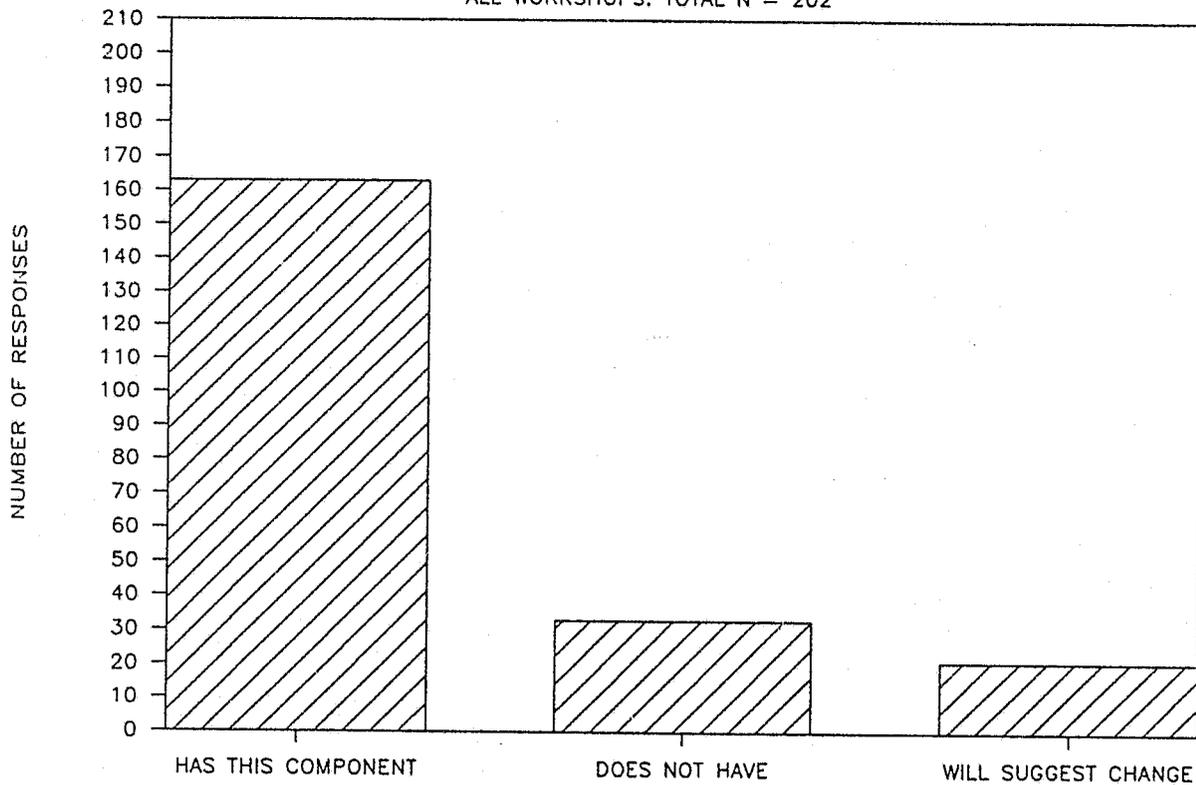
Component Description: A seriously wounded or injured animal may be destroyed only after all attempts have been made to request assistance from the agency (humane society, animal control, game warden, etc.) responsible for the disposal of animals. The destruction of vicious animals should be guided by the same rules set forth for self-defense and the defense and safety of others.

Agency has this component	146
Agency does not have this component	47
Agency participant will suggest change.	34
Total Sample	202

Comment: There have been numerous incidents where the effort to "humanely" destroy an animal has caused more problems than it has solved. A bullet ricocheting off the skull of an injured cow strikes an officer and kills him; dogs that are shot numerous times and then jump up and run away are only two examples.

SAFE HANDLING OF FIREARMS

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #12

SAFE HANDLING OF FIREARMS

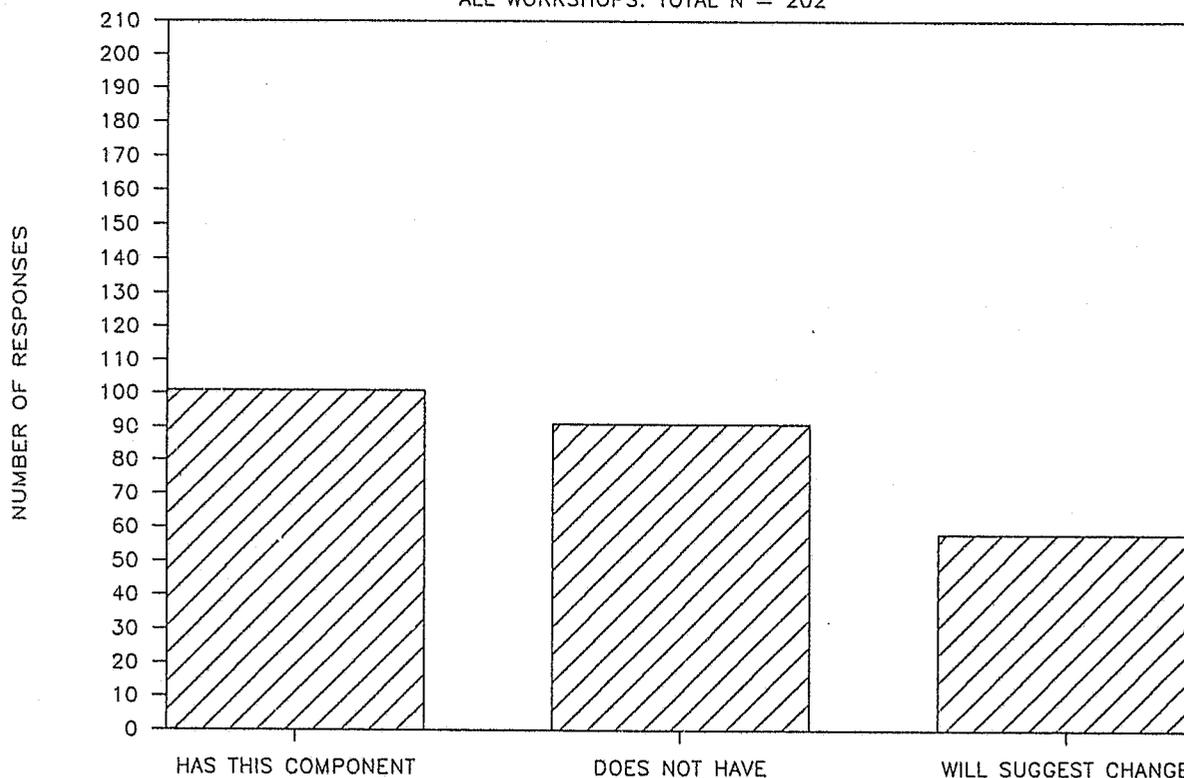
Component Description: Officers shall not draw or exhibit their firearms unless circumstances cause the officer to believe that it may be necessary to lawfully use the firearm in conformance with other sections of this policy.

Agency has this component	163
Agency does not have this component	33
Agency participant will suggest change	21
Total Sample	202

Comment: This section could be more appropriately called "Drawing and/or Exhibiting a Firearm." Most departments address this issue, but no policy section is more widely divergent than this one.

SECONDARY WEAPONS

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #13

SECONDARY WEAPONS

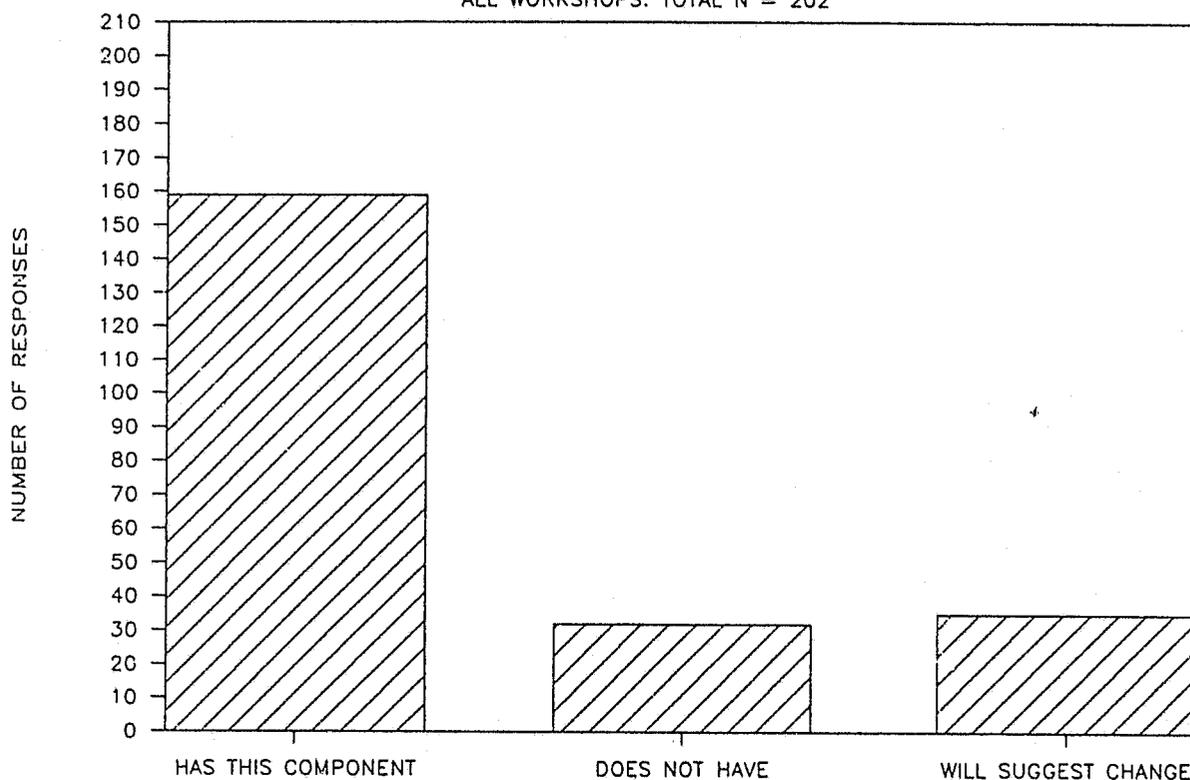
Component Description: A secondary (back-up) on-duty handgun is authorized but only upon meeting specific department standards, guidelines and inspections. The officer must also qualify with this weapon as the officer does with the primary weapon.

Agency has this component	101
Agency does not have this component	91
Agency participant will suggest change	58
Total Sample	202

Comment: Although the graph correctly indicates much impact, no issue was more misunderstood than this one. No other issue was more often poorly written in policy or more poorly administered than this one.

OFF-DUTY WEAPON

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #14

OFF-DUTY WEAPON

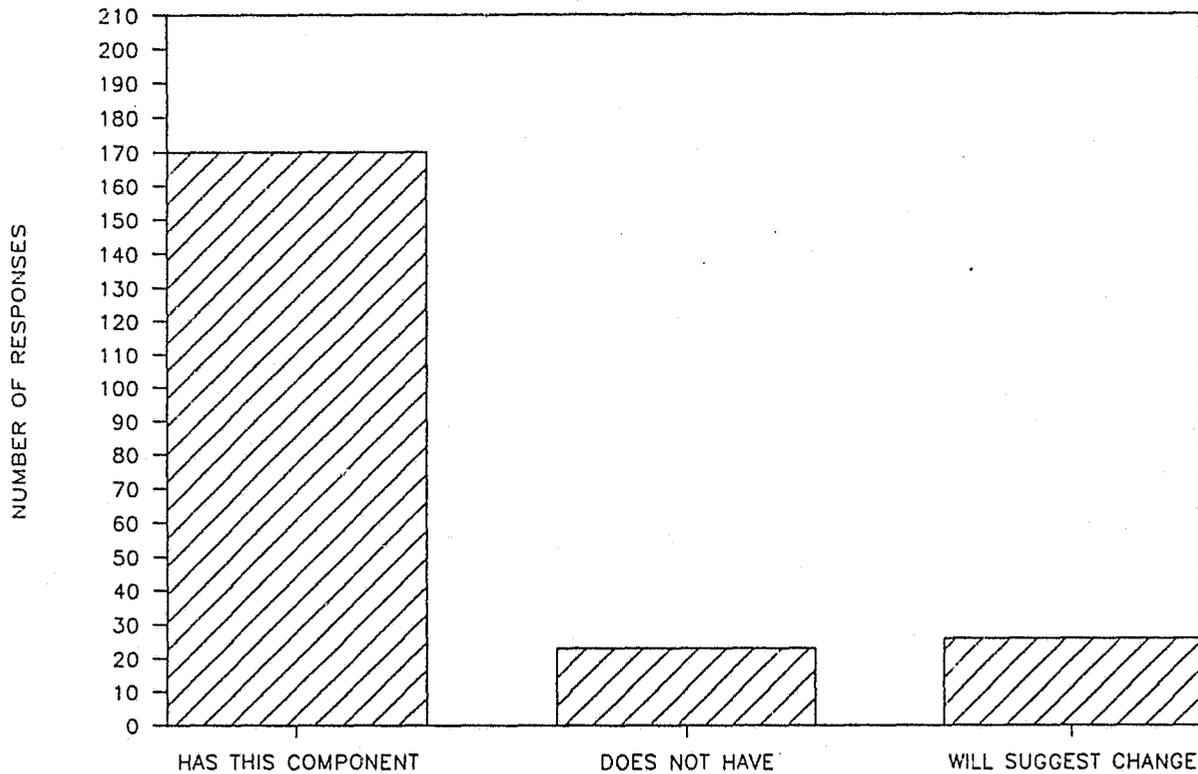
Component Description: Officers are permitted, but not mandated, to carry a handgun when off duty. An officer who elects not to carry a handgun while off duty shall not be subjected to disciplinary action if an occasion should arise in which he could have taken police action if he were armed (Exception: Off-duty officers while operating a department vehicle shall be armed with an approved weapon.)

Agency has this component	159
Agency does not have this component	32
Agency participant will suggest change	35
Total Sample	202

Comment: The bar graph shows workshop impact. The real factor here did not hinge on policy change so much as what kind of weapon should be carried and how it should be carried. Very little thought was given to officers being required to qualify with the off-duty gun.

FIREARMS TRAINING/CERTIFICATION

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #15

FIREARMS AND TRAINING CERTIFICATION

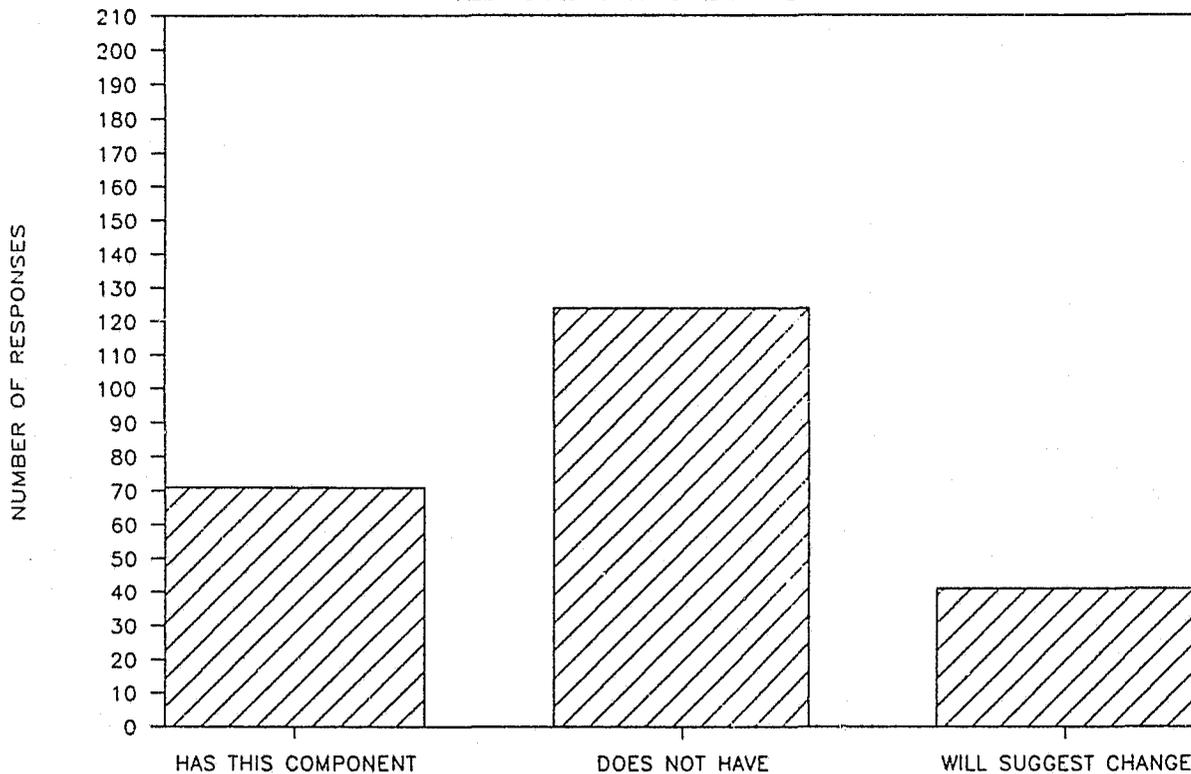
Component Description: All officers shall be trained and "certified" with their primary, secondary, and off-duty weapons. "Certification" shall include training regarding the legal, moral, and ethical aspects of firearms use; safety in handling firearms; and proficiency in the use of firearms.

Agency has this component	170
Agency does not have this component	23
Agency participant will suggest change	26
Total Sample	202

Comment: Most departments represented realized the value of training and certification, as the above graph reveals. What is not apparent, but became apparent in the workshops, is that much of the training is outdated and not on point with reality, most qualification is not accomplished as often as it should be, and the standards are often not strict enough, based on feedback from workshop participants.

SOFT BODY ARMOR

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #16

SOFT BODY ARMOR

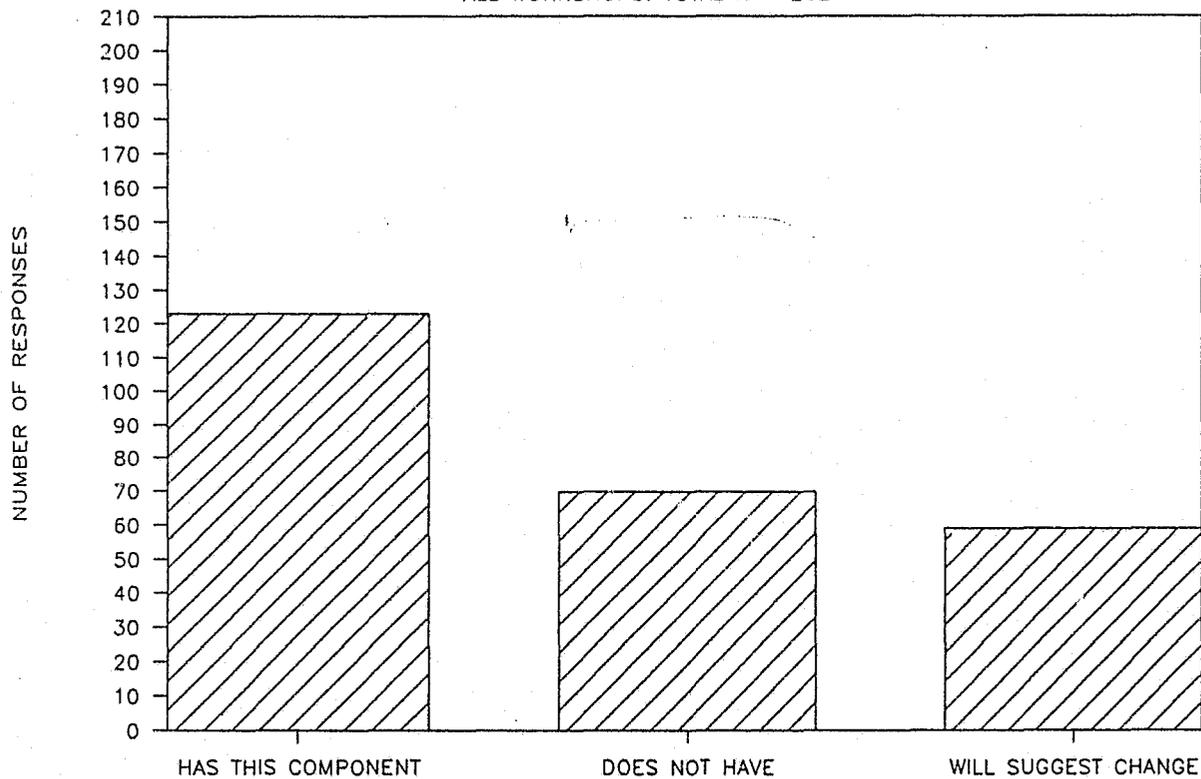
Component Description: The department-authorized soft body armor shall be worn while on duty at all times by those officers assigned to field operations.

Agency has this component	71
Agency does not have this component	124
Agency participant will suggest change	41
Total Sample	202

Comment: The graph tells an interesting story. Most departments do not provide armor even though it is a "safety equipment" item. The great majority do not address it in policy because they can't direct officers regarding equipment of a safety nature they don't provide. Most will not change because they see no way of obtaining money to buy equipment that will save officers' lives.

AGENCY INVESTIGATION PROCESS

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #17

AGENCY INVESTIGATION PROCESS

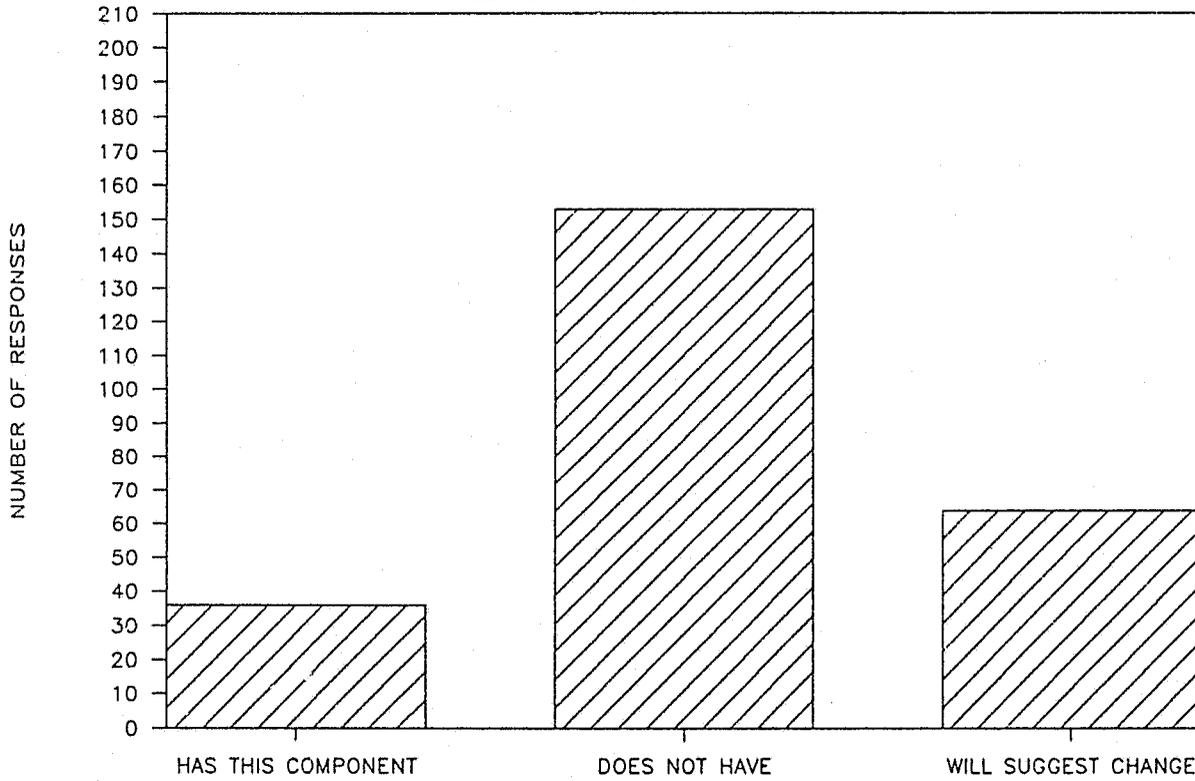
Component Description: The following procedures will be used to investigate every incident of firearms discharge by a department member except for target practice, hunting, and ballistics examinations.

Agency has this component	123
Agency does not have this component	70
Agency participant will suggest change	59
Total Sample	202

Comment: The workshop had great impact in this area as evidenced by the "change bar." there was little concern as to the type of change as the various processes differed so widely that no two were alike.

CIVIL RIGHTS INVESTIGATION

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #18

CIVIL RIGHTS INVESTIGATION

Component Description: The department will respect the rights of the federal government to conduct an independent investigation to identify any civil rights violations which may have occurred.

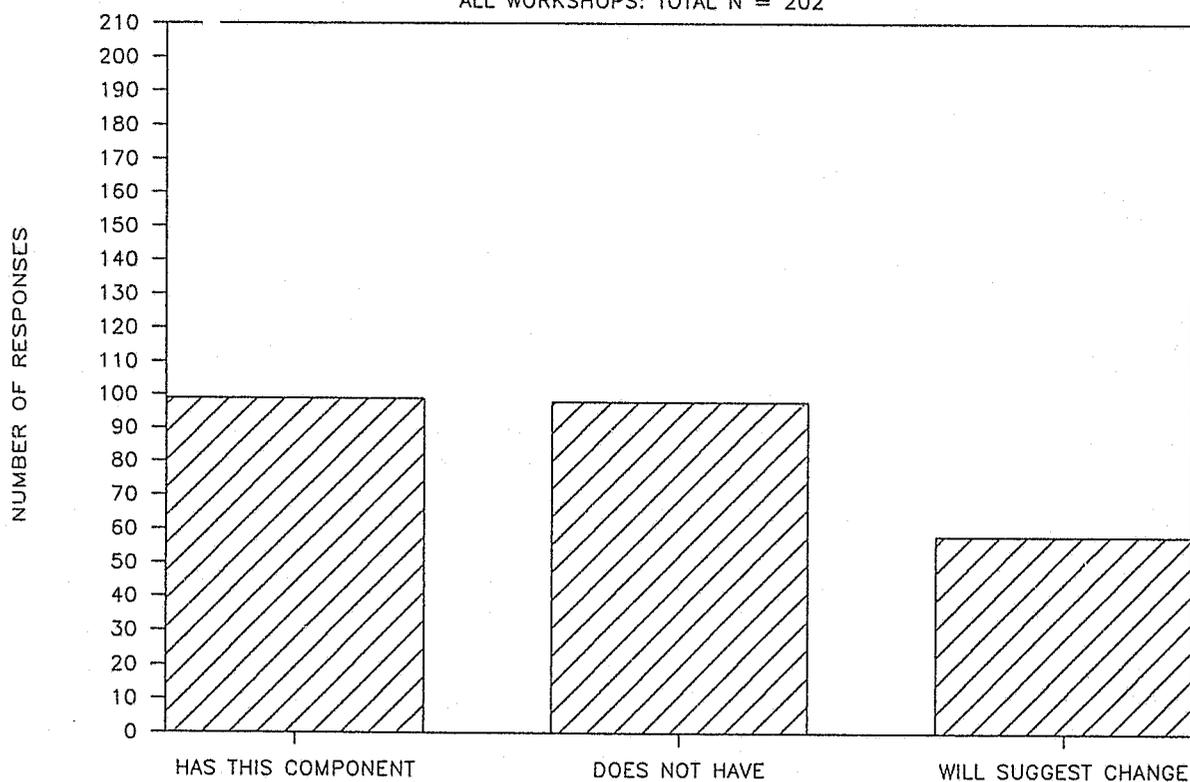
The department will not order or request any of its members who may be suspects to confer with federal investigators without the advice of counsel.

Agency has this component	36
Agency does not have this component	153
Agency participant will suggest change	64
Total Sample	202

Comment: The graph clearly indicates a lack of familiarity with the issue, but a strong willingness to adjust as shown by the "change" bar.

PSYCHOLOGICAL SERVICES

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #19

PSYCHOLOGICAL SERVICES

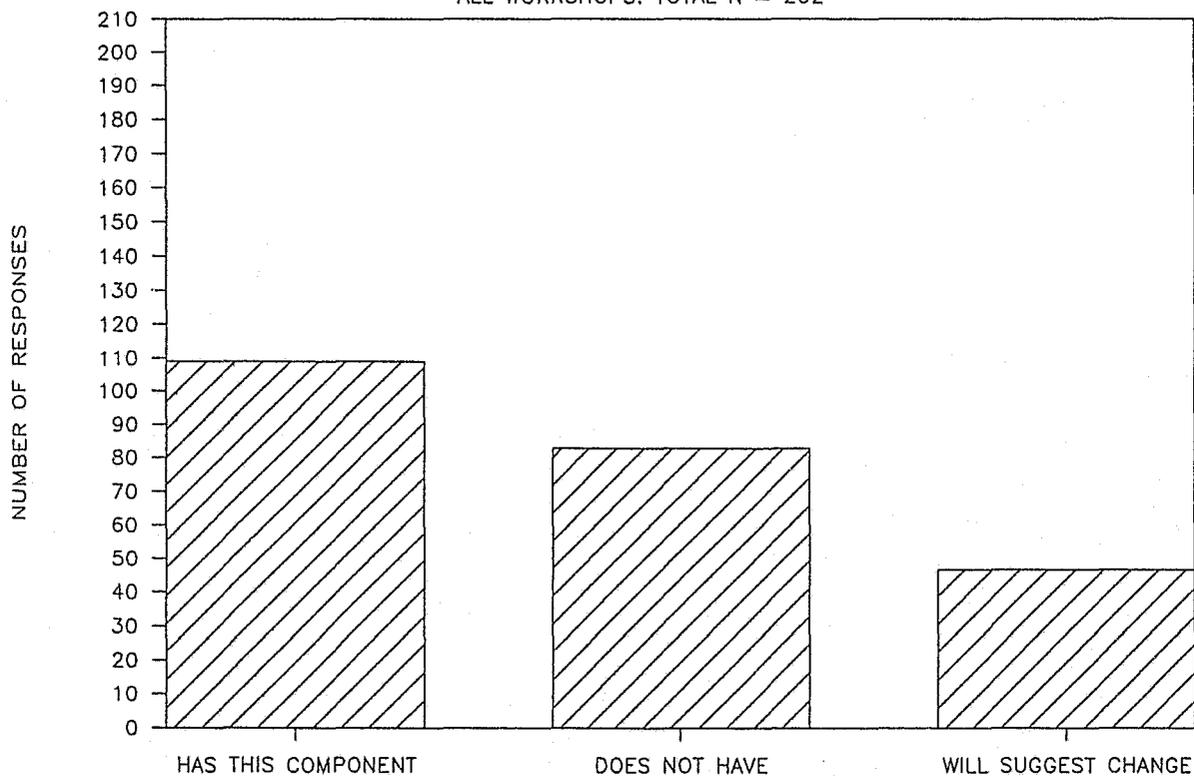
Component Description: In all cases where any person has been injured or killed as a result of actions by a police officer, the primary officer(s) involved will be required to contact a police psychologist retained by the department in order to undergo a debriefing regarding the emotional and mental aspects of the incident as they may impact upon the officer(s).

Agency has this component	99
Agency does not have this component	98
Agency participant will suggest change	58
Total Sample	202

Comment: The graph indicates that many agencies (at least half) have a progressive attitude about this issue, and of those agencies who are not now involved in psychological services, the workshop provided a strong impetus to change. The workshops strongly emphasized the need to require all officers to contact the psychologist since the involved officer or others outside the department, without the benefit of psychological services, could draw inaccurate conclusions from an incident.

ADMINISTRATIVE LEAVE

ALL WORKSHOPS: TOTAL N = 202



COMPONENT #20

ADMINISTRATIVE LEAVE

Component Description: Any officer directly involved in a deadly force incident shall be placed on "administrative leave" or special duty assignment directly upon completion of his preliminary report of the incident. This leave shall be without loss of pay or benefits, pending the results of the investigation. The assignment to administrative leave shall not be interpreted to imply or indicate that the officer has acted improperly.

Agency has this component	109
Agency does not have this component	83
Agency participant will suggest change	47
Total Sample	202

Comment: It was strongly believed that many officers who were involved in deadly force incidents would prefer to come to work in some capacity. Not all officers' home environments are conducive to psychological healing. Limited duty assignments can be a positive environment for the recovering officers and can also benefit the department. The officer's welfare always comes first.

CONCLUSION

The impact of the grant is measurable and significant. The results indicate a need for further activity of a similar nature. The basic approach and strategy of the cooperative agreement with the Bureau of Justice Assistance proved very effective.

The goals as specified on page 4 of the project were:

- To enable participants to evaluate the adequacy of the deadly force policy, procedures, and rules of their agencies.
- To provide the knowledge that participants need to develop new, or improve existing, deadly force policy, procedures, and rules that comprise all appropriate and essential elements.
- To provide technical assistance to achieve the same goals as the knowledge transfer.

Based on the graphs, it is apparent that these goals were achieved. There was no single policy component that was not in some measure impacted by the workshops. The smallest percentage of impact was 5.2 percent for component #5.

The stated long-range goals of the program were:

- To influence participants to implement new and improved deadly force policy, procedures, rules, and training, and thereby:
 - (a) maximize management control over use of deadly force;
 - (b) clarify conditions under which deadly force may be used properly and legally;
 - (c) reduce the rate of homicide by police officers;
 - (d) reduce the rate of injury and death of officers in deadly force situations;
 - (e) afford the public the highest possible level of protection from the improper use of deadly force; and
 - (f) minimize the potential for liability.

The long-range goals can be evaluated only through a five-year process by assessment of participating agencies through 1992; perhaps this would be a worthwhile project.

ADDENDA

CONTENTS

A. Letters of Commendation	30
B. Compilation of all Course Critiques	35
C. Copy of the Survey Document	37
D. Copy of the Survey Document (Total of all Workshops)	39
E. Deletion of Model Policy Component Legal Representation	41



U.S. DEPARTMENT OF JUSTICE
COMMUNITY RELATIONS SERVICE

NORTHWEST REGIONAL OFFICE
818 SECOND AVENUE
SEATTLE, WASHINGTON 98174

November 23, 1987

Mr. Jerald R. Vaughn
Executive Director
International Association of Chiefs of Police
PO Box 6010
Thirteen Firstfield Road
Gaithersburg, MD 20878

Dear Mr. Vaughn:

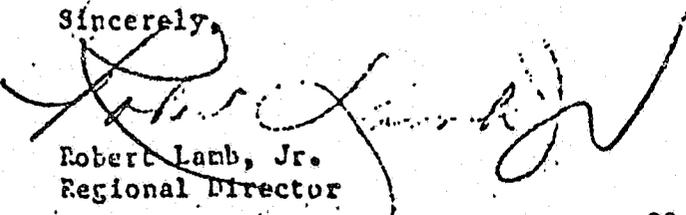
Permit me to thank the IAACP for the outstanding service rendered by Mr. Ron McCarthy as related to the Deadly Force Workshops.

As you know, I served as a member on the Advisory Board for this project and am, therefore, familiar with its goals and objectives. Recently I attended the workshop held in Phoenix, Arizona, and witnessed firsthand an exemplary accomplishment of the aims and expectations of the project. The study course, videos, handouts and presentations were most professional. The sessions were stimulating and pragmatic. These results were greatly attributed to the enthusiasm, knowledge and dedication of Mr. McCarthy. Ron brings a no nonsense but sensitive approach to the state of the art that will no doubt be of great value in protecting the lives of both citizens and the police; however, for your information (and I have shared this with Ron), there exists other firearms policies that might be an improvement on the IAACP's model policy. I believe the Houston firearms policy to be such an example.

But as I stated initially, my purpose here is to recognize the hard work and contribution of Ron McCarthy for implementing the project's goals in a most outstanding and professional manner. I am certain the workshops will be of inestimable value in the future course of policing.

Finally, I wish to thank you personally for your leadership in regards to the project and for the honor and opportunity of allowing me to serve on the Advisory Board.

Sincerely,


Robert Lamb, Jr.
Regional Director

cc: Mr. Ron McCarthy

AVERY & FRIEDMAN
ATTORNEYS AT LAW

MICHAEL AVERY
HOWARD FRIEDMAN
ELLEN K. WADE

SIX BEACON STREET, SUITE 520
BOSTON, MASSACHUSETTS 02108

617-367-2626

November 25, 1987

Mr. Ron McCarthy
IACP
13 Firstfield Road
P.O. Box 6010
Gaithersburg, MD 20878

Dear Ron:

Thank you for sending me the evaluations from the different conferences. I was impressed with the uniformity of the evaluations. It seems that people really enjoyed the program and had a lot of respect for the materials which you pulled together.

My partner Howard Friedman and I were discussing it the other day and I commented on the fact that a very high number of the people indicated that they intended to revise their deadly force policy based on the seminar. Howard thought and I agree that it would be an interesting follow-up for you to write to all the participants some months from now with a questionnaire to determine what changes, if any, they have in fact made. You could ask them at that time to send you a copy of their previous policy and a copy of any new policy they adopted as a result of the seminar. This would both give you an indication of what changes had actually been effected and might also serve as a reminder to those departments which intended to make some changes but had not yet gotten around to doing so.

As I have said before I enjoyed working with you very much and look forward to consulting with you again in the future on subjects of common interest. I am enclosing more newsclippings for you regarding the police exams in the Boston Globe of November 23, 1987.

Sincerely yours,


Michael Avery

MA:he
Enclosure

MAYOR
JOHN B NISBET, JR.
CITY ATTORNEY
GRANT A PARIS
CITY CLERK
JEANNE E JORDAN

CITY OF JACKSONVILLE

TELEPHONE 205/435-7611
JACKSONVILLE, ALABAMA 36265

CITY COUNCIL
THEODORE B FOX
MAYOR PROTEMPORE
CAROL P HILL
JOHN E JORDAN
JERRY L SMITH
FRED M WOODS JR

September 15, 1987

Mr. Ron McCarthy
Project Coordinator
International Association of Chiefs of Police
P. O. Box 6010
Gaithersburg, Maryland 20878

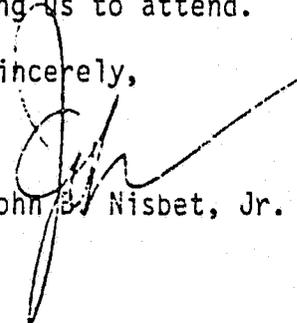
Dear Ron:

Thank you very much for allowing Ed Jordan and myself to participate in the Deadly Force Seminar which was held last week in Nashville.

We both thought it was an extremely well conducted seminar, and one which we feel supplied us with many helpful ideas.

Thank you again for allowing us to attend.

Sincerely,


John B. Nisbet, Jr.

dn



U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Washington, D.C. 20531

MEMORANDUM

October 16, 1987

TO: George A. Luciano
Director

VIA: R. Ward, J. Swain

BJA's training program, Deadly Force Policy Development and Implementation, which is being currently being delivered to enforcement executives around the nation, has been recognized by the State of Minnesota as an accredited course for professional development. Attached is copy of the letter from their POST Board.

This action is certainly a credit to BJA, and attests to the excellent work of IACP's Ron McCarthy and the project staff.

Fred Becker
JAA Enforcement Programs

cc J. Vaughn
G. Dzik.



MINNESOTA BOARD OF
PEACE OFFICER STANDARDS AND TRAINING
333 SIBLEY STREET (SUITE 495)
ST. PAUL, MINNESOTA 55101

Executive Director
(612) 296-2620

October 6, 1987

Richard Schultz, Director of Training
Minneapolis Police Department
210 1/2 City Hall
Minneapolis, MN 55415

Dear Mr. Schultz:

The POST Board has approved the following course for continuing education credits for peace officers and constables:

Course Title: Deadly Force Policy and Development
Workshop for Police Executives

Course I.D. Number: 2711-0100

Approved Credit Hours: 20 hours

Date: October 6 to 8, 1987

Please note that the identification number (I.D.) identifies both the sponsor and the specific course being offered. Please include the complete number and title in any correspondence regarding this course. Additional course offerings must be submitted for approval pursuant to POST Board's administrative rules.

As a condition of approval, we require that you read the following information to all peace officers and constables in attendance.

This course has been approved by the POST Board for continuing education credit. A roster of names and license numbers of officers who successfully complete the course will be submitted to the POST Board within 10 days. It is not necessary for the individual licensee to apply for credit.

Please get in touch with the continuing education staff if you have any questions. Our telephone number is 612/297-2356.

Sincerely,

Mark K. Shields
Executive Director

Peggy Hannigan
By: Margaret M. Hannigan, Evaluator
Continuing Education Unit

DEADLY FORCE WORKSHOP
EVALUATION FORM STATISTICS AS OF 11/30/87*

NUMBER OF EVALUATION FORMS

AMOUNT ACCORDING TO GRADE

OMAHA	32
DALLAS	36
COLUMBUS	30
NASHVILLE	30
BOSTON	27
BALTIMORE	29
PORTLAND	23
MINNEAPOLIS	30
PHOENIX	24
CHARLESTON	12
 	<hr/>
TOTAL	273

GRADE 1 =	1
GRADE 2 =	21
GRADE 3 =	143
GRADE 4 =	612
GRADE 5 =	785

TOTAL OF QUESTIONS

QUESTION 1: GENERAL ESTIMATE OF THE PROGRAM

GRADE 1 = 0
GRADE 2 = 0
GRADE 3 = 27
GRADE 4 = 135
GRADE 5 = 110

AVERAGE GRADE = 4.3

QUESTION 2: ORGANIZATION

GRADE 1 = 1
GRADE 2 = 5
GRADE 3 = 31
GRADE 4 = 136
GRADE 5 = 100

AVERAGE GRADE = 4.2

QUESTION 3: DID THE SUBJECT MATTER RELATE TO THE PROGRAM OBJECTIVES?

GRADE 1 = 0
GRADE 2 = 3
GRADE 3 = 29
GRADE 4 = 100
GRADE 5 = 139

AVERAGE GRADE = 4.4

*NOTE: Not all participants turned in evaluation forms.

QUESTION 4: GENERAL IMPRESSIONS OF FACULTY

GRADE 1 = 0
GRADE 2 = 2
GRADE 3 = 17
GRADE 4 = 90
GRADE 5 = 159

AVERAGE GRADE = 4.5

QUESTION 5: WAS THE FACULTY ABLE TO HOLD YOUR INTEREST?

GRADE 1 = 0
GRADE 2 = 3
GRADE 3 = 19
GRADE 4 = 114
GRADE 5 = 135

AVERAGE GRADE = 4.4

QUESTION 6: NOTEBOOK MATERIALS

GRADE 1 = 0
GRADE 2 = 9
GRADE 3 = 24
GRADE 4 = 93
GRADE 5 = 142

AVERAGE GRADE = 4.4

Deadly Force Policy Development Impact Survey

PARTICIPANT

AGENCY

POLICY SECTION

YOUR POLICY:

Legal disclaimer

Has	Does not have	Will change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NOTES:

Defining deadly force

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

The value of human life

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Shoot to stop

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Defense of life

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Significant threat

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Juveniles

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Warning shots

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Risk to innocent bystanders

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Shooting at or from moving vehicles

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Shots to destory animals

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Safe handling of firearrns

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

YOUR POLICY:

Secondary weapons

Has	Does not have	Will change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NOTES:

Off duty weapon

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Firearms training/certification

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Soft body armor

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Agency investigation process

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Civil rights investigation

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Psychological service

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Administrative leave

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Other

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Other

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Other

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

NOTES:

Deadly Force Policy Development Impact Survey

PARTICIPANT

AGENCY

POLICY SECTION

YOUR POLICY:

	Has	Does not have	Will change
Legal disclaimer	61	119	76
NOTES:			
Defining deadly force	163	27	35
NOTES:			
The value of human life	88	100	59
NOTES:			
Shoot to stop	85	96	74
NOTES:			
Defense of life	191	3	12
NOTES:			
Significant threat	164	29	25
NOTES:			
Juveniles	49	143	69
NOTES:			
Warning shots	176	19	45
NOTES:			
Risk to innocent bystanders	141	48	39
NOTES:			
Shooting at or from moving vehicles	160	32	37
NOTES:			
Shots to destory animals	146	47	34
NOTES:			
Safe handling of firearms	163	33	21
NOTES:			

YOUR POLICY:

	Has	Does not have	Will change
Secondary weapons	101	91	38
NOTES:			
Off duty weapon	159	32	35
NOTES:			
Firearms training/certification	170	23	26
NOTES:			
Soft body armor	71	124	41
NOTES:			
Agency investigation process	123	70	59
NOTES:			
Civil rights investigation	36	153	64
NOTES:			
Psychological service	99	98	58
NOTES:			
Administrative leave	109	83	47
NOTES:			
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NOTES:			
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NOTES:			
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NOTES:			

DELETION OF MODEL POLICY COMPONENT: LEGAL REPRESENTATION

The major reservation for excluding the legal representation section of model policy is not predicated on denying an officer his right to counsel when the officer is suspected of wrong doing. The reservation is built upon the assumption that the officer will always need an attorney when he uses deadly force. In point of fact, officers across the country use deadly force more than 99 percent of the time without criminal prosecution resulting. The role of the agency is to determine the facts of a deadly force incident, not to automatically initiate a defense attorney factor in a police shooting situation when no defense attorney is required. To offer that an officer should always have a defense attorney just in case management can't be trusted to do the right thing is as indefensible as management assuming that all incidents of deadly force should be viewed from the perspective of skepticism because police officers can't be trusted. If the officer for any reason wants an attorney, the officer is free to contact and retain one at any time.