



Investigation

# Law Enforcement

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# **FBI Law Enforcement Bulletin**

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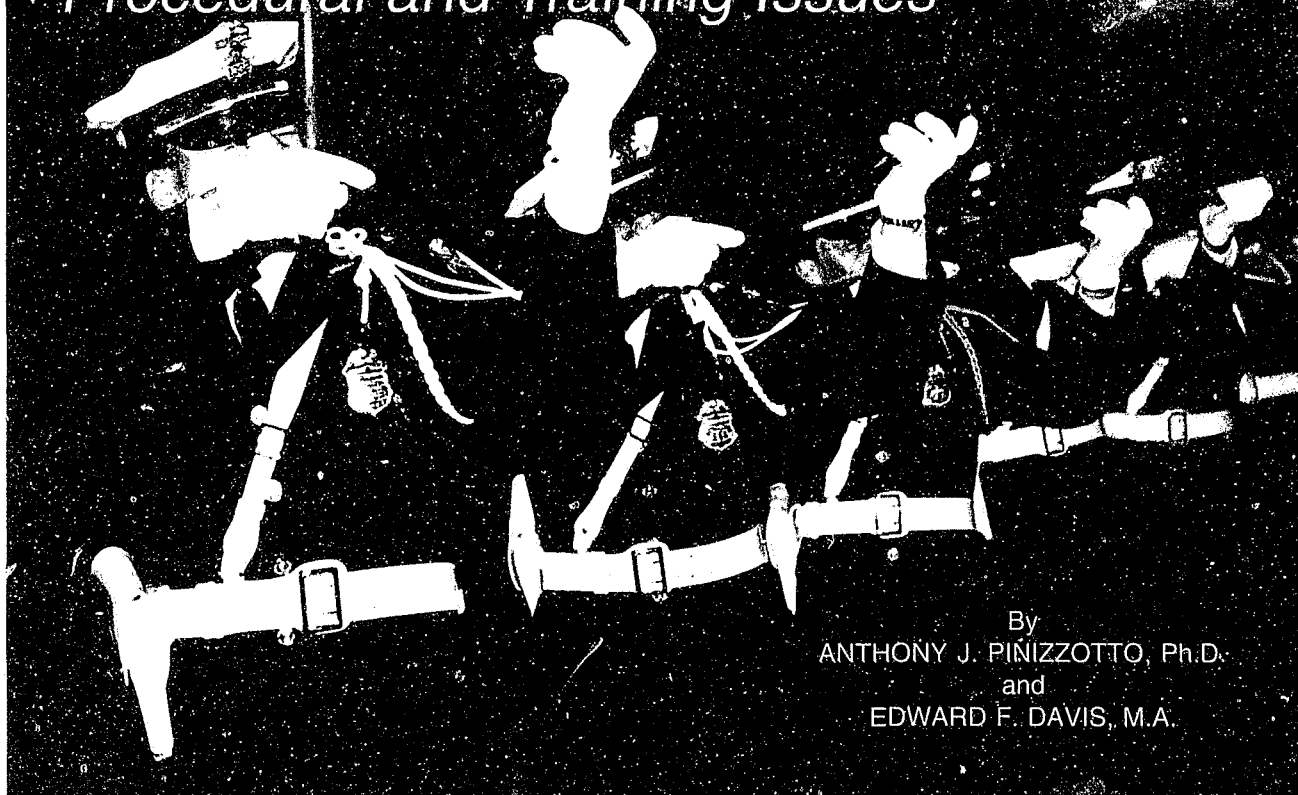
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# Killed in the Line of Duty

## Procedural and Training Issues



By  
ANTHONY J. PINIZZOTTO, Ph.D.  
and  
EDWARD F. DAVIS, M.A.

**I**n September 1992, the FBI published the findings of a 3-year comprehensive study entitled *Killed in the Line of Duty: A Study of Selected Felonious Killings of Law Enforcement Officers*. The study focused on why a particular offender feloniously killed a particular officer within a specified set of circumstances. During the study, researchers from the FBI's Uniform Crime Reporting (UCR) Program examined 51 cases, in which 50 offenders killed 54 law enforcement officers, to develop information concerning the slain officers, the offenders, and the situations that

brought the officers and killers together into a "deadly mix."

Subsequent to the publication of *Killed in the Line of Duty*, UCR staff members traveled throughout the country to speak to various groups of law enforcement professionals and conduct training sessions on the methodology and results of the study.<sup>1</sup> During the presentations, participants raised many important issues that either were not developed fully or not covered at all in the publication. As a result, much more information, particularly on law enforcement management and law

enforcement training, came to light.

This article addresses three of the major issues—use-of-force policies, training, and supervising for safety—that emerged from discussions with law enforcement command personnel, training officers, first-line supervisors, and street officers. The issues are not addressed in order of importance. And, while each is discussed in detail, the same caveat given in the conclusion of *Killed in the Line of Duty* again must be offered. That is: "Given the extraordinary pressure of decision-making in law enforcement,



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combined with a mix of deadly factors, such as disordered personalities of the offenders, misperceptions of imminent threats, and possible procedural miscues that are characteristic of these incidents, it is clear that further research on all aspects of law enforcement safety is needed."

#### **POLICY ISSUE: USE OF FORCE**

Conversations with various law enforcement officers indicated that numerous changes in use-of-force policies took place during the past 10 years. No individual agency's use-of-force policy is discussed in this article; rather, the article focuses on comments made by law enforcement officers from diverse agencies with regard to the *Killed in the Line of Duty* study.

A detailed and critical examination of exact policies and procedures regarding the drawing of a service weapon was not made in these conversations. However, the various discussions of agency policies and procedures revealed confusion and

apprehension among members of the same agency as to when they believed they could draw and fire their service weapons for self-protection and still be in compliance with their guidelines. One officer from the Midwest commented that today, police officers are so afraid of litigation and disciplinary action that they hesitate to draw their service weapons.

Confusion and apprehension also existed about when an officer felt that the service weapon should be drawn, and if necessary, at what point to fire it. Numerous officers advised that they were forbidden even to draw their service weapon unless the perpetrator first produced a weapon. It is very difficult to imagine responding to a call for a "robbery in progress with shots fired," while not being allowed to draw a weapon until the perpetrator shows one. A group of military police line officers stated that it was their understanding that their regulations did not permit them to place a round in the chamber of their

service weapon until given the command by a superior.

These comments are consistent with what the study revealed. That is, the procedures in which officers were trained sometimes came in conflict with their personal safety. The study showed that of the 54 slain officers, 46 did not fire their service weapons, and 11 victim officers were killed with their weapons. One offender admitted that he knew the officer would not use the weapon, even though the officer pointed it at him. The offender stated that he knew this by the way the officer looked at him and how he held his gun.

The importance and necessity of a well-defined, clearly understood, and easily implemented deadly force policy are issues accepted and endorsed by line officers and command personnel. The reality, as described by various officers and officials during discussions on this issue, is quite different, however. Confusion and apprehension about the use of deadly force and the use of a service weapon for self-protection should not exist in any agency. Numerous chief law enforcement officials stated that each agency should periodically review its use-of-force policy and ensure that line staff and command members of the department understand this policy.

#### **TRAINING ISSUES**

Law enforcement agencies cannot plan, and subsequently establish, procedures and training for every conceivable eventuality or situation with which their officers will be confronted. They can, however, make the commitment in attitude, personnel, and other resources

to give officers every possible advantage by providing relevant and timely training in all areas.

The study examined several training issues, to include approaching vehicles and suspects, conducting searches and seizures, controlling persons and/or situations, training at night, and administering first aid. One criticism of the study, from a source outside the law enforcement community, suggested that the training issues discussed were "simplistic" and "elementary" issues that "every police officer should know." Although they may appear this way, the issues remain crucial to safe patrol, as reports of officers killed and injured in the line of duty testify.

The study highlighted two areas in which law enforcement training appeared deficient—training at night and administering first aid. Because these two training concerns received the most attention in discussions about the study, they are addressed in this article.

### **Night Training**

The study stated that "traditional law enforcement training has been found to limit night training for various reasons....Consideration should be given to providing all training normally offered during daylight at night as well." This coincides with what FBI data indicate—the largest number of felonious killings and assaults of law enforcement officers most frequently occur during the nighttime hours.<sup>2</sup>

Yet, discussions with law enforcement officers verified that many departments and agencies continue to train officers Monday through Friday between the hours of

8 a.m. and 4 p.m. Most stated that the reasons for continued daytime training include union contracts with fixed shift clauses, night differential in pay for both the trainee and the trainer, and the safety of the student.

It is ironic that the safety issue was raised as a major reason for *not* training at night. If an officer practicing a felony apprehension trips

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and falls during a night training exercise, the results might be a twisted ankle or a cut or abrasion to the hand. Yet, if an officer suffers these same injuries while conducting an actual felony apprehension at night, they could result in the officer's death.

Training that reflects actual work conditions assists in identifying problem areas that require special attention for officers to conduct their duties both effectively and safely. This kind of training under real-life conditions can save lives.

Night training should address procedures related to traffic and pedestrian stops, searches of persons

and vehicles, use of artificial light sources, use of handcuffs and other prisoner restraints, weapons and self-defense training, and first aid to oneself and to other law enforcement officers. At least one State training academy heeded the message of the survey results and developed a block of night training to include all activities previously conducted only during daylight hours.

### **First Aid**

The study showed that killers knew the importance of first aid. One killer admitted to carrying a first-aid kit on his burglary jobs and, as a result, was able to treat his wounds after being shot by an officer during one of his crimes. Another killer stopped along his escape route to purchase fresh fruit in an attempt to replenish the potassium he lost as a result of the blood loss from a gunshot wound. Still another related how he evaluated the several gunshot wounds that he received, determined none were life-threatening, and then planned his escape from his law enforcement pursuers.

Many officers attending the presentations related that they were less than confident in their own first-aid skills. One officer trained as a medical first responder and a volunteer member of an emergency medical team stated that he never practiced giving first aid to someone who wore the same uniform that he did. He wondered what effect, if any, seeing a victim in uniform would have on his performance. He went on to say that approximating this type of experience in training may well reduce the shock of seeing this "in real life." His comments were well-received by other members of the audience, who also suggested

that training should be more realistic, using some "training victims" in an officer's uniform.

In another study currently being conducted,<sup>3</sup> a victim officer emphasized during the interview the need for all departments to conduct first-aid training in the academy and to incorporate advanced first-aid training in inservice programs. This officer was working the midnight to 8 a.m. tour of duty in a one-officer, marked, radio patrol unit. He responded to a "suspicious person" call and subsequently ended up in a fight with the suspect. During this encounter, the officer's throat was slashed from ear to ear. He, in turn, eventually shot his assailant.

Many officers responded to the scene, but no one rendered first aid to the victim officer. He was transported in a police patrol vehicle to the hospital, where a physician was the first individual to give first aid by placing his hand over the wound.

This case highlights the need for training to enable officers to help themselves and fellow officers. No one gave first aid to this victim officer, nor did he attempt to treat himself. Yet, as stated earlier, several killers of law enforcement officers knew how to treat their own wounds.

Discussion participants suggested that first aid also should be taught during night training. Perhaps because of the subdued lighting, the wounded officer's injuries did not appear as life-threatening to his fellow officers as they actually were. Training and planning for all possible medical contingencies can be useful in treating serious injuries and saving officers' lives.

## SUPERVISING FOR SAFETY

Supervising for safety refers to the concept that police supervisors need to focus on factors that affect officer safety while performing their duties. For example, supervisors must not overlook or fail to correct procedural errors or equipment violations because doing so could place officers in danger.

While not a direct focus of the study, the question of first-line supervision and officers' safety was raised by various members of the law enforcement community who were interviewed during the study. The most often-asked question was,

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"Is present law enforcement first-line supervision developed to increase safety procedures of the patrol officer?" Unfortunately, most officers and first-line supervisors answered "no."

The literature on law enforcement supervision is, at best, vague on the issue of supervising for safety. During the presentations conducted after the publication of *Killed in the Line of Duty*, numerous supervisors readily admitted that supervising for safety was unknown in their agencies and that they never

considered it a part of their regular duties.

Participants asked thought-provoking questions regarding supervising for safety. These individuals had considered incorporating the findings of the study in their own departments, e.g., that an officer's receiving a lower performance rating might be one of several early signs of the potential for a law enforcement killing. One such question was, "What do I do as a sergeant when I have one or more officers with over 8 years on the job, and they're suffering from 'burnout' or they've received a lower assessment or evaluation of their work performance than they're regularly given?" The sergeant continued by saying, "I can't put them all in the station."

As evidenced by this supervisor's frustration, there are no easy solutions to these issues. However, they do need to be addressed within each agency, as the consequences can be and, in some cases, have been fatal. The study showed that 10 victims received performance ratings of successful or better over several rating periods, but just prior to their deaths, these officers received a lower assessment.

Many supervisors also point to the reluctance of police unions or labor organizations to address the issue of supervising for safety. Several sergeants gave the simple, but pointed, example of the use of a flashlight during a tour of duty to support their claim.

The union contract stated that the department was to issue all uniforms and equipment to the officers. Because the department did not issue every officer a flashlight, no one was required to have a flashlight, regardless of the tour of duty. Even

if the sergeants had the officers' safety as their first priority, they could not require officers to carry a flashlight. The union, while trying to protect its members by having the department supply equipment to the officers, not only overlooked the flashlight but also potentially stood in the way of the sergeants' supervising for safety.

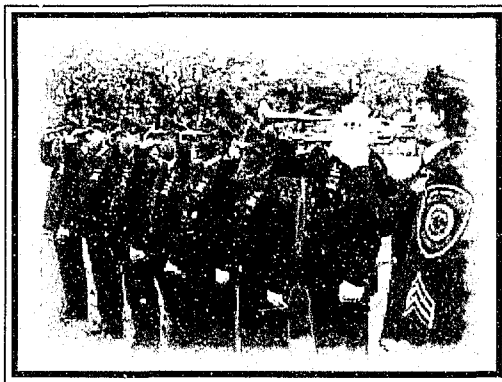
Can any officer imagine working a tour of duty without having a flashlight readily available, much less during an evening or midnight tour? Clearly, everyone should have the issue of safety first and foremost on their agendas.

Mid-level managers are included with first-line supervisors in this issue of supervising for safety because the study revealed that nine of the victim officers held the rank of sergeant or higher. While the victim's rank was not reported in the original publication, subsequent reflection on the topic of supervising for safety revealed that certain issues seem to have a greater or more direct relationship to the position and rank the particular law enforcement officer holds. Supervisor is one of those positions.

Several officers made statements that the actions or inactions of supervisors can send the wrong safety message to line officers. Supervisors who fail to follow safe, accepted, and proper procedures while performing their jobs do not set the right example through their behavior.

For example, one sergeant included in the study was killed after making a traffic stop. He had placed his patrol vehicle in front of the killer's vehicle and walked toward

the killer's vehicle after exiting the driver's side door. The killer stated that this gave him the advantage because he already had the gun in his hand. It was only a matter of waiting until the sergeant walked close enough to the window of the car so that he could shoot him.



A second sergeant ordered one of three drug suspects to stand behind him during a search of the suspects' car. When the sergeant started to look in the trunk of the stopped vehicle for additional drugs without waiting for available backup, the killer removed the sergeant's weapon from his holster and killed him. One reluctantly could assume that this was not the first time the victim sergeant violated established and accepted police procedures regarding the control of suspects.

Most patrol officers would welcome positive, constructive review of their work practices, particularly when the practice regards issues of their own safety. However, in order for sergeants to observe and supervise the ways in which officers make traffic stops, approach suspects, conduct searches, and apply handcuffs, the sergeants would have to be on the scene of these

occurrences. The proper use of handcuffs on a prisoner makes both the officer and the prisoner safe; yet, few sergeants check how a prisoner is handcuffed.

Another area that has considerable impact on safety involves the flow of information. In many cases, information on safety issues never makes it to the sergeants and officers. For example, many officers and sergeants stated they were aware of the study on police officers killed but very few actually read the published report because they had never seen it.

For supervising for safety to function, both the first-line supervisor and the line officer have to agree that safety is a key issue in supervision. In addition, supervisors must create a safety-conscious environment through their example and by providing safety information to line officers.

## CONCLUSION

Specific areas have been identified where law enforcement training and procedures may have had a role in the eventual deaths of law enforcement officers. From the published findings of the study *Killed in the Line of Duty* and the numerous presentations and discussions that followed its release, some crucial insights were identified that may reduce the likelihood of an officer's being killed in the line of duty—use-of-force policies, night training, first-aid experience, and supervising for safety.

These issues already are part of the official training, policy, and procedures of many departments. However, as an official of a large



agency commented following a presentation, "Although each of these issues is covered in our department policies and procedures manuals, we do not review them on any regular and consistent basis."

One administrator admitted that the study confirmed in his mind the need to return to basics, i.e., the consistent and regular application of basic survival and investigative principles that have been taught, and continue to be taught, in the academy. The problem as he saw it, with majority support from the assembled group of police training instructors, is that routine complacency has become a hazard to officer safety.

Perhaps it is time for each department to make a commitment to review and update department training and policy manuals on a regular basis and to ensure that line staff and command personnel understand the policies and procedures. This practice may save an officer's life. ♦

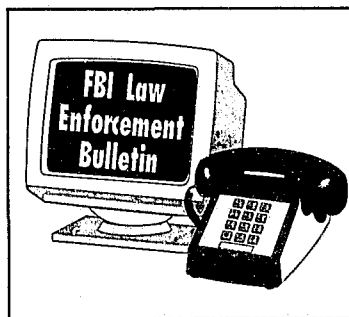
#### Endnotes

<sup>1</sup> Presentations on the *Killed in the Line of Duty* study were given during meetings of the International Association of Chiefs of Police, the National Sheriff's Association, the Canadian Association of Chiefs of Police, and the American Society of Law Enforcement Trainers. In addition, presentations also were given to requesting agencies, including 8 Federal agencies, 10 State agencies, and over 350 local agencies (county police, municipal police, county sheriffs, and township departments).

<sup>2</sup> From 1983 to 1992, almost 62 percent of officer killings and 72 percent of assaults on officers occurred between the hours of 6 p.m. and 6 a.m.

<sup>3</sup> The authors currently are conducting a study concerning violence against law enforcement officers. This study examines cases in which law enforcement officers survived serious assaults committed with a firearm or a cutting instrument.

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