



COPS
COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

BJA
Bureau of Justice Assistance
U.S. Department of Justice

Officer Safety and Wellness (OSW) Group Meeting Summary

Officer Deaths and Injuries from Gunfire

January 26, 2012

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Overview of the Officer Safety and Wellness Group

The U.S. Department of Justice's Office of Community Oriented Policing Services (COPS Office) and the Bureau of Justice Assistance (BJA) have established the national Officer Safety and Wellness (OSW) Group.

Comprised of representatives from law enforcement agencies and associations, federal agencies, and the research community, the purpose of the OSW Group is to bring law enforcement thought leaders, criminal justice practitioners, and other colleagues together to share their broad perspectives on improving officer safety and wellness. Participants contribute information and ideas with the goal of enhancing subject-related products, tools, resources, and services available to the field. In addition, the group encourages the nation's law enforcement agencies to adopt cultures of safety and wellness.

The OSW Group Mission

The OSW Group will contribute to the improvement of officer safety and wellness in the United States by convening a forum for thoughtful, proactive discussion and debate around relevant programs and policies within the law enforcement field. Information and insight gained and shared will help enhance programs, policies, and initiatives related to officer safety and wellness.

The OSW Group Goals

- To create an opportunity and environment for law enforcement organizations and researchers to collaborate on improving officer safety and wellness
- To bring law enforcement organizations and researchers together quarterly to share knowledge and information about officer safety and wellness initiatives
- To disseminate information and best practices to the field through the government and law enforcement organizational communications mechanisms

Identifying and Prioritizing Officer Safety and Wellness Issues

The first OSW Group meeting was held on July 20, 2011. More than 40 participants representing federal, state, and local law enforcement; national law enforcement associations; law enforcement labor unions; and researchers examined the problems and challenges with officer safety and wellness. They established initial priorities and focused on deaths and injuries related to gunfire.

The second OSW Group meeting, held on September 22, 2011, further explored 16 critical safety and wellness issues facing the law enforcement field. The issues below are presented in order of priority as established by the group and form the basis for previous and future meetings and the mission:

1. Injuries and death due to gunfire
2. Premeditated and unprovoked ambush situations
3. Rifle/long-gun threats/assault weapons
4. Education and training
5. Leadership and safety practices
6. Emergency vehicle operation and safety
7. Physical health (e.g., fatigue, alcohol, weight, and nutrition)
8. Psychological health
9. Foot pursuit safety
10. Task force operations (federal and local)
11. Offenders (behavior during incident and history)
12. Court security
13. Deployment strategies and communications technologies
14. Maintaining good health
15. Equipment
16. Former military in law enforcement

These issues are grouped into four themes: Operational and Emergency Responses, Leadership and Management, Mental and Physical Health and Wellness, and Training.

Introduction

The unfortunate reality is that—despite measured improvements in the overall crime rate—incidents of violence against law enforcement officers are approaching the highest levels we’ve seen in nearly two decades.

— ERIC H. HOLDER, JR., ATTORNEY GENERAL OF THE UNITED STATES

The U.S. Department of Justice established the national Officer Safety and Wellness (OSW) Group to help address the alarming trend of increasing deaths of law enforcement officers in the line of duty. The Office of Community Oriented Policing Services (COPS Office) and the Bureau of Justice Assistance (BJA) have joined together to support the work of the OSW Group through convening meetings to focus on the priorities established by the group. The COPS Office/BJA planning meeting established 16 priority areas to guide the work of the OSW Group. The first meeting, held September 22, 2011, focused on gaining a better understanding and insight into officer deaths and injuries. The second meeting, held on January 26, 2012, in Washington, D.C., addressed the first priority area—officer deaths and injuries from gunfire.

The agenda was structured to provide the OSW Group with insight on gunfire deaths and injuries through presentations on the current state of research and two case studies from agencies that had lost officers to gunfire incidents. Participants heard from U.S. Attorney General Eric H. Holder, Jr., who praised the OSW Group for its work on “shin[ing] a light on the most pressing threats our law enforcement officers face” and encouraged the group to be innovative in its approach to combat these threats. Attendees also heard from BJA Director Denise O’Donnell and COPS Office Director Bernard Melekian.

The OSW Group was charged with responding to questions and providing recommendations to the field in four areas (see Discussion and Action Agenda on page 12):

Research: What are the gaps in the existing research for officer gunfire deaths and injuries?

Policy: What policies should guide law enforcement in handling gunfire deaths and injuries?

Training: What type of training do officers need?

Practice/Programs: What specific practices or programs (including internal and external communications) should departments have to address officer gunfire deaths and injuries?

This report presents a summary of the meeting and OSW Group recommendations.

OSW Group Meeting Summary

The meeting opened with introductory comments by BJA Director Denise O'Donnell and COPS Office Director Bernard Melekian. Both stressed the importance of the work on officer safety and wellness and the partnership created between BJA and the COPS Office.

As the meeting host, the National Law Enforcement Officers Memorial Fund (NLEOMF) CEO Craig Floyd welcomed the group and provided a statistical “picture” that outlined the current national view on officer deaths and injuries:

- Of the 19,298 officers on the National Law Enforcement Memorial:
 - 10,787 (56%) were due to firearms,
 - 5,364 (28%) were traffic-related, and
 - 3,147 (16%) were due to other causes.
- In 2011, there was a 16% increase in total fatalities, and a 20% increase in fatal shootings since 2010.
- In 2011, traffic-related fatalities decreased by 10%, making it the third lowest category in causes of officer fatalities in 15 years.
- Of the 177 officers killed in 2011, the average age was 42; the average length of service was 13 years; 166 were male; and 11 were female.
- More than 30% of officers killed were not wearing body armor.
- 21% of officers killed in traffic crashes were not wearing seat belts.

Furthermore, Mr. Floyd reported that NLEOMF analyses from 2001 to 2010 profile these cop killers as:

- Average age was 30.
- 98% were male.
- 82% had a prior criminal arrest.
- 23% had a prior criminal arrest for assaulting an officer or resisting arrest.
- 28% were under judicial supervision at the time of the incident.
- 11% were under the influence of a controlled substance.
- 10% were under the influence of alcohol or intoxicated at the time.

Mr. Floyd encouraged a continued emphasis for law enforcement officers to wear body armor and seatbelts.

Research on Gunfire Deaths and Injuries

Robert Kaminski, Ph.D., Associate Professor, University of South Carolina

Dr. Kaminski was asked to provide the OSW Group with both an overview of the current state of research that has examined officer gunfire deaths and injuries and his perspective on the research gaps. He addressed a wide range of issues:

Murders and Fatal Shootings of Law Enforcement Officers. An examination of police murdered from 1900 to 2010 using data from the NLEOMF indicates two high-risk periods: the 1920s, when the risk was much higher than any other period, and a more recent peak in the early 1970s after which rates of murders and fatal shootings of police declined precipitously. According to data from the FBI's Law Enforcement Officers Killed and Assaulted (LEOKA) data,¹ murders in the U.S. increased from 41 in 2008, to 48 in 2009, to 56 in 2010—the highest number since 2002. Preliminary 2011 data from the NLEOMF, however, shows a 15% increase in fatal shootings over 2010, from 59 to 68 (including four officers killed in U.S. Territories in 2011). If this finding holds, it would represent the first consecutive 3-year increase in murders in more than 2 decades.

Non-Fatal Assaults. According to the LEOKA data, rates of non-fatal assaults and injury assaults on law enforcement officers have declined overall since the mid-1990s. Analysis of the rate of firearm-related injury assaults (in which a gun was either present or caused the injury) also declined since the 1990s. However, there was an increase in 2009 to 2010 of 3.5% of non-fatal assaults on officers.

Importance of Tracking Non-Fatal Shootings. While the analysis of murders and fatal shootings of law enforcement officers is useful, such analysis can be misleading in that it presents an incomplete picture of the levels of potential deadly violence against police. Several prior studies have shown that the number of non-fatal shootings in a jurisdiction dwarf the number of fatal shootings. For example, analysis of fatal and non-fatal shootings in the New York City Police Department (NYPD) from 1970 to 2010 demonstrates that relying only on fatal shooting analysis would have failed to uncover the rising level of gun violence directed at NYPD officers that began in the early 1980s and peaked in the early 1990s.

Fatal Ambush Shootings. The rate of fatal ambush shootings of police has increased substantially since the mid-1980s. Much of this increase has been driven by unprovoked attacks. The rate of entrapment/premeditated shootings also increased, but less dramatically. The increase in fatal ambush shootings is concerning, but the increase may be due, in part, to changes in reporting practices by law enforcement agencies (Barnett-Ryan 2011). Thus, the data should be interpreted with caution.

Overrepresentation of African Americans. LEOKA data also reveals African Americans were vastly overrepresented as felons who murdered police. Although African Americans comprised approximately 12–13% of the U.S. population in recent decades, they represented 44.4% of felons who murdered police between 1980 and 2010. In several years over the last decade, African Americans comprised more than 50% of felons who murdered police, approaching 60% in 2010 (57.9%). Effective strategies for reducing African-American involvement in serious attacks on police are needed.

1. Robert Kaminski has analyzed and interpreted all information presented from the LEOKA database, accessible at www2.fbi.gov/ucr/killed/2009/index.html.

Murders by Members of Extremist Groups. According to data from the Global Terrorism Database (www.start.umd.edu/gtd/), leftwing extremist groups (e.g., Black Nationalists, Black Liberation Army, and Weather Underground) were responsible for many fatal attacks on police during the 1970s. Although leftwing attacks have since subsided, there has been an increase in fatal attacks (31 murders) on police by rightwing extremists, such as skinheads, militias, and patriot groups between 1990 and 2009 (Suttmoeller, Gruenewald, Chermak, and Freilich 2011). Most of these attacks were unplanned, and about one-fifth occurred during traffic stops.

Foot Pursuits. Foot pursuits have come under increased scrutiny in recent years, in part because of concerns of officer-involved shootings during these events. A national survey of several hundred law enforcement agencies employing 100 or more sworn officers in 2011 found that 86.7% did not have written policies governing foot pursuits. Of those that had a written policy, 72.7% left decisions to pursue to officer discretion, 25.8% restricted foot pursuits to specific criteria, and 1.5% discouraged all foot pursuits. Regardless of whether agencies had a written policy, other survey questions revealed many agencies allowed their officers to engage in these risky practices. Excluding emergency exceptions, 13.6% required apprehension of fleeing suspects via a containment strategy, 14.4% prohibited officers from continuing a pursuit after losing sight of a suspect, 72.1% allowed partner splitting, and 75.9% allowed officers to pursue suspects into buildings or other structures. Although 78.9% of responding agencies required officers to radio in pursuit-related information early on or before engaging in a foot pursuit, only 23.3% required officers to cease a pursuit if communication was lost. Only 20.7% of respondents reported their agencies provided in-service training on foot pursuits. (Kaminski, Rojek, and Cooney 2011)

Mentally Ill Offenders. The deinstitutionalization movement in the United States dramatically increased police contact with mentally ill persons. According to the Treatment Advocacy Center website (2007), in 1998 mentally ill persons killed police at a rate 5.5 times greater than the general population, and police were more likely to be killed by mentally ill persons (13%) than by assailants who had a prior arrest for assaulting police or resisting arrest (11%). Analysis of FBI LEOKA data shows that the number of officers killed by mentally ill offenders ranged from 2 to 11 each year from 1980 to 2010, though the trend in the number of reported murders has been declining. Unfortunately, the mental status of persons who murder police is often unknown, so the number of murders attributed to mentally ill persons is likely an undercount (Miller 2009).

Weapon Type and Major Calibers. According to the LEOKA data, handguns remain the weapon of choice among felons who murder police, though the number of handgun murders declined substantially between 2006 and 2009 (from 85.7% to 57.6%, with an increase to 68.3% in 2010), with a concomitant increase in the number of rifle murders between 2005 and 2009 (from 6.7% to 33.3%, followed by a decline to 26.8% in 2010). The percentage of murders committed with semiautomatic handguns had been increasing dramatically since 1987, reaching a peak in 2006 (68.6%). The percentage of murders committed with semiautomatic rifles has also been increasing, though irregularly, since 1987; however, there was a steady year-to-year rise from 2005 to 2010 (from 4.4% to 19.5%). Also, the use of fully automatic rifles has been increasing since 1987, but their use is rare (never exceeding 5% or two murders per year). Among the most common handgun calibers, the use of .45s has been increasing since 1987; however, the use of .40 caliber handguns increased more

dramatically, from 3.6% in 1993 to a peak of 22.9% in 2006, to 19.5% in 2010. Although more common for many years, the use of .38 and .357 caliber handguns shows rather irregular patterns of use. Looking at the three most recent years of data, the use of .357s increased from 9.4% in 2008 to 19.5% in 2010, while .38s declined from 28.1% in 2008 to 9.8% in 2010. Regarding the most common caliber rifles, the use of .30s increased from 1.8% of murders in 1987 to a peak of 18.4% in 1994, followed by a decline to 9.8% in 2010. The use of .223 caliber rifles shows an erratic trend, varying widely for many years, but the data indicate a mostly steady increase from zero in 2008 to 7.3% in 2010.

Multiple Victim Incidents. Analysis of the LEOKA data reveals the number of fatal shooting incidents in which two or more officers were murdered fluctuated substantially year to year since 1987, ranging from a low of zero in 1996 to a high of six (14.3%) in 2004. The next highest peak occurred in 2009, with five incidents (13.2%). In general, the trend in multiple officer murders has been increasing since the mid-1990s. The number and percentage of victim officers murdered in multiple officer shootings has also been increasing since the mid-1990s. For example, 10 officers (17.2%) were fatally shot in such incidents in 1997, 13 (27.1%) were shot in 2004, and 15 (34.9%) were fatally shot in 2009.

Fatal Head Wounds and Number of Body-Entry Wounds. LEOKA data show that from 1980 to 2010, 46% of officers were fatally shot in the head. An examination of this trend shows a fairly steady increase in percentage, from 35.2% in 1980 to a peak of 58.5% in 1999. There has been a decline since then, with 42.3% in 2010. In addition, the average number of bullet entry wounds from 1987 to 2010 also was examined. This analysis, however, was impeded in that the number of bullet entry wounds was often reported as “multiple” rather a precise figure (between 4.5% and 58.8% during the 1987 to 2010 timeframe). The maximum number of known bullet entry wounds among victim officers was 40, inflicted with a semiautomatic rifle. Based on the knowledge that the “multiple” incidents involved two or more bullet entry wounds, the data show a generally increasing trend of the percentage of officers fatally shot in this way through 1994 (58.8%); the trend then leveled off through 2005 (56.3%) and declined through 2009 (34.9%). The percentage then increased in 2010 (51.1%), just above the timeframe mean of exactly 50%.

The research clearly shows a general decline in officer deaths from gunfire for the past few decades. Although gunfire deaths did increase, at times, for two consecutive years followed by a decline, there has been three years of consecutive increases from 2008 to 2011, which is cause for concern.

The felonious death of a law enforcement officer is most certainly a tragic event. Such deaths, however, are rare events—given the number of officers and encounters an officer has each day—which makes it difficult to analyze the circumstances and identify approaches to reverse this trend and reduce deaths. **Dr. Kaminski recommends that non-fatal officer shootings be tracked and analyzed to fully understand officer gunfire death and injury situations.**

Remarks from the U.S. Attorney General

The Honorable Eric H. Holder, Jr., Attorney General of the United States

General Holder addressed the importance of the officer safety and wellness issues, especially officers' deaths by gunfire. The highlights of General Holder's remarks are noted below; however, the full text is included in Appendix C on page 21.

- This is the third time we've come together to discuss this cause. This matters to me very personally; I care about the men and women in law enforcement, and am privileged to work with colleagues and friends.
- I want to acknowledge the contributions you've already made. It is sincerely appreciated and extremely important. This group has an indispensable role to play on pressing threats to officers, especially in these economic times. We are advocating for new training opportunities, and highlighting best practices so every law enforcement officer can do their job more safely and effectively.
- The unfortunate reality is that the overall crime rate and incidents against law enforcement officers have reached the highest point in two decades. A total of 177 federal, state, and local law enforcement officers lost their lives in the line of duty in 2011, which was a 16% increase since 2010. Since 2012, 12 officers have been killed. In draft remarks, the number was originally 10, but that had to be changed in the last 24 hours. This is a devastating trend. That's what this working group is all about.
- We are helping the DOJ to do everything in our power. The department's latest efforts are guided by the OSW Group's leadership, bolstered by NIJ's research and BJA's programs and partnerships. Our Bulletproof Vest Partnership helped save the lives of 16 law enforcement officers last year and one this year. The department is also building on efforts to improve communications and tools to identify and tackle threats.
- We are also working with Congress to help agencies gain access to the necessary tools. We recognize the ability to build on trends, and the department has worked on VALOR to address ambush style threats. More than 1,700 law enforcement professionals have received VALOR training in 10 regional sessions across the country. Some officers have described the training as a wakeup call and said it was the best training they had received in a long time. The website has registered 1.7 million hits. We plan to keep improving and expanding this program and also want to enhance the key factors that promote understanding.
- One study examined shift lengths. Ten-hour shifts were better than 8- or 12-hours shifts. A second study gathered data on sleep performance. Forty percent of police officers screened positive for some sleep disorder. It turns out that these sleep-deprived officers had a higher risk of falling asleep while driving, committing errors or safety violations, and experiencing uncontrolled anger at a suspect. I'm confident that these and other important findings will enhance our ability to target areas of concern, evaluate officer wellness issues as they arise, and explore strategies for taking action.
- As our nation's attorney general, as a prosecutor and former judge, and as the brother of a retired police officer, I am extremely grateful for the contributions that you have made and the recommendations you will be developing, helping to implement, and building upon in the days ahead.

Officer Gunfire Death Case Studies

One of the most effective ways of gaining insight into officer deaths from gunfire is to look at actual cases. The OSW Group heard presentations on officer deaths in Tampa, Florida, and Oakland, California. Prior to the meeting, the group also had the opportunity to review independent reports on those two cases as well as an officer death in Baltimore, Maryland. James K. "Chips" Stewart, who led the review teams in all three cities, participated in these presentations.

Tampa (FL) Police Department
Chief Jane Castor

THE INCIDENT – On June 29, 2010, at 2:15 am, the Tampa Police Department (TPD) suffered a tragic loss when Officers David Curtis and Jeffrey Kocab were shot and killed during a traffic stop. The suspect—convicted felon Dontae Morris—fled the scene on foot and evaded immediate arrest. The subsequent law enforcement response and multi-jurisdictional manhunt involved 22 law enforcement agencies and more than 1,000 personnel during a 96-hour deployment that culminated in the arrest of Morris. TPD established a multi-agency unified command using the Incident Command System (ICS) to plan, coordinate, and manage the complex response, which included volunteers and donations from the community.

The Tampa Police Department (TPD) and surrounding law enforcement agencies had participated in many major events and had established a well developed Incident Command System (ICS) process that was immediately launched even though their initial expectation was they would have Morris in custody within a few hours. Chief Castor shared with the OSW Group a number of important points in managing the event:

- **Incident Command.** The search and investigation was a massive undertaking that handled hundreds of tips from the community while effectively managing the resources. ICS provided a solid base for ensuring that everything was handled in an appropriate manner.
- **Separate Search and Investigation.** These functions operated under separate command to ensure that both proceeded as expeditiously and thoroughly as possible. They maintained close contact throughout the search to ensure appropriate information updates and exchange.
- **Communications.** The communications process—both internally and externally—was critical in ensuring that everyone was informed of what they needed to know and when.

Rumor control is an important aspect of the communication process, as it can have a negative impact on the community and officers. There is a huge demand for information on the progress of the investigation, the search, the suspect, the officers that lost their lives, and how family, friends, and colleagues are coping. That requires thoughtful and regular communication processes through the news media and internal mechanisms.

The TPD made sure that the deaths of Officers Curtis and Kocab were personalized, providing information about their families as well as their professional lives. It wanted to provide the community and department with an opportunity to mourn the loss of the officers and to build support for the department as they engaged in the search and beyond.

Chief Castor prepared e-mail updates for officers in the department in addition to her personal contacts to ensure they were aware of what was going on every step of the way.

- **Funeral Preparations.** Preparations for the officers' funerals had to go on as the investigation and search for the suspect continued. This required officers dedicated to working with the families to make the preparations. It also required a high level of sensitivity and understanding that the event was of great importance to the families, the officers, and the community.
- **Stress Debriefings.** These briefings had to be made available for officers so they can learn from the situation. Consideration must be given to making them mandatory to improve officer awareness and increase their ability to stay safe should they encounter a similar incident in the future.

- **SWAT Teams.** The TPD blended their SWAT teams with the other agencies that assisted in the search. They regularly train together, so there was a high level of familiarity among the personnel and similarity regarding practices. One aspect the department would handle differently in future situations would be to deploy the SWAT teams in the field to assist in the search. During the 2010 incident, they had been staged at the command center to respond to locations where the suspect was located. By deploying them from one location, the media followed the teams out to possible search locations and watched SWAT's every move.
- **Traffic Stop Arrests.** Learning from the past, the TPD has modified its traffic arrest policy: as one officer approaches the vehicle, the suspect is required to extend his or her hands and arms outside the vehicle window.

The TPD also asked CNA Analysis & Solutions to conduct an independent review of the department's response to the deaths of Officers Curtis and Kocab. This review was under the direction of James K. "Chips" Stewart and funded by the U.S. Department of Justice, Office of Community Oriented Policing Services (see Stewart, Rodríguez King, and Lafond 2011).

Oakland (CA) Police Department

Deputy Chief Benson Fairrow, Bay Area Rapid Transit

Former captain of the Oakland Police Department and inspector general

THE INCIDENT – On March 21, 2009, at 1:00 pm, Oakland Police Sergeant Mark Dunakin stopped a vehicle for a stop sign violation, backed up by Officer John Hege. The driver—convicted felon Lovelle Mixon—was alone in the vehicle. As the officers approached the vehicle, Mixon leaned out of the driver's side window and shot both officers twice. He got out of the car and shot both officers in the back as they were lying on the street. Mixon fled on foot. Less than 2 hours after the officers were shot, an ad hoc SWAT team entered an apartment about a block from the traffic stop location. Within two minutes after entry, Sergeant Ervin Romans and Sergeant Daniel Sakai were killed, as was Mixon. (Stewart 2009)

Deputy Chief Fairrow presented the circumstances of this terrible loss of life to the OSW Group and what the Oakland Police Department (OPD) had learned from a Board of Inquiry that reviewed the incident at the OPD's (see Stewart 2009). The OPD has committed itself to the implementation of the Board of Inquiry's recommendations.

What Went Well

The department responded quickly to the incident—the first lieutenant on the scene began the important work of establishing control of the scene, identifying witnesses, and developing a perimeter. The community responded well with assistance, as did surrounding law enforcement agencies.

What Needed Improvement

As is often the case when incidents are subjected to a careful review, the list of what needs to be improved is longer than what went well:

- **Vehicle Stop.** The way in which the officers approached the vehicle together on the driver's side was not consistent with OPD training and best safety practices.

- **Incident Command.** Incident command practices were not implemented. Although the responding lieutenants divided the responsibility (i.e., scene, perimeter, and search for the suspect), there was no overall operational control, and no command post was established. This led to confusion and poor use of outside and OPD resources responding to the scene. Many of the areas in need of improvement can be linked to the failure to implement incident command.
- **Communications.** Citizens received little communication about the incident and the response. Poor communications between the officers engaged in the investigation and search for the suspect led to critical information not being available.
- **SWAT Team Response.** An ad hoc team was formed to make a dynamic entry into the apartment to search for the suspect. The full complement of regular team members, hostage negotiators, and equipment were not available to support an entry of this type. Although the initial SWAT team call out was delayed by 45 minutes, there was no reason for the ad hoc team to not wait for these resources before entering the apartment.

The OPD has implemented many changes because of this incident. It has worked hard to be transparent so that others can learn from its experience and so the OPD can contribute to preventing this type of situation from happening again.

Independent Review

James K. “Chips” Stewart, Senior Fellow, CNA’s Institute for Public Research

Mr. Stewart worked with both the Tampa and Oakland Police Departments to provide an independent review of the shooting incidents discussed above. He also chaired the Independent Review Board that examined another tragic shooting incident in which a Baltimore police officer was accidentally killed by fellow officers, another officer and three citizens were wounded, and one citizen lost his life (see Independent Review Board 2011).

Mr. Stewart provided the OSW Group with his perspective on the lessons learned from these three cases and made several observations:

- An outside transparent review is important for public credibility and to help restore trust in the police agency and its leaders.
- External analysis not only helps de-conflict varying perspectives but also helps overcome the tendency to overlook errors surrounding line-of-duty deaths.
- Fundamental tactical errors contribute to police officer deaths and injuries, so periodic training and effective field supervision are important for prevention.
- Supervision and command are essential and must be present and accountable during these incidents—in two of the above cases incident command was not implemented.
- Findings and recommendations ought to be collected and shared to save lives and avoid future tragedies.
- External and internal communications require an overall strategy and are critical to the response as well as recovery from the incident.

Discussion and Action Agenda

Based on the research presentation, case studies, background reading, individual expertise, and discussions throughout the day, the OSW Group broke into four smaller groups, each to discuss the four areas highlighted in the Introduction (see page 3): i.e., research, policy, training, and practice/programs. Each group was given questions to discuss and identify recommendations/comments regarding these areas. The OSW Group meeting facilitator, Bascom “Dit” Talley, faculty coordinator of Johns Hopkins University, asked attendees to provide observations and recommendations in the four areas outlined below:

Research: What are the gaps in the existing research for officer gunfire deaths and injuries?

- A broader, more encompassing database should be developed that includes:
 - Line-of-duty deaths and assaults
 - Demographics on offenders and officers
 - The kinds of calls that conclude with deaths and assaults
 - Lessons learned from the incidents
 - Information on “near misses”
- Better methods should be developed to capture and record aggravated assaults.
- The precursor events that might contribute to deaths and assaults should be recorded. There may be lessons to learn by dissecting the events leading up to the confrontational event. For example, did the officer notify dispatch that he or she was going to make a vehicle stop? Did the officer miss the release of a BOLO that might have saved his or her life? Do the agency’s officers fail to read updated policies and procedures that might have saved a life?
- Whether the safety products are effective and how the equipment can be improved should also be looked into. For example, agencies could work with industries to develop stronger materials used in body armor gear and ensure proper fitting to maximum coverage. Smart phone technology can be used for reaching out to the community for help, and agencies can capitalize on military-released technology, such as the backpack radar Prism 200C System that can see through walls to determine how many and where suspects are located in the adjacent room. Also, license plate readers could be made available to identify known suspects.
- There are gaps in data on officers dealing with the mentally ill and specifically on guns used by the mentally ill. There is no screening process for selling guns to people with mental illness. While some states may require a background check for felons, a mentally ill person may not have a felony record but may still be a danger. The extent of the problem and recommendations in addressing this issue need to be addressed through better data collection and research.
- Research should also focus on whether officers’ interpersonal skill-levels contribute to these incidents. Officers’ verbal judo is a highly valued skill and often not utilized in confrontational situations. Often an officer elects to use the ECW (Electronic Control Weapons) to control a situation when verbal techniques could have brought the situation under control.
- Departments should evaluate if they have the necessary technology to provide suspect information more quickly: e.g., license plate readers, the capability to relay confidential information that the agency does not want aired through radio communication, and Closed Circuit Television (CCTV).

Policy: What policies should guide law enforcement in handling gunfire deaths and injuries?

- The following are examples of policies that a department should not only currently have but also review for ongoing updates and have internally audited to ensure they are being implemented properly:
 - Incident command
 - Officer deaths (e.g., notifications, a family liaison, and funeral planning)
 - Critical incident stress debriefing
 - Safety equipment (e.g., vests and seatbelts)
 - Clear use of force and reporting directives
 - Communications (external and internal)
 - Memorandums of understanding (MOUs) with neighboring jurisdictions
- Most departments have written policies that address many of the issues related to officer gunfire deaths and injuries. Because these are such rare events and emotions can take over, it is important to make sure commanders and supervisors are aware of the department's expectations and follow them.
- Policy development and updates should include a review of the research and an understanding of the best practices.

Training: What type of training do officers need?

- Because shootings are rare events, officers need to be reminded of its possibility through realistic tactical training that is a part of the ongoing in-service training regimen.
- Officers need more interpersonal and cultural training for situational awareness and how not to escalate a situation.
- Training in critical thinking and decision making would improve officers' abilities to work through what steps should be taken and what to anticipate at each decision point during a violent or potentially violent situation.
- Officers across the country should be routinely informed of the circumstances of officer gunfire deaths and injuries and any lessons learned through video or a power point. A video is available on the secure VALOR for Blue website that describes a foot pursuit situation in which the officer survived and includes safety guidelines.
- Vehicle stops are a regular part of a street officer's daily work and are conducted without incident most of the time. They are also a high-risk activity, and officers need to be regularly reminded of safe practices.
- Departments should consider alternatives to the way traffic stops are conducted. For example, the Maryland State Police Troopers often approach a vehicle they have stopped on the passenger side—the driver does not expect it, the trooper is taken out of the stream of traffic, and this approach provides a better view of the driver.

Practice/Programs: What specific practices or programs (including internal and external communications) should departments have to address officer gunfire deaths and injuries?

- Effective communications is always a challenge for police agencies—it is even more difficult during high-stress and high-profile events. Roles, responsibilities, and tactics can and should be defined in advance with a clear communications strategy.
- Departments should develop a process for objective after-action reviews of these incidents and take steps to correct any problems identified to help save future lives.
- Every department should have a safety education program that includes frequent reminders and tips.
- Departments must work to create a culture where safety is an integral part of everything the department does. An agency that consistently practices safety will be more inclined to implement training techniques and procedures more effectively in crisis situations.

The VALOR Initiative

Steve Edwards, Ph.D., Senior Policy Analyst, Bureau of Justice Assistance

Dr. Edwards made a presentation to OSW Group members to ensure they were aware of the capabilities of the VALOR (Preventing Violence Against Law Enforcement Officers and Ensuring Officer Resilience and Survivability) initiative, which the Bureau of Justice Assistance created over a year ago and continues to evolve as a resource for law enforcement. Officers can register and access a wide range of information and online training at www.valorforblue.org, which has received 1.7 million visits to date. The program goals are to:

- Reduce violence against law enforcement
- Improve officer survivability
- Identify emerging criminal threats
- Develop and deliver knowledge and skills-based training to address threats effectively
- Recognize emerging threats
- Establish a culture of attentive vigilance among law enforcement

VALOR offers a two-day line officer training course designed to increase officer safety and help prevent injuries and death. It promotes situational awareness about threats and helps officers to identify concealed weapons and armed gunmen. The course also expands mental and physical skills required for high-risk tactical situations. This training has been provided to more than 1,700 officers in 10 regions across the country and has been well received.

Observations

Alexander Eastman, M.D., Lieutenant and Deputy Medical Director, Dallas (TX) Police Department

Lieutenant Eastman gave the final presentation of the day after being asked to share his perspective on officer gunfire deaths and injuries. He argued that policing was behind other professions in the way they look at mistakes, and he challenged the group to think differently about these issues and work to become more transparent. The aviation industry, he explained, responded to an increase in crashes in the 1970s by carefully looking at processes for solutions and not assigning blame. Similarly, an awful outcome in surgery is followed by an unrestricted, multi-disciplinary group discussion that looks at ways in which the incidents could have been handled differently. Lieutenant Eastman recommended that the OSW Group:

- Expand its collection and analysis of data to include “near misses.”
- Create an independent review mechanism similar to what the FAA does on transportation crashes.
- Officer deaths and gunfire injuries are incidents that are held up in criminal cases, civil litigation, and internal administrative investigations. Doing a critical review of one incident is difficult enough, thus looking at these cases across various jurisdictions is even more challenging.

Conclusion

The U.S. Attorney General has given his personal commitment and that of the U.S. Department of Justice to enhance officer safety in situations of gunfire resulting in officer injuries and death. In response to General Holder’s commitment, the OSW Group discussion at this meeting focused on advancing research on, improving the response to, and preventing the occurrence of officer shootings. Based on a thoughtful, full-day deliberation, the group identified points for consideration regarding gaps in research, areas to improve training, review of policies and procedures, and practices to emphasize to minimize officer deaths and injuries by gunfire. There is more work to do in this area, but this begins the national discussion and helps to identify best practices for training, policies and procedures, and programs.

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Appendix A: OSW Group Meeting Agenda

Pew Conference Center
901 E Street, NW
Washington, DC 20004
Thursday, January 26, 2012

8:30 – 9:00 AM	Participant Arrival
9:00 – 9:15 AM	Welcome by Denise O’Donnell, J.D., Director, Bureau of Justice Assistance by Bernard Melekian, Director, Office of Community Oriented Policing Services by Craig Floyd, Chairman and Chief Executive Officer, National Law Enforcement Officers Memorial Fund
9:15 – 9:30 AM	Meeting Purpose Facilitator: Darrel Stephens, Executive Director, Major Cities Chiefs Association
9:30 – 9:45 AM	Introduction of Participants Facilitator: Bascom “Dit” Talley, Faculty Coordinator, Johns Hopkins University
9:45 – 10:45 AM	Research on Gunfire Deaths and Injuries Presenter: Robert Kaminski, Ph.D., Associate Professor, University of South Carolina
10:45 – 11:00 AM	Break
11:00 – 11:45 AM	The Honorable Eric H. Holder, Jr., Attorney General of the United States Introducer: Bernard Melekian, Director, Office of Community Oriented Policing Services
11:45 AM – 12:30 PM	Working Lunch: Focus on Gaps in Research
12:30 – 2:00 PM	Officer Gunfire Death Case Studies Presenter: Jane Castor, Chief of Police, Tampa (FL) Police Department Presenter: Benson Fairrow, Deputy Chief of Police, Bay Area Rapid Transit (BART) (CA) Police Department, on behalf of the Oakland (CA) Police Department Discussant: James K. “Chips” Stewart, Director, CNA’s Institute for Public Research Facilitator: Bascom “Dit” Talley, Faculty Coordinator, Johns Hopkins University
2:00 – 2:10 PM	Break

2:10 – 3:25 PM	<p>Gunfire Deaths and Injuries: Discussion and Action Agenda</p> <p>Participants will address the following issues:</p> <p>Research: What are the gaps in the existing research for officer gunfire deaths and injuries?</p> <p>Policy: What policies should guide law enforcement in handling gunfire deaths and injuries?</p> <p>Training: What type of training do officers need?</p> <p>Practice/Programs: What specific practices or programs (including internal and external communications) should departments have to address officer gunfire deaths and injuries?</p> <p>Facilitator: Bascom “Dit” Talley, Faculty Coordinator, Johns Hopkins University</p>
3:25 – 3:40 PM	<p>VALOR: Preventing Violence Against Law Enforcement Officers and Ensuring Officer Resilience and Survivability</p> <p>Presenter: Steve Edwards, Ph.D., Senior Policy Analyst, Bureau of Justice Assistance</p>
3:40 – 3:55 PM	<p>Next Meeting Focus: Education and Training</p> <p>Participants will identify issues in this area to prepare for the next meeting.</p> <p>Facilitator: Bascom “Dit” Talley, Faculty Coordinator, Johns Hopkins University</p>
3:55 – 4:10 PM	<p>Observations by Alexander Eastman, M.D., Lieutenant and Deputy Medical Director, Dallas (TX) Police Department</p> <p>Closing Remarks by Darrel Stephens, Executive Director, Major Cities Chiefs Association</p>
4:10 PM	<p>Adjourn</p>

Appendix B: OSW Group Meeting Attendees

Karen L. Amendola, Ph.D.

Chief Operating Officer
Police Foundation

Pamela J. Cammarata

Associate Deputy Director
Bureau of Justice Assistance

Jane Castor

Chief of Police
Tampa (FL) Police Department

Alexander L. Eastman, M.D.

Lieutenant and Deputy Medical Director
Dallas (TX) Police Department

Joshua A. Ederheimer

Principal Deputy Director
Office of Community Oriented
Policing Services

Benson H. Fairow

Deputy Chief of Police
Bay Area Rapid Transit (BART) (CA)
Police Department

Craig W. Floyd

Chairman and Chief Executive Officer
National Law Enforcement Officers
Memorial

Stephanie A. Garbarczuk

Law Enforcement Coordination Manager
U.S. Attorney's Office – DC

Joel Garner, Ph.D.

Chief of Law Enforcement Statistics Unit
Bureau of Justice Statistics

Herbert V. Giobbi, J.D.

Chief Operating Officer
National Law Enforcement Officers
Memorial

Katherine Goodwin

Commander
Anne Arundel County (MD)
Police Department

Elliott E. Grollman

Commander
Federal Protective Service

David L. Harlow

Acting Deputy Assistant Director
U.S. Marshals Service

William Haskell

Public Safety Sector Coordinator
National Institute for Occupational
Safety and Health

Rachel Hedge

Director of Government Affairs
National Association of Police
Organizations

Dennis Hyater

Program Manager
Commission on Accreditation for
Law Enforcement Agencies

Robert Kaminski, Ph.D.

Associate Professor
University of South Carolina

John Kenny, Ph.D.

Associate Director
Institute for Non-Lethal Defense
Technologies
Applied Research Laboratory
The Pennsylvania State University

Matthew Klein

Commander
Metropolitan (DC) Police Department

David A. Klinger, Ph.D.

Associate Professor
University of Missouri – St. Louis

John V. Lease

Tactical Teams Program Manager
Law Enforcement Plans Division
Office of the Provost Marshal
Joint Forces Headquarters NCR

Leonard Matarese

Director of Research and
Project Development
International City/County
Management Association

Bernard K. Melekian

Director
Office of Community Oriented
Policing Services

Michael Miller

Detective
Metropolitan (DC) Police Department

Brian Montgomery

Physical Scientist
National Institute of Justice

Charles A. Norman

Law Enforcement Program Specialist
Federal Law Enforcement
Training Center

Denise O'Donnell

Director
Bureau of Justice Assistance

Mark Person

Commander of Training and
Education Division
Prince George's County (MD) Police
Department

Terrence Pierce

Director of Policy and Planning Division
Montgomery County (MD)
Police Department

Adrienne Quigley

Lieutenant
Arlington County (VA) Police Department

Timothy S. Reid

Principal Consultant LEOKA Program
Federal Bureau of Investigation

Timothy M. Richardson

Senior Legislative Liaison
National Fraternal Order of Police

Daniel Rodriguez

Sergeant
Anne Arundel County (MD)
Police Department

Ellen Scrivner, Ph.D.

National HIDTA Director
Office of National Drug Control Policy

James D. Sewell, Ph.D.

Independent Consultant

Steve Sharkey

Director of Special Projects
Baltimore (MD) Police Department

Darrel Stephens

Executive Director
Major Cities Chiefs Association

James "Chips" Stewart

Director of Public Safety and Security
CNA's Institute for Public Research

Bascom "Dit" Talley

Faculty Coordinator
Johns Hopkins University

Erin Vermilye

SACOP Manager
International Association of
Chiefs of Police

Chuck Wexler

Executive Director
Police Executive Research Forum

Fred G. Wilson

Director of Operations
National Sheriffs' Association

COPS Office/BJA STAFF

Nazmia E. Alqadi

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Barry Bratburd

Senior Policy Analyst
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Steven M. Edwards, Ph.D.

Senior Policy Advisor
Bureau of Justice Assistance

Mora L. Fiedler

Senior Social Science Analyst
Office of Community Oriented
Policing Services

Deborah Meader

Policy Advisor
Bureau of Justice Assistance

Appendix C: Remarks from the U.S. Attorney General



Department of Justice

FOR IMMEDIATE RELEASE
Thursday, January 26, 2012
www.justice.gov

AG
202.514.2007
TTY 866.544.5309

**Remarks as prepared for delivery by U.S. Attorney General Eric Holder
at the national Officer Safety and Wellness Group Meeting**

WASHINGTON, D.C.

Thank you, Barney [Melekian], for your kind words and, of course, for all that you and your colleagues have done in the COPS Office, and in conjunction with the Bureau of Justice Assistance, to help lead this working group, and to bring us together this morning.

I'd also like to thank [the] Pew [Conference Center] for hosting today's important session, and providing a forum for discussion on some of the most critical—and most urgent—challenges facing America's law enforcement community. This marks the third time that this extraordinary group of leaders, researchers, front-line practitioners, and federal partners has come together to exchange insights, to share expertise, and to strengthen the essential work that has become not just our shared priority but also our common cause.

I am honored to be included in this conversation once again, and privileged to join so many friends and colleagues in addressing—and advancing—the 16 priorities that have been identified for this working group, particularly reducing the rise in gunfire-related injuries and deaths and countering premeditated and unprovoked ambush situations.

I know you have a busy afternoon ahead of you, so I'll keep my comments brief. But I would be remiss if I didn't acknowledge—and thank you for—the contributions that you have already made. Know that your time, energy, and efforts are appreciated—and that I'm counting on all of you to keep up the great work.

Especially in this time of economic challenges, when jurisdictions across the country have been called upon to confront growing demands with increasingly limited budgets, this group has an indispensable role to play. By bringing key leaders and innovators together, you help to shine a light on the most pressing threats our law enforcement officers face. By exploring innovative new strategies for combating these threats, you help agencies and departments across the country make the most of precious resources. And by advocating for new training opportunities, pushing for improved information-sharing capabilities, and highlighting best practices, you help extend the reach of these efforts so that every police officer, every sheriff's deputy, and every federal agent can do their job more safely and more effectively.

As we gather this morning, thanks to the committed work of public safety professionals across the country, national violent crime trends are heading in the right direction. Countless lives have been improved and saved. And so many jurisdictions—from inner cities, to rural areas and tribal communities have begun to make important, and long overdue, strides.

We can all take pride in this. But none of us can afford to be satisfied, and this is no time to become complacent.

The unfortunate reality is that—despite measured improvements in the overall crime rate—as you’ve already discussed today, incidents of violence against law enforcement officers are approaching the highest levels we’ve seen in nearly two decades. Last year, according to statistics maintained by the National Law Enforcement Officers Memorial Fund, a total of 177 federal, state, and local law enforcement officers lost their lives in the line of duty—a 16% increase over 2010. Since the first of January, an additional 12 officers have been killed.

As you know better than anyone, this represents a devastating and unacceptable trend—and a cause that demands our best and most innovative efforts.

That’s what this working group is all about. Together you have not only tremendous expertise but also remarkable potential. And you are strengthening current efforts to turn back the rising tide of violence we’ve seen. You’re also helping the U.S. Department of Justice do everything in our power—and use every tool at our disposal—to protect those who are on the front lines, keeping our nation safe. The department’s latest efforts are guided by your leadership, bolstered by cutting-edge research by the National Institute of Justice, and backed up by critical new programs and partnerships like those administered by Director [Denise] O’Donnell and her colleagues in the Bureau of Justice Assistance. These range from the Officer Safety and Smart Policing Initiatives, to our Bulletproof Vest Partnership—which we estimate helped save the lives of at least 16 public safety officers last year and one since the beginning of 2012.

But all of this is only the beginning.

The department is also building on current efforts to provide the communications tools and platforms that allow public safety professionals to share information more quickly—and to more effectively identify and combat threats. And, as we move forward, we’ll continue working to reinforce the core partnerships upon which these, and so many other, important platforms and programs depend.

This means collaborating with state, local, and tribal authorities—not to mention key federal partners, private sector stakeholders, and cabinet-level agencies—to ensure that this vital work remains a top priority. It means strengthening relationships between front-line practitioners and the U.S. Attorney community—which is why, last fall, I instructed all 94 U.S. Attorneys’ Offices to meet with local law enforcement officials and work together in identifying key concerns, assessing available resources, and implementing effective solutions. To date, nearly all of these meetings have taken place, allowing us to compile critical information that has given us a clearer look at each community’s most pressing needs. With this knowledge base, we’re working to allocate resources more effectively and identify the solutions necessary to keep our law enforcement partners safe.

And it means working with key congressional leaders to secure financial support for flagship programs, like Byrne-JAG, and to maintain critical funding streams available through COPS Office grants, which help agencies and departments across the country close budgetary gaps and gain access to the valuable resources they need.

Of course, in the face of once-in-a-generation economic challenges, including the sharp cuts that Congress has imposed on these and other programs at the federal level, we also recognize that our ability to expand on the progress we’ve made will depend on more than just moving money out the door.

That’s why the department has also led the development of innovative training initiatives, such as VALOR, which I know you’ll be discussing this afternoon, to help provide law enforcement leaders with the information, analysis, and cutting-edge tools they need to respond to a range of threats, including ambush-style assaults.

I am proud to report that, to date, more than 1,700 law enforcement professionals have received VALOR training, in 10 regional sessions across the country. We’ve heard from sheriffs and police chiefs that this curriculum has been successfully put to use in the field. And some officers have described it as a “wake-up call,” both “professional and relevant,” and even “the best training [they] have ever...had the opportunity to experience.” That’s why—along with VALOR’s Officer Safety Toolkit, of which 8,000 have been given out to the field, and its website, which has registered more than 1.7 million hits—we plan to keep promoting it, refining it, and expanding its availability.

At the same time, we're also taking significant steps to enhance our understanding of key factors that contribute to officer wellness, and I am proud to note that the National Institute of Justice has just released two new studies that take a closer look at a few of these factors.

One study, conducted in partnership with the Police Foundation, examined shift lengths in Detroit, Michigan, and Arlington, Texas. It found that 10-hour shifts offer several benefits over 8- or 12-hour shifts—including less overtime, higher quality of work life, improved morale, and potential cost savings—without adversely affecting performance. The second study, conducted by Brigham and Women's Hospital, gathered data on sleep disorders and officer performance and found that some 40% of police officers screened positive for some form of sleep disorder—at least double the rate that's been observed in the general population. It turns out that these sleep-deprived officers had a higher risk of falling asleep while driving, committing errors or safety violations, and experiencing uncontrolled anger at a suspect.

As we move forward, I'm confident that these and other important findings will enhance our ability to target areas of concern, evaluate officer wellness issues as they arise, and explore strategies for taking action. But the tragic reality is that no degree of understanding or amount of training—no matter how effective—can prevent some violent encounters from turning deadly. Because of this, the department also has made significant investments to provide support for the families of law enforcement officers in times of tragedy.

Not including those that resulted from 9/11, last year marked the second highest number of death and disability claims received by the Public Safety Officers' Benefits Program since 1979. And I believe we can all be proud of the assistance that the PSOB has provided to so many families in moments of need.

This morning, as we reflect on these achievements—and renew our focus on the 16 core priorities that define the mission entrusted to this working group—it is already clear that what you've helped to accomplish in the face of unprecedented threats and economic challenges represents a historic step forward. As our nation's attorney general, as a prosecutor and former judge, and as the brother of a retired police officer, I am extremely grateful for the contributions that you have made and the recommendations you will be developing, helping to implement, and building upon in the days ahead.

As we think about and plan for the future, it's clear that a great deal of work remains before us—along with many more obstacles than we would like to see. Yet, as I look around this room today, I can't help but feel optimistic about where your efforts will help to lead us from here.

Thank you, once again, for your time, energy, and excellent work. In this work, I am proud to count each of you as a colleague and partner. Together we can—we must—create a world in which we keep safe those who do so much to protect our nation. I am confident that we will.

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IF YOU HAVE QUESTIONS, PLEASE CALL THE DEPARTMENT OF JUSTICE OFFICE OF PUBLIC AFFAIRS AT 202.514.2007.