

**PBS NEWSHOUR**

<http://www.pbs.org/newshour/bb/to-avoid-deadly-shootings-police-deploy-new-training-tactics/>

**To avoid deadly shootings, police deploy new training tactics**

January 23, 2016 at 1:07 PM EST

**INSTRUCTOR:** See that man? See that man? He's threatening people with a knife!

**CHRIS BURY:** In Philadelphia, this new police recruit is getting a taste of confronting a suspect that he may have to shoot. This training—in full protective gear—is known as a reality-based scenario.

**RECRUIT:** Sir, drop the knife!

**CHRIS BURY:** This is a lesson in defusing high-tension encounters...before they turn deadly. In Philadelphia, every officer gets 40 hours of this reality training to learn tactics other than lethal force...even when suspects are armed and dangerous.

**SGT. KENNETH GILL:** Is he threatening anybody right now?

**RECRUIT:** No.

**SGT. KENNETH GILL:** Is he killing anybody right now?

**RECRUIT:** No.

**SGT. KENNETH GILL:** So, do we have to turn around and jump right in there and take care of it ourselves?

**RECRUIT:** No.

**CHRIS BURY:** Sergeant Kenneth Gill—a police academy instructor—says the training is designed to teach police officers how to de-escalate emotionally charged confrontations.

**SGT. KENNETH GILL:** Slow down the momentum. Don't always just rush into something. You know, you want to be able to look at your surroundings. What else can I do, except for jump in?

**CHRIS BURY:** With so many questionable police shootings caught on camera during the past two years, how police are trained is coming under greater scrutiny, along with calls for reform.

Studies by The Washington Post and The Guardian found police in this country shot and killed about a-thousand people last year — almost three people a day.

The post found 987 cases, and the guardian, 1,014. The country's 18,000 police departments, on average, train officers for only a total of 15 weeks before rookies hit the streets.

Maria Haberfeld, a professor of police science at the John Jay College of Criminal Justice, in New York, blames poor police training—not rogue cops—for many questionable cases of lethal force.

**MARIA HABERFELD:** There are police officers who do not belong on the job, who are trigger happy. But this is not the overwhelming majority. To the contrary, this is a fraction of a fraction. But the overwhelming majority are poorly trained.

**CHRIS BURY:** For police officers across the country, guidelines about deadly force are based on Supreme Court rulings that justify it when officers feel that they or others are in imminent danger.

But there are no national standards. And in the wake of so many notorious police shootings, some departments including the one here in Columbus are reinforcing the idea that deadly force should be a matter last resort.

**CHIEF KIM JACOBS:** So, he has a knife...

**CHRIS BURY:** At the police academy here, veterans and rookies alike are studying videos of police involved shootings.

**CHIEF KIM JACOBS:** What else could have been done? Could this life have been saved? How would you do it yourself? Is there a better way?

**CHRIS BURY:** Police chief Kim Jacobs—a 36 year veteran of the Columbus police department—became chief in 2012. After the 2014 Ferguson, Missouri police shooting of Michael Brown, who was unarmed, Jacobs ordered new lethal force training in Columbus. Community meetings had convinced her that a change was needed.

**CHIEF KIM JACOBS:** Why do people fear us? And I heard that in our community meetings. People fear the police. That's absurd to me. Because we're the good people. And yet, people are afraid of how we're going to react.

**CHRIS BURY:** And that is understandable, Chief Jacobs says, when people see videos like this 2014 recording of a police dashboard camera in South Carolina.

The incident began when state trooper Sean Grubert pulled over driver Levar Jones for not wearing a seat belt. Grubert asked Jones for his driver's license.

**TROOPER SEAN GRUBERT:** Can I see your license, please? Get out of the car! Get out of the car!

When Jones reached inside his car, Grubert opened fire.

**CHRIS BURY:** Did that seem like a threat to you?

**CHIEF KIM JACOBS:** I have no reason to think that there was a threat at that point in time. When I think about when I would justify myself pulling the trigger, I want to be certain that I am in imminent danger, and there's some way that that could happen.

**CHRIS BURY:** Jones survived. Grubert was fired and charged with aggravated assault.

Chief Kim Jacobs: What could the cop do differently?

**CHRIS BURY:** In Columbus, such videos are case studies in how not to handle potentially combustible moments. Chief Jacobs says a rush to use of lethal force is a common mistake, and one that contributed to one of Ohio's most infamous police shooting — the death of 12-year old Tamir rice in Cleveland in 2014.

Rice had been holding a toy gun in a park when police responding to a 9-1-1 call...drove within a few feet of rice and seconds later opened fire.

**CHRIS BURY:** What alternative did those officers have? What could they have done better?

**CHIEF KIM JACOBS:** Not gotten that close. They could either get out on foot and approached him and given him orders 'let me see your hands' all that kind of thing, they could have tried to find out either via intercom or something else what this person's intentions were.

**CHRIS BURY:** In Philadelphia, a spike in police shootings three years ago led then-police commissioner Charles Ramsey—who retired earlier this month—to ask the US Justice Department for help.

**FORMER COMMISSIONER CHARLES RAMSEY:** I wanted to take a look at our training. I wanted to look at our policy to make sure we're doing everything we can to minimize the number of times that an officer would actually have to resort to the use of deadly force.

**RECRUIT:** Turn around slowly! Keep both hands up!

**CHRIS BURY:** The Justice Department offered more than 90 recommendations, including increased reality-based training, which emphasizes strategies that give police more time and distance from suspects in high risk encounters.

**SGT. KENNETH GILL:** You have to call for backup right away.

**CHRIS BURY:** Such tactics include calling for back-up, finding cover or moving away from a dangerous suspect, engaging the suspect in conversation.

**SGT. KENNETH GILL:** Slow the momentum. Slow it down.

**CHRIS BURY:** Since adopting the recommendations, the Philadelphia Police Department's fatal shootings are down. In 2013, police shot and killed 11 people. That fell to four in 2014, and only two last year.

**FORMER COMMISSIONER CHARLES RAMSEY:** We have to train to make sure that our officers only use the force necessary under the most extreme circumstances, that being deadly force. Period. Doesn't matter who the offender is.

**CHRIS BURY:** But training in deadly force tactics is strictly up to individual police departments. Maria Haberfeld argues that needs to change.

**MARIA HABERFELD:** To me, it's mandatory to identify minimal standards for each and every police department in the country with regards to use of force.

And not just the length of training, but also the content. Because it's one thing to train police officers how to use a gun, but it's another to train police officers what kind of factors go into using deadly force.

**CHRIS BURY:** Haberfeld and other criminologists say police departments also need to incorporate more training on race. In Columbus, black people make up 28 percent of the city's population but only 12 percent of the police force.

Sergeant James Fuqua says having more officers who reflect the neighborhoods they patrol could help reduce misperceptions and violent exchanges.

**SGT. JAMES FUQUA:** Sgt. James Fuqua: I'm not calling anybody a racist or it's racially motivated. I just think sometimes there's a misunderstanding with cultural differences.

**CHRIS BURY:** Did you get hassled because you were a young black man?

**SGT. JAMES FUQUA:** Absolutely— absolutely, just because of the color of my skin and the neighborhood in which I lived. Many times, I was, for lack of better words, harassed. When I got older, I realized that they weren't bad people, and they were just doing their job. And then once I became an officer, I realized that, you know, they were trying to do their job. but at the end of the day, they kind of did a poor job with the community policing aspect of it.

**CHRIS BURY:** Former federal prosecutor Sharon Davies believes police training should also focus on unintended, or implicit, racial bias. Davies heads the Kirwan Institute on race at Ohio State University and is a consultant to the Columbus Police.

**SHARON DAVIES:** If those associations are negative, such as presumptions of violence or threat or criminality that can make a police officer see a threat where there is no threat.

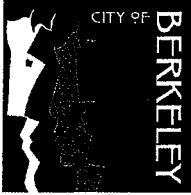
**CHRIS BURY:** What do you see as potential solutions? I mean— do we need changes in state law? Or do we need much better police training?

**SHARON DAVIES:** There's absolutely no question that all police forces should be trained about the reality of unconscious racial biases that affect all of us. That's a reality that all of us need to take very seriously, and police officers especially.

**CHRIS BURY:** Not even the most advanced training can eliminate lethal force and police are legally justified to use it in order to save lives—including their own. In fact, The Washington Post study found that "in three-quarters of the fatal shootings, police were under attack or defending someone who was."

In Philadelphia and Columbus, police are convinced better training can give officers better options than shooting to kill.

**CHIEF KIM JACOBS:** You don't grow up being taught how to deal with the police. The police are taught how to deal with our citizens. And, so, it's our responsibility.



Police Review Commission (PRC)

January 22, 2016

To: Zach Cowan, City Attorney

From: Katherine J. Lee, PRC Officer

Re: Request for legal opinion on release of the Berkeley Police Department's Use of Force Reports, or a synthesis of such reports, to the Police Review Commission

Under Berkeley Police Department General Order U-2 (Use of Force), a supervisor must complete a Use of Force Report under certain specified circumstances. (See Sections 26 and 27 of G.O. U-2, and the Exemplar attached to the General Order.)

The Police Review Commission is interested in reviewing these reports. It understands that confidentiality laws may prohibit the disclosure of names of officers identified on the reports (as well as other information related to the incident). As the Commission's interest is not in learning which specific officers are involved in these incidents, but in the overall types and amounts of reportable uses of force, it would like to know if there is any legal impediment to releasing Use of Force Reports with the non-disclosable information, including officers' names, redacted.

Alternatively, the Commission would like to know if there are any legal impediments to the release of a report that synthesizes or summarizes information from a group of Use of Force Reports.

Thank you for your attention to this request, which the Commission asked me to make to you by a unanimous vote (with three absent) at its January 13, 2016 meeting. Please let me know if you have any questions.

cc: PRC Commissioners  
Michael Meehan, Chief of Police

