

## ANSWER TO QUESTION 41

### USE OF FORCE CULTURE

#### UOF Culture

The matter of UOF culture was raised by the UOF Subcommittee with the Academy instructors at the June 3, 2015 meeting. FCPD's UOF culture is indirectly addressed through its recruitment and training programs and through the oversight and accountability provided by its management and supervisory leaders. A key to maintaining a responsible UOF culture within the police ranks is the quality of its officers. The Academy staff noted that only 4% of applicants make it to Academy. Every officer is trained to understand that when a weapon is drawn someone may die, either by intentional firing of the weapon or by accident. Academy training stresses that the firearm will not injure someone when it is in holster. Finally, the goal of training officers on defensive tactics is restraint in the use of force and to create a culture of safety and a clear understanding of officers' responsibility to serve their community. This training originally focused on compelling people to comply with the officer's direction. But the focus has been changed to controlling the circumstances, through voluntary or involuntary compliance. They now look at defensive tactics as a means of control and are changing "defensive tactics" to "control tactics." Recruits are trained, for example, to seek to prevent subjects from becoming emotionally out of control, through body language, contact, expressions, and voice tone and inflection.

Two related issues were raised by Subcommittee members at the meeting. Department-wide climate surveys have been previously conducted, but there is no program for the annual conduct of such a survey. Climate surveys are, however, informally conducted by individual subunits of the Department. Finally, an observation was made that the only recruitment photo on the FCPD website shows an officer a police officer firing a gun, not interacting with public. The Department understands the observation, but believes that officers are attracted to the work because of the opportunity to serve the community and to help people.

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The meeting minutes reflect the following interactions:

**Mr. Smith asked how police officer values and culture are monitored by the FCPD leadership.** Mr. Ryan said Lt. Kane is in charge of FTI program and is in constant contact with head of patrol. Ms. Cochrane said first line supervisors are in very close contact with officers and manage any conflicting personalities. Leadership performance in this regard is considered in annual performance evaluations. Ms. Cochrane reinforced this by noting that her group is evaluated for their teamwork and the quality of training they provide recruits and experienced officers through in-service training.

Mr. Niedzielski-Eichner asked as a follow-up whether there is annual FCPD climate survey to monitor the operating culture, including police officer attitudes about their work or if there are issues about which they are concerned.

**Mr. Niedzielski-Eichner asked if the training Academy is involved in weeding out recruits who are overly aggressive?** Mr. Davila said the Academy's job is to document recruit performance, not to weed them out. Ultimately, the accumulated documentation is presented to leadership and a determination is made on which recruits are kept on and which are terminated.

Ms. Kimm noted that the single image on police recruitment website is of a police officer firing a gun, not interacting with public. Ms. Cochrane responded that, contrary to some misperceptions, officers are not attracted to the work because they like driving fast and using firearms. In her experience, the majority of police officers are motivated to serve the community and understand that being an officer requires effectively interacting with the public. Ms. Kimm acknowledged that this may be the majority but one or two may be attracted to those more aggressive aspects and this picture lends itself to that.

Mr. Schaney emphasized the quality of the recruits by noting that only 4% of applicants make it to Academy.

**Mr. Culosi asked to return to use of force policy and asked about ready gun position** answer given by Mr. Ryan and asked that the trainers expand on that answer – lowering gun so officer can observe hands. Is that written down anywhere? Mr. Hall indicated that this direction to an officer is currently in combat shooting lesson plan.

Mr. Culosi expressed concerned about officers pointing to center of mass. He noted that pointing the gun is lower on the body than center mass the closer the officer is to the suspect, but that the further the distance between the weapon and suspect allows officer to view hands while pointing at center of mass.

Mr. Hall said "center mass" is the center of the largest object available if the officer decides deadly force is needed. If the individual is hiding and head or foot is exposed, center of head or foot is center of mass. Ready gun is muzzle depressed, finger on frame of weapon, and you can observe hands at waistline. It is dependent on distance from individual.

Mr. Niedzielski-Eichner asked are officers trained to hit center mass in order to be protective, or **are they trained to shoot to kill?** Mr. Hall said shooting to kill is not what officers are trained to do, but they are trained to shoot at center mass in order to effectively stop the aggressive act. DCJS mandates ready position but does not specify what that is.

Mr. Davila said every officer is trained to understand that when a weapon is drawn someone may die, either by intentional firing of the weapon or by accident. Academy training stresses that the firearm will not injure someone when it is in holster.

Mr. Culosi noted he was satisfied with the definition of "ready gun", as supplied by Mr. Ryan in response to his question, but repeated his previously stated concern that increased distance between officer and subject allow for the chest to be targeted by the officer. He further noted that aiming lower on the suspect's body would be protective without putting subject's chest in line of fire.

**Mr. Davila discussed restraint of use of force.** He's been in FCPD 27 years, with 16 years at Academy in which he trains on defensive tactics. His goal is to create a culture of safety and a clear understanding of officers' responsibility to serve their community. This training originally focused on compelling people to comply with the officer's direction. But the focus has been changed to controlling the circumstances, through voluntary or involuntary compliance. They now look at defensive tactics as a means of control and are changing "defensive tactics" to "control tactics." Recruits are trained, for example, to seek to prevent subjects from becoming emotionally out of control, through body language, contact, expressions, and voice tone and inflection.