

## Law Enforcement Involved Shootings- Research on Circumstances

Source: *Force Science News* provided by- The Force Science Research Center.

New findings on how offenders train with, carry and deploy the weapons they use to attack police officers have emerged in a just-published, **5-year study by the FBI.**

Among other things, the data reveal that most would-be cop killers:

- show signs of being armed that officers miss; **have more experience** using deadly force in "street combat" than their intended victims;
- **practice with firearms more often** and **shoot more accurately**;
- have **no hesitation** whatsoever about pulling the trigger.

"If you hesitate," one told the study's researchers, "you're dead. You have the instinct or you don't. If you don't, you're in trouble on the street.."

These and other weapons-related findings comprise one chapter in a 180-page research summary called "**Violent Encounters: A Study of Felonious Assaults on Our Nation's Law Enforcement Officers.**" The study is the third in a series of long investigations into fatal and nonfatal attacks on POs by the FBI team of Dr. Anthony Pinizzotto, clinical forensic psychologist, and Ed Davis, criminal investigative instructor, both with the Bureau's Behavioral Science Unit, and Charles Miller III, coordinator of the LEOs Killed and Assaulted program. "Violent Encounters" also reports in detail on the personal characteristics of attacked officers and their assaulters, the role of perception in life-threatening confrontations, the myths of memory that can hamper OIS investigations, the suicide-by-cop phenomenon, current training issues, and other matters relevant to officer survival. (Force Science News and our strategic partner PoliceOne.com will be reporting on more findings from this landmark study in future transmissions.)

Commenting on the broad-based study, Dr. Bill Lewinski, executive director of the Force Science Research Center at Minnesota State University-Mankato, called it "very challenging and insightful--important work that only a handful of gifted and experienced researchers could accomplish."

From a pool of more than 800 incidents, the researchers selected 40, involving 43 offenders (13 of them **admitted gangbangers/drug traffickers**) and 50 officers, for in-depth exploration. They visited crime scenes and extensively interviewed surviving officers and attackers alike, most of the latter in prison.

Here are highlights of what they learned about weapon selection, familiarity, transport and use by criminals attempting to murder cops, a small portion of the overall research:

# Law Enforcement Involved Shootings- Research on Circumstances

## Weapon Choice

Predominately **handguns** were used in the assaults on officers and all but one were obtained illegally, usually in street transactions or in thefts. In contrast to media myth, none of the firearms in the study was obtained from gun shows. What was available "was the overriding factor in weapon choice," the report says. Only 1 offender hand-picked a particular gun "because he felt it would do the most damage to a human being."

Researcher Davis, in a presentation and discussion for the International Assn. of Chiefs of Police (IACP), noted that **none** of the attackers interviewed was "hindered by any law--federal, state or local--that has ever been established to prevent gun ownership. They just laughed at gun laws."

## Familiarity

Several of the offenders **began regularly to carry weapons when they were 9 to 12 years old, although the average age was 17 when they first started packing "most of the time."** Gang members especially started young.

Nearly **40% of the offenders had some type of formal firearms training, primarily from the military.** More than **80% "regularly practiced** with handguns, averaging **23 practice sessions a year**," the study reports, usually in informal settings like trash dumps, rural woods, back yards and "street corners in known drug-trafficking areas."

One spoke of being motivated to improve his gun skills by his belief that officers "go to the range two, three times a week [and] practice arms so they can hit anything."

In reality, victim officers in the study **averaged just 14 hours of sidearm training and 2.5 qualifications per year.** **Only 6 of the 50 officers reported practicing regularly with handguns** apart from what their department required, and that was mostly in competitive shooting. Overall, **the offenders practiced more often than the officers they assaulted**, and this "may have helped increase [their] marksmanship skills," the study says.

The offender quoted above about his practice motivation, for example, fired 12 rounds at an officer, striking him 3 times. The officer fired 7 rounds, all misses.

**More than 40% of the offenders had been involved in actual shooting confrontations before they feloniously assaulted an officer.**

Ten of these "street combat veterans," all from "inner-city, drug-trafficking environments," had taken part in **5 or more "criminal firefight experiences"** in their lifetime.

## Law Enforcement Involved Shootings- Research on Circumstances

One reported that he was 14 when he was first shot on the street, "about 18 before a cop shot me." Another said getting shot was a pivotal experience "because I made up my mind no one was gonna shoot me again."

Again in contrast, only 8 of the 50 LEO victims had participated in a prior shooting; 1 had been involved in 2 previously, another in 3. Seven of the 8 had killed offenders.

### Concealment

The offenders said they most often hid guns on their person in the front waistband, with the groin area and the small of the back nearly tied for second place. Some occasionally gave their weapons to another person to carry, "most often a female companion." None regularly used a holster, and about 40% at least sometimes carried a backup weapon.

In motor vehicles, they most often kept their firearm readily available on their person, or, less often, under the seat. In residences, most stashed their weapon under a pillow, on a nightstand, under the mattress--somewhere within immediate reach while in bed.

Almost all carried when on the move and strong majorities did so when socializing, committing crimes or being at home. About one-third brought weapons with them to work. Interestingly, the offenders in this study more commonly admitted having guns under all these circumstances than did offenders interviewed in the researchers' earlier 2 surveys, conducted in the 1980s and '90s.

According to Davis, "Male offenders said time and time again that female officers tend to search them more thoroughly than male officers. In prison, most of the offenders were more afraid to carry contraband or weapons when a female CO was on duty."

On the street, however, both male and female officers too often regard female subjects "as less of a threat, assuming that they not going to have a gun," Davis said. In truth, the researchers concluded that more female offenders are armed today than 20 years ago--"not just female gang associates, but female offenders generally."

### Shooting Style

Twenty-six of the offenders [about 60%], including all of the street combat veterans, "claimed to be instinctive shooters, pointing and firing the weapon without consciously aligning the sights," the study says.

## Law Enforcement Involved Shootings- Research on Circumstances

"They practice getting the gun out and using it," Davis explained. "They shoot for effect." Or as one of the offenders put it: "[W]e're not working with no marksmanship...We just putting it in your direction, you know...**It don't matter**...as long as it's gonna hit you...if it's up at your head or your chest, down at your legs, whatever...Once I squeeze and you fall, then, if I want to execute you, then I could go from there."

### Hit Rate

More often than the officers they attacked, offenders delivered at least some rounds on target in their encounters. **Nearly 70% of assailants were successful in that regard with handguns, compared to about 40% of the victim officers,** the study found. (Efforts of offenders and officers to get on target were considered successful if any rounds struck, regardless of the number fired.)

Davis speculated that the offenders might have had an advantage because in all but 3 cases **they fired first**, usually **catching the officer by surprise**. Indeed, the report points out, "10 of the total victim officers had been wounded [and thus impaired] before they returned gunfire at their attackers."

### Missed Cues

Officers would less likely be caught off guard by attackers **if they were more observant of indicators of concealed weapons**, the study concludes. These particularly include manners of dress, ways of moving and unconscious gestures often related to carrying.

"**Officers should look for unnatural protrusions or bulges in the waist**, back and crotch areas," the study says, and watch for "shirts that appear rippled or wavy on one side of the body while the fabric on the other side appears smooth." In warm weather, multilayered clothing inappropriate to the temperature may be a giveaway. On cold or rainy days, a subject's jacket hood may not be covering his head because it is being used to conceal a handgun.

Because they eschew holsters, offenders reported frequently touching a concealed gun with hands or arms "to assure themselves that it is still hidden, secure and accessible" and hasn't shifted. Such gestures are especially noticeable "whenever individuals change body positions, such as standing, sitting or exiting a vehicle." If they run, they may need to keep a constant grip on a hidden gun to control it.

Just as cops generally **blade their body** to make their sidearm less accessible, armed criminals "do the same in encounters with LEOs to ensure concealment and easy access."

## **Law Enforcement Involved Shootings- Research on Circumstances**

An irony, Davis noted, is that officers who are assigned to look for concealed weapons, while working off-duty security at night clubs for instance, are often highly proficient at detecting them. "But then when they go back to the street without that specific assignment, they seem to 'turn off' that skill," and thus are startled--sometimes fatally--when a suspect suddenly produces a weapon and attacks.

### **Mind-set**

Thirty-six of the 50 officers in the study had "experienced hazardous situations where they had the legal authority" to use deadly force "but chose not to shoot." They averaged 4 such prior incidents before the encounters that the researchers investigated. "It appeared clear that none of these officers were willing to use deadly force against an offender if other options were available," the researchers concluded.

The offenders were of a different mind-set entirely. In fact, Davis said the study team "did not realize how cold blooded the younger generation of offender is. They have been exposed to killing after killing, they fully expect to get killed and they don't hesitate to shoot anybody, including a police officer. They can go from riding down the street saying what a beautiful day it is to killing in the next instant."

"Offenders typically displayed no moral or ethical restraints in using firearms," the report states. "In fact, the street combat veterans survived by developing a shoot-first mentality.

"Officers never can assume that a criminal is unarmed until they have thoroughly searched the person and the surroundings themselves." Nor, in the interest of personal safety, can officers "let their guards down in any type of law enforcement situation."