



Homeland Security

FEDERAL LAW ENFORCEMENT TRAINING CENTERS

# Training Research



## Responses

to

# ENCOUNTERS

***Uniformed Officer Responses to Encounters with Plain Clothes Officers***

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# Uniformed Officer Responses to Encounters with Plain Clothes Officers

## Background:

During the past several years the FLETC has conducted research focused on mitigating Police-on-Police (or Blue-on-Blue) shootings. FLETC defines a Police-on-Police shooting as “The intentional shooting of a law enforcement officer due to mistaken identity.”

Previous research activities include: reviewing existing research, surveying other training organizations, conducting tests related to police identification systems (banners, high visibility credential cases, etc.) and collecting baseline data during live, use of force scenarios, where plain clothes officers were confronted by uniformed officers<sup>1</sup>.

During the baseline testing of 85 plain clothes officers, it was observed that:

- 43% of participants performed a “reflexive spin” (reactively turning around to a voice command and pointing their firearm at the uniformed officer);
- 13% of plain clothes officers were non-compliant to the commands issued by the uniformed officer (refusing to place their firearm on the ground);
- Verbal responses from the plain clothes officers to the uniform officer varied considerably (“Police, Police,” “Friendly, Friendly,” agency name, no verbal response).

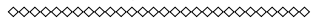
These results suggest that certain behaviors by plain clothes officers pose a greater risk than others. For instance, plainclothes officers who fail to use visual/verbal identification, point their weapon at the uniformed officer, or fail to comply with the uniformed officer’s commands would be at greater risk.

Building on these results, the Inspector General Criminal Investigator Academy (IGCIA) published a new lesson plan, Preventing and Mitigating Police-on-Police Confrontations. The lesson plan is the foundation for the IGCIAs Police-on-Police Confrontation Mitigation Model (i.e., Prevent-Identify-Comply). The principal training objective is, “Given an unexpected confrontation with a uniformed or plain clothes law enforcement officer, the plain clothes officer will take lawful measures to prevent serious bodily injury or death to him/herself and others.” The lesson plan is based on extensive literature review and input from 22 law enforcement officers and trainers representing 15 organizations. This includes eight federal Offices of Inspector General; the Bureau of Alcohol, Tobacco, Firearms and Explosives; the U.S. Marshals Service; the U.S. Park Police; the Kansas City (MO) Police Department; the Indianapolis Metropolitan Police Department; the Franklin (IN) Police Department; and Dr. Bill Lewinski, Executive Director of the Force Science Institute.

In July 2014, using their new lesson plan, the IGCIAs added a one-hour presentation, “Preventing and Mitigating Police-on-Police Confrontations,” to the Undercover Investigations Training Program and the Inspector General Investigator Training Program (IGITP). The IGCIAs also added a Police-on-Police scenario to the IGITP Use of Force Laboratory, which involves a uniformed police officer confronting two plain clothes agents during a simulated use of force situation with an interviewee (a suspect in a fraud investigation).

To ensure the tactics and techniques outlined in their lesson plan were valid, the IGCIAs approached the FLETC’s Training Innovation Division in July 2014, and proposed the FLETC and IGCIAs partner on an applied research project. After some discussion, the FLETC and IGCIAs agreed on a research project. Specifically, the purpose of the research project was to identify conditions that, when present, are more or less likely to result in a police-on-police shooting. Conditions included the plain clothes officer’s badge placement and visibility, law enforcement attire, verbal identification (e.g., “police” or “federal agent”), and level of compliance with the uniformed officer’s commands. Other key research partners were the Santa Fe College Institute of Public Safety in Gainesville, FL, and the Cook County Sheriff’s Police Academy in River Grove, IL. Collectively, from April through November 2015, these academies arranged for more than 110 law enforcement officers, mostly uniformed

<sup>1</sup>Baseline Testing Results: Scenario Based Testing for Police-on-Police Confrontations, TRO-01-2013



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FLETC Training Research Bulletin  
The FLETC Training Research  
Bulletin is a law enforcement  
training publication produced and  
published digitally by the Federal  
Law Enforcement Training Centers'  
Applied Research Branch.  
The findings and conclusions of  
the research reported here are  
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patrol officers from nearby police departments, to participate in the study. Both academies also provided two training rooms to use during the research project.

**Objectives:**

To further explore the impact of specific risk factors, this study was conducted to examine the impact of visual identifiers (Badge on Belt, Badge on Neck, Police Jacket, None), verbal identifiers (“Police”, “Federal Agent”) and level of compliance by plain clothes officers (Comply, Partial-Comply, Non-Comply). These risk factors were then compared to the use of lethal force by the responding uniformed officer.

Written statements and eye tracking data were collected to provide additional insight as to why participants took specific actions.

**Methods:**

Participants:

Participants were 194 state and local sworn officers that averaged 13.0 years of experience (SD = 7.54) and represented 58 separate departments/agencies spanning 17 states. The intent of participant selection was to aggregate a diverse sample of first responders. Participants were recruited from those attending advanced training programs at FLETC’s Glynco Training Center, as well by the coordination of the Santa Fe College Institute of Public Safety, and the Cook County Sheriff’s Police Academy.

Procedure:

Participants were assigned to one of two testing groups: Eye-Tracking or Simulation. Officers were scheduled in pairs and tested in separate rooms. In many cases the pair scheduled for a specific time were partners or worked in the same area/unit. When the two officers arrived, the officer without glasses would be assigned to the Eye-Tracking group to simplify the fitting process.

For each testing condition, participants experienced 5 video-based scenarios in the same order. Before each scenario, a short briefing was provided (i.e., “You are responding to a report of a suspicious man in a residential neighborhood”). At the conclusion of each scenario, participants completed a questionnaire that requested detailed

information on decisions/perceptions during the scenario. All participants saw identical versions of the first 4 scenarios, however, there were multiple versions of the last scenario. The last scenario (confrontation with a plain clothes officer) contained 24 different versions and thereby provided 24 different combinations of visual, verbal and compliance conditions.

Participants were informed that the study, entitled “Perceptions of Use of Force Scenarios” was designed to evaluate videos created for use of force training. The briefing made no reference to Police-on-Police confrontations.

Simulation Group:


The simulation group participants used a laser pistol and holster to interact with the scenario (i.e. a LaserShot™ Judgment Training System). If the participant shot the perpetrator in a specific “hit zone” during the scenario, the video would branch, and the subject would reactively fall to the ground. Other than accurately shooting at the virtual suspect in the video, there were no other branches in the video (i.e., the video shown would not be changed based on verbal commands).

During the briefing, participants were instructed to treat each scenario in a realistic manner, use verbal commands, verbalize their use of force options that were less than lethal, and to use similar movement/tactics (within the testing area) as they would in the field.

Eye Tracking Group:

Participants in this group were seated and wore SMI Eye Tracking Glasses (Version 2.0). This system has two small cameras pointed towards the participant’s eyes, and one camera pointed in the opposite direction to capture the forward view. Once the tracking glasses were calibrated and synchronized with the system, scenario footage could be re-played at a later time to show precisely where the participant was looking. Rather than using a laser pistol, participants used a remote control (Turning Point™ ResponseCard NXT) for their responses. They were asked to press 1/A on the remote to “remove” their firearm from the holster and 3/C to “fire” their gun.





The Plain Clothes Officer Scenario:

| Visual  | Description   |
|---|---|
|  | <p>In this scenario, the briefing is “you are responding to a 911 hang-up.” The participant enters a bar and sees several people at the bar motioning to the area of two suspects. One suspect (the plain clothes officer) is pointing their firearm at the other suspect who has his hands up.</p> |

| Approximate Timeline for Scenario 5 |   |   |  |
|-------------------------------------|---|---|--|
| Approximate Time                    | Visual                                      | Plain Clothes   | Suspect  |
| 0-2 seconds                         | Door opening                                |   |  |
| 3 seconds                           | Walking into the bar, passing patrons       | “Don’t do it, don’t make me tell you again”   |  |
| 4 seconds                           | Camera on suspect and Plain clothes officer | Has gun pointed at suspect  | “Control this A**hole, I didn’t do anything”<br>Has their hands up |
| 5 seconds                           |   | “Backup, Backup”<br>In Non-Compliant Condition, Plain clothes officer make a half turn towards the camera |  |

|               |  |  |  |
|---------------|--|--|--|
| 8 seconds     | Plain clothes officer has gun pointed at suspect | <i>"Police, police, I'm a police officer"</i> (or federal agent) |  |
| 10-20 seconds | Response   | Response (Firearm on ground/lowered/aimed)                       |  |

Video Conditions:

| Visual Identification Conditions   |   |   |   |
|--|---|---|---|
| Badge on Belt  | Badge on Neck   | Police Jacket   | None  |
|  |  |  |  |

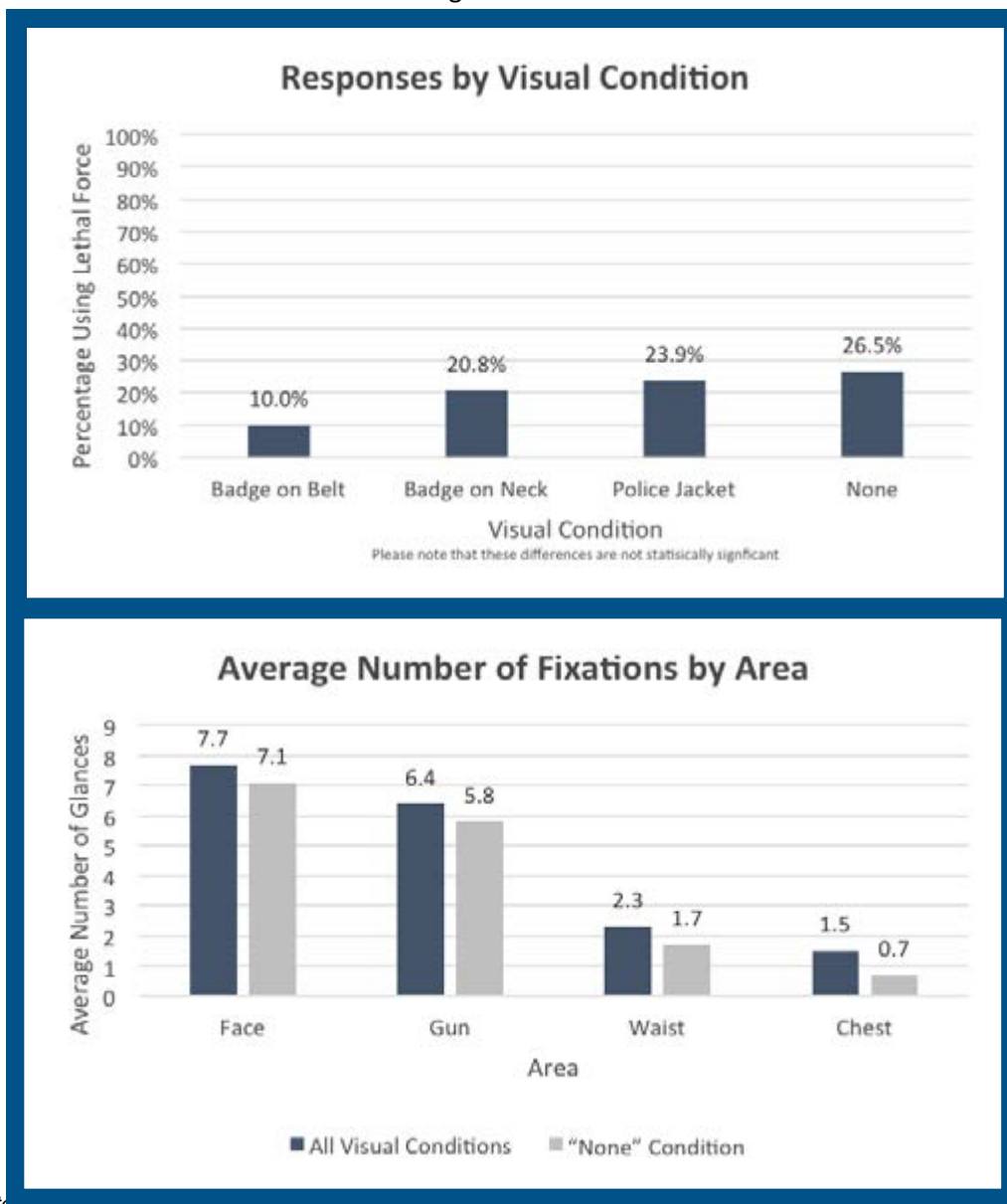
| Verbal Identification Conditions              |   |
|---|---|
| Police  | Federal Agent                               |
| <i>"Police, Police, I'm a Police Officer"</i> | <i>"Federal Agent, I'm a Federal Agent"</i> |

| Response Conditions |   |   |
|---------------------|---|---|
| Condition           | Statements  | Plain Clothes Officer Actions   |
| Comply              | <i>"Ok, OK, calm down, I'm putting the gun on the ground"</i>   | Places the gun on the ground.   |
| Partial Comply      | <i>"Ok, OK, calm down, I'm bringing my gun down, help me get this guy in cuffs"</i>   | Gun is initially pointed at the suspect, then is lowered to a "low ready" position      |
| Non-Comply          | <i>"I'm not putting down my gun, This guy has a weapon on me, back me up here, you can stand here all day, I'm not putting my gun down until this guy is under control"</i> | Initially partially turns towards the camera, then keeps the gun pointed at the suspect |



## Findings:

- 20.2% of participants chose to use lethal force during the police-on-police scenario.
- 59% of participants mentioned “gun” (or similar, e.g., weapon, firearm) in their narrative responses but a much smaller percentage mentioned a verbal identifier (37.1%) or visual identifier (20.6%).
- There was a trend for items that were more visible to reduce the risk to the plain clothes officers. However, this trend was not statistically significant (see below).
- There was a significantly lower risk for plain clothes officers that stated “Federal Agent” (11.8% of uniformed officers used lethal force) than those that stated “Police” (26.3% of uniformed officers used lethal force ( $\chi^2(1, N=193) = 4.6, p < 0.05$ ).
- There was no difference in participants’ responses between the compliance conditions in this study.
- An analysis of the eye tracking data found that all participants looked at the officer’s face (100%) and gun (100%), but far fewer participants looked at other areas of the plain clothes officer (waist 63.2%, chest 52.6%)
- When looking at all visual conditions (including no law enforcement identification), there were more fixations on the officer’s face and gun than at the officer’s waist or chest.



## Discussion:

### Overall:

These findings confirmed that there is a risk for plain clothes officers being mistaken by responding uniformed officers. Also, these results show that methods of identification have an impact on a plain clothes officers' risk.

### Visual Identifiers:

A review of the participants' narrative responses revealed a much higher percentage of participants mentioned the gun (59.3%) than mentioned any of the law enforcement visual identifiers (20.6%). A similar trend was found in the analysis of eye tracking data in which the plain clothes officer's face and gun received far greater visual attention than areas in which a badge may commonly be placed, such as the chest or waistband. When focusing solely on differences between the law enforcement visual identifiers, there was a non-significant trend for the more visible identifiers presented in this scenario to have a lower risk than less visible identifiers. In other words, looking at the graph, even though the risks appear to be lower for the badge on the belt, the type of visual identifier displayed in this study did not have an impact on risk from a statistical perspective. This trend might have reached statistical significance by expanding this study with a larger sample size.

This trend should not be taken to mean that a badge on the belt is safer than a police jacket. Rather, there may be lower risks when an identifier is more visible from a given angle. For consistency of measurement, all video recordings used were from the same vantage point and angle. When this vantage point changes, for instance when a plain clothes officer is approached from the rear, a jacket with "Police" lettering on the back could be far more effective than a badge only displayed in the front. While more identification is a good idea, even a highly visible identifier may not always be observed in unique environments (low/no light, fog, etc.) or under high stress situations.

### Verbal Identifiers:

Previously, FLETC's baseline research found that students used a variety of verbal identifiers that may not be easily recognized by uniformed officers. For instance, stating the acronym of their agency (e.g., NCIS, USCP). In this study "Police" was intended to be more universally understood and "Federal Agent" a substitute for a specific agency. There were significantly lower risks for plain clothes officers that stated "Federal Agent" (11.8% of uniformed officers used lethal force) than those that stated "Police" (26.3% of uniformed officers used lethal force ( $\chi^2(1, N=193) = 4.6, p < 0.05$ )).

When comparing the written notations provided by the participants at the conclusion of each scenario, the verbal responses remembered were very similar (36.4% for the "Police" condition vs. 37.9% for the "Federal Agent" condition). These similar levels of verbal recall are curious when compared to the dissimilar levels of lethal force used for the two identifiers. There is a wide range of possible explanations for this findings. For instance, this could be based on differences in how accurately people interpret phonetics of different words, subtle differences in style in which these identifiers were used, or variances in how responding officers' interpret the meaning of these identifiers.

One way to interpret these results is that verbal identifiers can have an impact on risk. Weaker identifiers (using an unfamiliar term without a commanding voice) could place a participant at greater risk than a familiar term in a commanding voice. This is not to suggest that non-federal officers announce themselves as federal agents when confronted by a uniformed officer. The effectiveness of various verbal identification phrases and styles is an area that should be explored further.

### Level of Compliance:

We anticipated that the level of compliance by the plain clothes officer would have a noticeable impact on the subsequent decisions of the uniformed officers. This was not found to be true in the current study. The majority of participants' (52.5%) responses occurred in less than 9 seconds into the scenarios. Generally, this was before many of the compliance behaviors could be viewed, and provides one explanation for the negligible impact of this variable. The setup of the 5th scenario followed a fixed path, as opposed to dynamically branching based on the verbal commands of the participant. It is quite possible that in a more dynamic testing environment (with live role players, or a more complex simulation) would have a larger effect on plain clothes officers' risks.

## Implications for Training:

The training recommendation for mitigating police on police confrontations is to follow the Prevent, Identify, Comply model. Below is an explanation of how these results relate to this model.

### Prevent:

Twenty percent of plain clothes officers in this research scenario were shot by the responding officer. While every scenario in the field is different, these results highlight the risk associated with these brief but volatile confrontations. The best way to reduce this risk is through proper planning (operational plan and briefings), and notifications/coordination (command staff, 911 operators/dispatchers). Clearly, all situations in which an officer takes action may not have the luxury of pre-planning. When off-duty or when these steps cannot be followed, officers should consider whether they should take action, and how their actions may be interpreted by responding officers.

### Identify:

**While visual identifiers** were not noticed as often as features such as the face and gun of the plain clothes officers, the visual identifiers were observed by many participants. The visibility of any identifier will depend on what the responding officer can see. Officers should consider their positioning, and how they may be viewed by responding officers. Efforts should be made to identify themselves with something that can be seen from all sides such as a vest or jacket with 360 degree markings. The choice of verbal identifiers can also make a difference. Using easy to understand verbal identifiers that are presented in a clear and confident manner can be the difference between lethal and non-lethal confrontation.

### Comply:

**When** confronted by a uniformed officer, the plain clothes officer should comply with the uniformed officer's requests. While this study was not able to confirm that specific acts of compliance were safer than others, compliance is an important practice to follow.