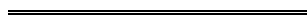


# **The Bill Blackwood Law Enforcement Management Institute of Texas**



## **The Warrior Mindset Attributes**



**A Leadership White Paper  
Submitted in Partial Fulfillment  
Required for Graduation from the  
Leadership Command College**



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## **ABSTRACT**

Law enforcement officers are being confronted with a serious dilemma. There is a division between the police and our communities when it comes to public trust. Some of this distrust comes from the belief that law enforcement has moved away from the traditional roles of Sir Robert Peel and the community policing model to a much more different role. The traditionalist role was referred to as the guardian mindset. This has been replaced with the warrior mindset. Some believe that the warrior mindset is causing a more scared and aggressive officer, which has led to police shootings that are unreasonable. There are others who feel that the warrior mindset is essential in the everyday survival of the law enforcement officer. It can also be argued that the elimination of the warrior mindset will and has put officers at serious risk of injury or death.

The people of the community must be treated with dignity, respect, and equality. There is no greater honor and responsibility than service. However, law enforcement officers should be trained to call on the attributes of the warrior mindset. These attributes are the best ways to help them survive a fatal encounter.

Law enforcement officers must be trained for high stress situations using force on force. It is important to learn to understand stress, fear, hypervigilance, and how to control them while operating under them. Law enforcement officers should receive regular "shoot/don't shoot" training while under stress to improve their ability to think while scared.

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## INTRODUCTION

Today, law enforcement officers are coming under increased scrutiny when it comes to the use of force and interactions with the public. These events are being used to create a divide, not only between the law enforcement officers and the citizens they protect and serve, but citizens are also being divided by racial lines. A recent Gallop poll referenced showed “57% of Americans had a great deal or quite a lot of confidence in the police” (Norman, 2017, para. 1). Even more telling was the break down by race. The report showed that even though the 57% overall approval number was a consistent number, changes can be seen when it comes to race, ideology, and age. The report found support dropped from 59% to 45% amongst Hispanics, 35% to 30% amongst Blacks, while rising from 58% to 61% amongst Whites. Liberals dropped from 51% to 39%, moderates dropped from 56% to 53%, and conservatives rose from 59% to 67%. The age group 18-34 went from 56% to 44%, while the other groups saw a raise (Norman, 2017, para. 4).

Part of this distrust can be traced back to several police shootings and suspect deaths while in police custody. However, another reason could be the “cobra effect.” The cobra effect is phenomenon that can be traced back to a story where the British offered money for dead cobras in India (Newell & Doll, 2015). This was in response to the overpopulation of cobras. The program seemed to be working, but it worked too well. The cobra overpopulation problem was fixed. However, the people realized that there was money to be made and many started breeding the snakes so they could in return sell them to the British. Once this was discovered, the program was discontinued and the breeders who were now in possession of a worthless product released them

into the community making the problem worse (Newell & Doll, 2015). So, an unattended outcome arose from the intended results. This, too, can be said about the outcome law enforcement has experienced when they started to associate themselves as warriors.

When law enforcement officers chose to start calling themselves warriors, some of the public also changed their opinions on how they felt about the police. Attributes of both the warrior mindset and the increasingly popular guardian mindset have a place in a law enforcement officer's life and need to be looked at. Nila and Covey (2008) stated, "In Plato's vision of a perfect society - in a republic that honors the core of democracy – the greatest amount of power is given to those called guardians" (as cited in Rahr & Rice, 2015, para. 1). Plato goes on to say, "Only those with the most impeccable character are chosen to bear the responsibility of protecting democracy" (as cited in Rahr & Rice, 2015, para. 1). This indicates that law enforcement officers should be held to a higher standard and should be of a high moral character.

Sir Robert Peel set up the first structured police force to protect rights and fight crime (Balko, 2013). He further knew that the police force had to be structured after the military but knew that would be opposed. As a result, he gave them blue uniforms instead of the red of the British military (Balko, 2013). Sir Robert Peel created a code of conduct to guild the law enforcement officers. Peel said officers should avoid confrontation whenever possible and should be polite when dealing with their citizens. But his golden rule was the police served the people of the community, not over them (Balko, 2013, p. 30). These ideals helped build bonds between the citizens and the police and aided in community policing. This has been replaced with what Rahr and

Rice (2015) describe as, “a culture and mindset more like warriors at war with the people they are sworn to protect and serve” (para. 2). Rahr and Rice (2015) further believe law enforcement has moved away from the model of policing Sir Robert Peel introduced.

Both the guardian and the warrior mindset have attributes important to law enforcement. The goals are similar: both strive to protect and serve communities while fighting crime. Those who hold either belief want to go home at the end of their tour of duty. Law enforcement officers are very capable of serving their communities in the ideals of Sir Robert Peel and Plato while still knowing they can call on the attributes of the warrior mindset (Asken, Grossman, & Christensen, 2010; Grossman & Christensen, 2008). Law enforcement officers should be trained to call on the attributes of the warrior mindset.

## **POSITION**

Law enforcement officers serve their communities in many different capacities. There are municipal officers, county deputies, and state troopers to name a few. All take an oath. Part of the oath is to serve and protect. Many do just that daily. Police officers very regularly step in to protect people they do not know without hesitation. In many instances, this is done under heavy fire. Police officers need to understand the warrior mindset and combat, “since police move towards universal human phobias intentionally moving into this domain where others will try to hurt or kill them” (Grossman & Christensen, 2008, p. 4).

An example of this unfolded in Dallas, Texas in 2016 when a sniper murdered five police officers and wounded seven others (Karimi, 2016). The murderer, Micah

Johnson, had officers pinned down with continuous rifle fire, but it was not just police officers in the area. There were also civilians in the area. The citizens scrambled for cover behind the officers who were moving towards the fight to get into a position to stop the killing. Officers moved forward without hesitation and showed courage and bravery (Karimi, 2016, para. 23-24). They showed attributes that are consistent to the warrior mindset. Grossman and Christensen (2008) stated, "There are two kinds of people when the bullets fly, warriors and victims" (p. xix).

The term warrior does not have anything to do with war or the actual fight. Richard "Mack" Machowicz (2000), a retired United States Navy SEAL, said, "Being a warrior is not about the act of fighting. It's about being so prepared to face a challenge and believing so strongly in the cause you are fighting for that you refuse to quit" (p. 38). In *Warrior Mindset*, Brad Thor indicated in the forward that General George Patton said, "If you're going to win any battle, you have to do one thing. You have to make the mind run the body...Never let the body tell the mind what to do" (as cited in Asken et al., 2010, p. Forward). Patton is laying out the basis of the warrior mindset. The power of knowing when the going gets tough, the tough keep going. When law enforcement officers are confronted with an exhausting or seemingly impossible task, they do not quit. They endure and overcome.

Brad Thor lays out a few attributes he believes are part of the warrior mindset, including "mental toughness, grace under fire, and nerves of steel" (as cited in Asken et al., 2010, p. Forward). These are attributes that can be lacking under extreme elevated levels of stress, or if the law enforcement officer isn't in the right mind, but they can also be heightened. Law enforcement officers must improve their mental toughness so

when they are confronted with danger, they can think their way through it. They must be able to formulate a plan and physically execute it. They must fight without giving into the flight or freeze tendency.

James Williams (2017) identifies the attributes he believes a warrior possesses, including "...enhanced awareness, calmness in the face of danger and death, perception, emotional control, objectivity, integrity of character, and the ability to make rapid, accurate decisions" (para. 12). Essentially, officers with the warrior mindset have the ability to think about what is happening to and around them, while still being able to formulate a plan, control their fear and emotions, and carry out a justified, ethical action quickly. All this needs to be done while being confronted with the elevated level of danger. Again, none of the attributes call on officers to violate the attributes they possess as a guardian. They only enhance them because they can carry out their duties under great distress and danger.

Another reason why officers need to be prepared with a warrior mindset is that law enforcement officers are being targeted motivated solely on the fact the officer is a law enforcement officer (Mueller, & Baker, 2014). It is getting more and more dangerous to be a law enforcement officer, and warrior attributes, like hypervigilance and combat tactics, can go a long way to keep them out of a lot of situations.

There have been examples of these attacks in Texas, Pennsylvania, and New York (Eisenbaum, 2015; Dale, 2016; Mueller & Baker, 2014). In several of the cases, the assailant prepared themselves, brought equipment, and had training or had some level of proficiency above that of an untrained attacker. These events require the law enforcement officer to apply the attributes of the warrior mindset. Those are the



attributes that will give the law enforcement officer the best chance to win the engagement and ultimately survive.

In 2016, an assailant ambushed and killed five Dallas police officers and wounded seven (Karimi, 2016). Micah Xavier Johnson did so from an elevated position which had tactical advantage over the responding police officers. Once the encounter had ended, investigators learned that Johnson had been trained by the United States Military, and he served in Afghanistan (Karimi, 2016). Karimi (2016) further said, investigators found he possessed “bomb making materials, ballistic proof vests, rifles, ammunition and a personal journal of combat tactics” (para. 3).

Dallas Mayor Mike Rawlings stated, “This was a mobile shooter who had written manifestos on how to shoot and move, shoot and move, and that’s what he did” (Karimi, 2016, para. 5). The tactics the mayor described are tactics that are taught to today’s combat military personnel and police special weapons and tactics units all over the world. Paul Howe (n.d.), who owns Combat Shooting and Tactics, teaches combat firearms training to these same special units as well as normal patrol officers. He says that shooting while moving is a tactic of a superior shooter. Moving too fast makes it difficult to hit a target, but moving too slow exposes the officer (Howe, n.d.). The United States Sea Air and Land special operations unit also has a motto: “protect your face, stay on your feet and keep moving, hit hard and haul ass” (Courtley, n.d., para. 1). This unit feels moving is so important they mentioned it twice. It is something that takes specialized team members a long time to master.

In 2014, Eric Matthew Frein ambushed and killed two Pennsylvania State Troopers and was labeled a “survivalist” (Queally, 2014, para. 1). This attack was also a

sniper shot that was well planned. Pennsylvania State Police Commissioner Frank Noonan stated, “[Frein] expressed anti-government leanings in the past, especially towards law enforcement” (Queally, 2014, para. 6). The assailant’s father was a retired US Army Major and had trained him how to shoot. He worked on his shooting skills when he joined the high school rifle team, and his father told police, “He doesn’t miss” (Queally, 2014, para. 8). After Frein killed the two troopers, the suspect fled into the woods. When police located his vehicle, they found several items that an untrained attacker would not have possessed, like camouflage paint used to conceal the assailant’s face and miscellaneous military equipment (Queally, 2014).

Deputy Darren Goforth of the Harris County Sheriff’s Office was killed after he fueled up his patrol car (Eisenbaum, 2015). While walking back to his car, the assailant, Shannon J. Miles, approached the deputy from behind and shot him in the back of his head. He then shot him several other times while he laid on the ground (Eisenbaum, 2015). Eisenbaum (2015) stated, “Prosecutors said Miles is accused of shooting Goforth in retaliation for being a law enforcement officer, and no other reason” (para. 2).

The New York Police Department has had three officers assassinated while sitting in marked police cars, seemingly performing the duties of a guardian (Mueller & Baker, 2014). They were in their communities trying to be seen. In 2014, two of these officers, Liu and Ramos, were shot while sitting in their marked patrol car. Mueller & Baker indicate “they were, quite simply, assassinated-targeted for their uniform and for the responsibility they embraced to keep the people of this city safe” (Mueller & Baker, 2014, para. 8).

Officers cannot just simply sit in their patrol cars and wait for crime to reveal itself. They need to make themselves a hard target. Officers must be ready for anything. They must be prepared to act at a split second. With the increased skills that attackers are using on law enforcement officers, they must keep these warrior attributes sharp. Asken et al. (2010) state, "Everything else is just technique. If someone has great technique, but lacks these essential mental weapons, he will be defeated by an unskilled fighter who has them" (p. iv).

Another position point is law enforcement officers are being thrust into combat situations with terrorists and active shooters. In these times, it is more important than ever for officers to reach into their tactical toolbox and call on those attributes of the warrior. These uncertain events occur without notice, and if officers are not vigilant and prepared, they may be caught off guard and unable to act. Situations can quickly go from mundane police service to an extremely violent combat situation. Once in the fight, officers need the warrior mindset.

It is Lt. Col. Grossman's belief that terrorists will try to attack our schools as they did in Beslan (as cited in Dorn & Dorn, 2005). He says, "The most negligent, unprofessional, obscene words anyone can ever say are, it will never happen here" (as cited in Dorn & Dorn, 2005, p. xix). Schools are considered soft targets, which means they are essentially unguarded and our "innocent children would evoke a strong emotional reaction" (Dorn & Dorn, 2005, p. 64). It would give a terrorist the opportunity of inflicting mass casualties in one building. Terrorists know if they want to hurt Americans, they need to go after their children because a nation cares for its children more than anything in the world.

When talking about the terrorist attack that occurred in a school in Beslan, Giduck (2005) says, “A situation like Beslan would force our nation’s law enforcement to confront circumstances and tactical hurdles unlike anything they have ever seen before. It will be like war” (p. 297). A critical incident like this would force officers to see the most horrifying images they have ever seen. They would then need to be able to function appropriately while dealing with the emotions, fear, and terror.

Terrorists do not just attack from overseas. Terrorist can come in different forms, foreign and domestic. For example, Larry McQuilliams unleashed an attack on the unexpected city of Austin, Texas (Golgowski, 2014). He fired about 200 rounds at several buildings in Austin to include the Mexican consulate, and the federal courthouse (Golgowski, 2014). He then unleashed his anger on the Austin Police Department as he shot up the main police station with a high-powered rifle. Police Chief Art Acevado described McQuilliams as, “an extremist with right-wing views. A convicted felon, a homegrown American extremist and a terrorist” (Golgowski, 2014, para. 3).

McQuilliams was confronted by Sergeant Adam Johnson of the Austin Police Department who shot McQuilliams in the heart from over 312 feet away (Golgowski, 2014). Sergeant Johnson was holding the reins of two horses while he took the shot (Ricke, 2016). Many have called Sergeant Johnson’s actions heroic. Sergeant Johnson’s decision to use deadly force on an armed assailant from over 300 feet away are within line of the warrior attributes Brad Thor listed: mental toughness, grace under fire and nerves of steel (Asken et al., 2010). It is also an example of the trait Lt Col Grossman said is possessed by police officers when they move towards danger.

## COUNTER ARGUMENTS

Opponents argue that training law enforcement officers to possess the warrior mindset creates a scared officer which can lead to a more aggressive officer.

Furthermore, opponents believe this type of officer is the reason so many police shootings are occurring with minority civilians. They feel that this also has led to the break down in public trust between the police and minority citizens.

The training police officers receive is the first reason opponents use to explain the “scared officer.” Rahr and Rice (2015) elude to the training received in the police academy. When a law enforcement officer joins the police academy, they are given a set of rules to follow. If they violate any of the rules, they are punished for the indiscretion. Once they leave the academy, officers now have the power, and they are working in their community amongst people who do not have any power. Rahr and Rice (2015) state, “Despite the way they were treated during their training, we expect them to treat the powerless people they encounter in the community with dignity and respect” (para. 21).

Another tool law enforcement officers use are war stories. Many law enforcement officers can remember stories told by senior officers that were meant to warn them of the perils of police work. These war stories normally have partial truths and are embellished to sound more intense. But this too can cause the cobra effect discussed earlier (Newell & Doll, 2015). These war stories are intend to train rookie officers by warning them of the dangers they are getting into. As a result, rookie officers now truly believe everyone is out to kill them, thinking every traffic stop is going to be a potential gun battle and every civilian encounter will be a bad one. These ideas are simply not

the case. Stroughton (2015) says, "Under this warrior worldview, officers are locked in intermittent and unpredictable combat with unknown but highly lethal enemies. As a result, officers learn to be afraid" (para. 6).

Opponents also reference the 2016 shooting of Minnesota motorist Philando Castile by Officer Jeronamo Yanez. Castile was pulled over for a traffic violation, and in the process of that stop, events led to the shooting of Castile. Castile was armed at the time of the stop but had a concealed weapon permit. Officer Yanez reported Castile had a firearm, was told to not reach for it, and was reaching for the firearm when he shot him. The defense did not feel Officer Yanez could have seen the firearm, and in fact, "the officer overreacted, and that Castile was not a threat" (Karnowski & Forliti, 2017, para. 4). In 2014, Officer Yanez attended the course, "The Bulletproof Warrior" (Bjorhus, 2016). Smith and Williams (2016) asserted, "Courses like this reinforce the thinking that everyone is out to get police officers" (para. 11). They said Officer Yanez was paranoid and that paranoia led to him shoot Castile.

A rebuttal to this counter argument is that fear is not always bad. Fear is a body's condition that can save an officer in a critical incident. In that aspect, it is important to train law enforcement officers about fear, how it effects the body, how it effects their actions, and how to operate under it. To control fear, the officer must first control stress, or be hypervigilant. Gilmartin (2002) stated, "This very necessary perceptual set of hypervigilance should be ever present in effective and safe law enforcement officers" (p. 37). Gilmartin (2002) is saying officers need to be aware of their surroundings, and the people they are encountering. A few of the body's functions that can be improved with hypervigilance are increased peripheral vision, improved

hearing, faster reaction times, an increase in energy to handle an overwhelming task (Gilmartin, 2002). All functions that can aid an officer in a dangerous situation.

In police work, an officer can go from sitting in a car writing reports to being in a gun fight. This is what Gordon Graham (2012) refers to as performing a low risk / high frequency task vs a high risk / low frequency task. It is the high risk / low frequency events that should become a reflex (Graham, 2012). This can occur very fast with little to no warning. It is imperative officers can switch from a low risk / high frequency task, like report writing, to the high risk / low frequency task quickly, especially from a low-performance level to a high-performance level. This is essential because the attacker is already in an elevated level of emotional arousal.

There are two theories that pertain to how fear / hypervigilance affects one's performance. The first is called the drive theory, and it says that when emotional arousal is low so is the performance level (Asken et al., 2010). When emotional arousal is high, so is performance. In order to increase their performance level, officers must increase their emotional arousal. The second is the upside-down U theory (Asken et al., 2010). This theory states that as arousal increases, so does performance, but arousal and performance will crest and then decline at the same rate (Asken et al., 2010). To perform at a higher level in a dangerous situation, officers must understand how this elevated arousal or hypervigilance can improve their chance of survival. If officers are ready and in what Lt. Col. Grossman calls "condition yellow," they are ready to act accordingly to whatever comes their way (Grossman & Christensen, 2008, p. 30).

Fear can never be eliminated from the daily duties of a law enforcement officer. James Williams (2017) described fear as "an ever-present factor in a dangerous

situation” (para. 14). He goes on to say, “It is not the absence of fear but an understanding of it that allows the body to continue to function or, indeed, increase its ability to function when fear is present” (Williams, 2017, para. 14). Since fear cannot be eliminated, it must be understood. It creates many problems for the law enforcement officer who is not trained to handle it. It effects the simplest task a police officer may perform.

Asken et al. (2010) discussed a chart that explains what happens to the body when it comes under the effects of stress. Under fear or stress the heart rate increases. It was this increase of heart beats per minute he looked at. At 115 beats per minute (BPM), a person will experience a reduction of their fine motor skills; at 145 plus BPM, the person will experience a reduction in complex motor skills; and at 175 plus BPM the person may experience auditory exclusion, loss of peripheral vision, a breakdown of cognitive thinking processes, and fight or flight (Asken et al., 2010, p. 30).

These are all skills that law enforcement officers use when performing their duties. Fine motor skills might be anything from picking up something with their fingers to operating a slide lock button of a firearm while performing a tactical reload in a gunfight. Complex motor skills would be those used in fighting or driving a police car. Cognitive thinking is the process used to make sound decisions.

Law enforcement officers must be taught to control breathing to reduce BPM. Lt. Col. Grossman teaches a technique called combat breathing. It requires the officer to take “four deep belly breaths” which will lower their heart rate (Grossman & Christensen, 2008, p. 330). Saddle agrees, stating “We would argue that breath control should be a mandatory component of survival stress management” (as cited in Asken et



al., 2010, p. 112). This training teaches officers that by lowering their heart rate, they should find it easier to complete tasks that were so greatly affected under fear. More importantly, it also slows them down enough to make a good, sound decisions under stress. Steve Cauthen, a famous race jockey, said, "I don't psych myself up. I psych myself down. I think clearer when I'm not psyched up" (as cited in Asken et al., 2010, p. 38). He understood the importance of slowing the heart, mind, and body down to perform better.

Law enforcement officers also need to be trained in two specific areas of discipline that will increase their survivability. The first discipline is first aid. Officers must be trained to get over the fear they experience if they are injured. Officer Jesse Hartnett was ambushed by a gunman while he was sitting in his patrol car in Philadelphia (Dale, 2016). After he was shot, Officer Hartnett got out of his car to chase the gunman but noticed his arm was shattered. He was still able to shoot the suspect three times before he went to the trunk of his car to retrieve a tourniquet (Dale, 2016). Assistant District Attorney Allison Birgatti said, "The fact he had his wits around him, to think, 'I need to go back to my patrol vehicle; I need to get a tourniquet,' I can't imagine anyone doing that" (Dale, 2016, para. 6).

The second discipline is officers must be trained with realistic, force on force training to better deal with the high stress incidents that cause fear. Realistic training starts on the range; "warriors don't shoot bull's-eyes. They don't shoot silhouettes. Warriors shoot lawful, legitimized, deadly force threats" (Grossman & Christensen, 2008, p. 75). This involves switching the standard police silhouette targets with real photos of individuals posing a threat to that officer. These realistic targets can also be used to

simulate a “don’t shoot” situation. By simply replacing a target of a man pointing a firearm at the officer with a target of a man holding a cell phone or a badge, trainings create a situation where officers need to take in information, process it, come up with a plan, and then carry out that action. Epictetus knew this in the first century A.D. stating, “Whatever you would make habitual, practice it; and if you would not make a thing habitual, do not practice it, but habituate yourself to something else” (as cited in Grossman & Christensen, 2008, p. 75). So, repetition is the key. The officers must be put under stress and run through different scenarios and firearm drills to engrave that training and make it automatic. Asken et al. (2010) state, “Proper experience and training engraves a skill so that it’s much harder to disrupt under a condition including one of stress and arousal” (p. 38).

Force on force training can be used to put officers through diverse types of calls so they can witness the events under stress. They get firsthand experience of stress because the role players will be shooting back using a paintball or a simunition round. Pain goes a long way to train officers when a situation is handled poorly. It also goes a long way to instill the warrior attribute of never quitting because they should fight through every situation, even if they get shot. Asken et al. (2010) believe “repeated training can help dampen arousal and strengthen emotional control” (p. 92). Detective John Mcaloon of Bellevue, New Jersey SWAT was asked how officers trained to prepare for the effects of stress on the body, and he replied, “There’s only one way...” “And that’s force-on-force training” (Pappalardo, 2016, para. 8).

People who oppose the term warrior mindset say the term warrior does not fit in with law enforcement. Law enforcement officers should be guardians because it can be

safer for the public as well as the officers (Stoughton, 2015). Law enforcement has gotten away from Sir Robert Peel's ideals and community policing models (Rahr & Rice, 2015). Many use the report that President Obama's Task Force on 21<sup>st</sup> Century Policing completed to say the warrior mindset is detrimental to law enforcement (U.S. Department of Justice, 2015). One of the topics discussed in the report was the guardian and warrior mindsets. The report quotes Plato's ideal of guardians and democracy: "Guardians vs warriors: The final report calls for law enforcement to protect the dignity and human rights to all, to be the protectors and champions of the constitution" (U.S. Department of Justice, 2015, Changing the culture of policing section, para. 2).

The task force touched on several key tactics that they felt embodied the guardian mindset. They asked officers to embrace community policing, ensure fair and impartial policing, build community capital (positive involvement in the community), pay attention to officer wellness and safety, and technology (transparency with body cameras) (U.S. Department of Justice, 2015). The report asked officers to ensure "fair and impartial policing", and it discussed four principles: "(1) treat people with dignity and respect, (2) give individuals a voice during encounters, (3) be neutral and transparent in decision making, and (4) convey trustworthy motives" (U.S. Department of Justice, 2015, Ensure fair and impartial policing section, para. 1).

As the report touched on communication, de-escalation training has become a hot topic in law enforcement. De-escalation training is not a bad thing, but it is also not a magic bullet. It was discovered after the shooting death of Philando Castile that the officer who shot him, Officer Jeronimo Yanez, had attended de-escalation training prior

to the shooting (Bjorhus, 2016). There are times de-escalation can work, and there are other times where the officer needs to use his warrior attributes to solve the problem.

One very graphic police shooting that emphasizes this could be the South Carolina shooting of Officer Quincy Smith which was caught on his body camera (Boroff, 2017). Officer Smith was dispatched to a disturbance at a local grocery store. He was told an individual was attempting to take groceries from people. Upon arrival, he met with witnesses who pointed the man out to him. Officer Smith approached the individual and gave the individual numerous commands which went ignored. Officer Smith told the suspect five times to “stop,” five times to “come here,” and five times to take his hand out of his pocket. At one point, he warns the suspect that he is going to get tased, while he had his taser in his hand (Boroff, 2017). The suspect never took his hand out of his pocket; he just stared at Officer Smith with a blank stare and continued to walk away. In the blink of the eye, the suspect removed his hand from his pocket and fired eight shots at Officer Smith. The officer received two broken bones in his arms and a wound to the vein in his neck.

Officer Smith was attempting to communicate with the gunman. He was giving clear commands to him. The gunman was not willing to communicate with him, or so it appeared. However, Glennon (2010) talks about how communication is constant and can be non-verbal. When an individual is given an order to do something and they do not comply, there must be an immediate follow up that will include consequences for not following the order. Many law enforcement officers are taught the phrase, “Ask them to do it, tell them to do it, then make them do it.” It is built around the same ideal Glennon (2010) discussed. If an officer gives a command and the person he is giving it to knows

there are no consequences for ignoring that order, he or she is not going to follow it. To the offender the officer appears “weak, indecisive, and worse for police officer-apprehensive to take action” (Glennon, 2010, p. 72).

This communication breakdown can be seen in the court case *Brannan v. State* (2002), which is the trial of Andrew Brannan who murdered Kyle Dinkheller. Dinkheller pulled over Andrew Brannan for a traffic offense. Throughout the stop, Dinkheller was very professional and polite while communicating with Brannan. Brannan was very uncooperative and abusive. Dinkheller was trying to use distance and communication. Almost every time he addressed Brannan he called him “sir.” After Brannan told him, “I’m a Goddamned Vietnam combat veteran,” he went to his truck and retrieved a m-1 carbine. At one-point, Dinkheller even yelled to Brannan six times, “Put the gun down...I’m in fear of my life” (Glennon, 2010, p.6). Brannan then hunted Dinkheller down using the very military trained, move and shoot tactics Paul Howe (n.d.) discussed earlier and then while standing over him, shot him while yelling “die fucker!” (*Brannan v The State*, 2002, General grounds section, para. 5).

Dinkheller was polite and treated Brannan with dignity and respect, so it is not known why Brannan killed Dinkheller. When investigators spoke to Brannan in the hospital, he told them they needed to evaluate their techniques (Kovac, 2015, para. 30). Glennon (2010) questioned whether the shooting was a result of Kyle being overly polite even under extreme stress and fear and his lack of follow through on his ignored commands. Brannan knew that Dinkheller was not going to take any action in response to his refusing to comply with his commands. There were so many separate times Dinkheller could have used an elevated level of force to include deadly force to stop

Brannan from getting his rifle out. He tried to deescalate the situation with distance and communications with a person who was not willing to listen.

## **RECOMMENDATION**

Law enforcement officers are being confronted with a challenging problem, which includes how to improve the public trust and do so without endangering their lives while they protect and serve. Police officers accept the call to protect and serve their communities. Law enforcement officers need to do it while preserving the dignity and respect of the people they serve as the President's Task Force mentioned (U.S. Department of Justice, 2015).

However, officer safety must also be of highest priority. Law enforcement officers should be trained to call on the attributes of the warrior mindset. The times they serve in are getting increasingly more dangerous. Officers are now being attacked by gunmen who have received some sort of formal training as in the cases of the Dallas shooting or the murder of two Pennsylvania Troopers previously discussed. Offenders are better trained, prepared, and equipped than past attackers. Many attacks are also being unleashed upon police officers who are being attacked for no other reason than being a police officer.

With the ever present threat of attacks on schools and businesses by both foreign domestic terrorists, officers must be hyper-vigilant. Terrorist attacks require officers to stay in this elevated level of readiness. This elevated readiness increases their performance levels (Asken et al., 2010, p.28-29). Law enforcement officers must train for the high-risk/low frequency events because this is where they are the weakest and most vulnerable (Graham, 2012). Officers must be exposed to force on force

training as well as training on first aid, so that when they are confronted with stress, they can understand it, take measures to reduce their heart rate, and carry out a sound action plan.

There is a push for law enforcement officers to view themselves as guardians. Many feel police work does best when it is done as Sir Robert Peel intended, by getting into the communities and working with the people, not over them (Balko, 2013, p. 30). De-escalation training is mentioned in the President's Task Force report (U.S. Department of Justice, 2015). However, de-escalation training is not a magic bullet. There is a time and place for it. In many situations, like the ones Officer Smith and Deputy Dirkheller were confronted with, do not allow for this tactic to take place. In fact, trying to communicate to a person not complying can actually be fatal to the officer.

The opponents say that the guardian mindset creates an officer more in line to service, while the warrior mindset creates a scared officer (Rahr & Rice, 2015). Rookie officers are bombarded with war stories and told they could die at any time. Gilmartin (2002) states, "Good officers learn to see the world as one big felony in progress. They are just driving through it and they don't want any of it to splash on them" (p. 36). They learn to fear the people they are sworn to protect.

To combat this, officers must be trained how to control their fear and stress by using combat breathing to slow their heart rate and regain their crucial motor skills. They must be trained in shoot, don't shoot scenarios using force on force to elevate the stress so that they can feel what it is like to be put into that position. They must be put through training on how to apply a tourniquet to combat shutting down if they are shot.

Officers must be shown the importance of what Graham (2012) calls high risk / low frequency events when they pertain to hypervigilance.

All law enforcement officers, including cadets, should be shown through reality based training that not all situations are handled the same. If the driver of the traffic stop poses a threat to an officer or a third person, the warrior skills of controlling their breath, slowing down, fight or flight, and use of force evaluation would take over.

Officers must evaluate whether a resistance can be solved with verbal or a hands-on approach. If the answer is no, they must then decide whether to elevate the use of force to pepper spray, a baton, or a taser. If those are not an option, officers must then evaluate whether they are going to use deadly force. This is where their shoot / don't shoot training will come heavily into play.

If the encounter does require this elevated level of force, through training, the officers will be able to correctly and justly call on the warrior attributes Thor identified: "mental toughness, grace under fire, and nerves of steel" (as cited in Asken et al., 2010, p. forward) as well as the attributes of "enhanced awareness, calmness in the face of danger or death, - emotional control, objectivity, - and the ability to make a rapid, accurate decision" (Williams, 2017, para.12). It could be what decides whether they go home at the end of their tour or not.



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