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# The ILEETA Journal



**ILEETA** ★

International Law Enforcement  
Educators and Trainers Association

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# ILEETA Journal Editorial



Managing Editor:  
Kerry Avery

## Contributions

The spring edition of the journal always has a post-conference glow. The section editors and I appreciate the opportunity to host the conference session on writing for the journal and meet some of the people who are considering submitting an article. We also get to enjoy a dinner with the ILEETA members who submitted articles for the spring, summer and winter editions of the journal and thank them for taking the time to write and share their expertise. We appreciate everyone who contributes to our body of knowledge with journal articles, with a special shout-out to Kevin Davis and Todd and Chrystal Fletcher who regularly contribute to multiple issues every year.



In this issue Jason Der shares his, now famous, reviews from his week at the conference. Todd Fletcher reflects on Duane Wolf's session in, what I believe is, his first article in the instructor development section instead of his usual spot in Officer Safety. There are also articles on topics covered at the conference, including mine, and Kim Schlau shares some post conference thoughts on how to keep the momentum going (which I hope is read by everyone who attended the session on writing for the journal). In addition to encouraging people to write an article, it is also the time to formulate ideas for a 2023 conference session proposal submission. One goal of the spring edition is to share some of the insight and information beyond the Union Station hotel.

The journal is an important connection to the vast amount of information associated to law enforcement training. Articles from ILEETA members are always welcome, and we accept articles from non-members to invite academics and people with expertise in various areas of law enforcement to contribute. It is a great opportunity to be published in a trade publication. It is my pleasure to put the ILEETA Journal together and support law enforcement trainers as we continue the evolution of law enforcement training.

Stay safe!

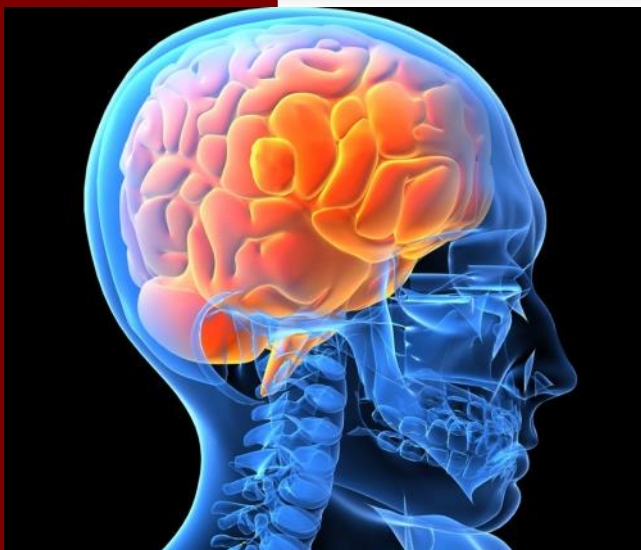
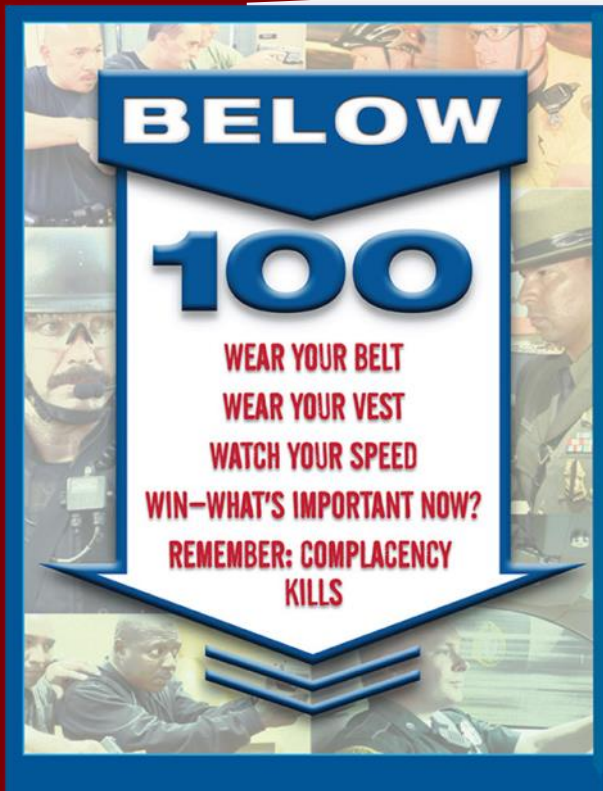
Kerry

# Editorial



# *Officer Safety Use of Force*

Editor:  
Brian Hill



# Word Search

by Kevin R. Davis



## Verbal Warnings

Are officers legally required to give verbal warnings or commands prior to the use of force? We know from *Tennessee v. Garner* that in the use of deadly force against violent fleeing felons, some type of warning “*where feasible*.” But are officers required to shout warnings such as, “*Taser, taser, taser*,” or, “*Stop resisting or I’ll knee strike you!*”

If we word search *Tennessee v. Garner* for the word *warning* we find:

*“Thus, if the suspect threatens the officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction or threatened infliction of serious physical harm, deadly force may be used if necessary to prevent escape, and if, where feasible, some warning has been given.”*

That’s the use of deadly force on fleeing violent felons. How warnings in the use of deadly or non-deadly force against suspects?

If we search *Graham v. Connor*, do we find the word, “*warning?*”

Nope.

John Hall and Urey Patrick write about this in their excellent book,

— *In Defense of Self and Others . . . : Issues, Facts & Fallacies -- The Realities of Law Enforcement's Use of Deadly Force*, Third Edition

*“The officer may or may not attempt a verbal warning prior to using deadly force, or even while engaged in using deadly force. But the absence of a warning is not a measure of the reasonableness or the justification for the use of deadly force, especially in incidents where the onset of the threat is immediate and unmistakable in the perception of the officer involved. The only*

Just yesterday, I had to use the “editing” function in Microsoft Word to conduct a search for the phrase “in the back” in *Tennessee v. Garner*. You click on the downward arrow on the Word task bar and a little magnifying glass icon with “Find” next to it comes up.

Simply type in the phrase, “in the back,” in the Navigation window and two usages of the phrase, “in the back,” result.

- ...*at night in the backyard* of a house...
- The bullet hit Garner *in the back* of the head.

What you won’t find is what the 2018 Basic Training curriculum from my state says and an expert recently quoted:

*“The USSC also stated that a police officer may not seize an unarmed fleeing suspect by shooting him in the back.”*

*Tennessee v. Garner* does not say that.

What it does say is, “*The Tennessee statute is unconstitutional insofar as it authorizes the use of deadly force against, as in this case, an apparently unarmed, nondangerous fleeing suspect; such force may not be used unless necessary to prevent the escape and the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others.*”

Bullet placement, i.e. *in the back* is not an issue in *Garner*. Front, side, top, bottom – all good *lawful* targets on a fleeing violent felon when officers have PC to believe that the suspect committed a crime involving the infliction or threatened infliction of serious physical harm to the officer or others, and deadly force is necessary to prevent his escape, and where visible, some type of warning is given.

By the way, fleeing *armed* suspects are not the issue in *Garner*. When an armed man moves, he is a deadly threat *changing position, capable of inflicting serious physical harm at any moment*.

*mention of verbal warnings in the law is in the specific context of using deadly force to prevent the escape of a dangerous person (see Chapter 3). There is no other legal basis for it."*

By the way, I have the Hall/Patrick book on my iPad. I am able to then search the book and use copy/paste to quote from the various sections that are germane to my case or article topic.

## Tactics

Much is made by expert witnesses hired by the prosecution or plaintiffs on "pre-seizure tactics."

Is the word *tactics* in *Graham v. Connor*? Nope.

In the case *Los Angeles v. Mendez* 581 U.S., 137 S. Ct. 1539 (May. 30, 2017) the concept of "provocation" or pre-seizure actions by police was unanimously overturned by SCOTUS. Justice Alito wrote:

*"When an officer carries out a seizure that is reasonable, taking into account all relevant circumstances, there is no valid excessive force claim. The provocation rule, however, instructs courts to look back in time to see if a different Fourth Amendment violation was somehow tied to the eventual use of force, an approach that mistakenly conflates distinct Fourth Amendment claims."*

*"The Fourth Amendment prohibits "unreasonable searches and seizures."*

Let's go back to Hall and Patrick for clarification on "pre-seizure tactics:"

*"Frequently, careful hindsight review of a deadly force confrontation can reveal mistakes in judgment, poor planning, incorrect tactics, or individual officer inadequacies. Nevertheless, such prelude mistakes and errors are not germane to an assessment of the critical decision point in the use of deadly force. Analysis of the justification of a law enforcement use of force is based on a standard of objective reasonableness applied to the situation at the moment it devolved to a decision to use*

*deadly force. It should not involve any subjective information regarding the officer who used the force, such as training, age, experience, or fallibility of prior planning. Planning is a desirable prerequisite for any action contemplated within the law enforcement role in society. Law enforcement doctrine requires that investigations should be planned, arrests must be planned, and utilization of personnel and materiel resources needs to be planned. Uninformed (or disingenuous) public post-shooting incident criticism will allege a lack of planning, or incompetent or ineffective planning as the underlying cause that put the officers in the position that created the need to use deadly force. **The accusation excuses the attacker"***

— In *Defense of Self and Others . . . : Issues, Facts & Fallacies -- The Realities of Law Enforcement's Use of Deadly Force*, Third Edition by Urey W. Patrick, John C. Hall

*Cole v. Bone*, 993 F.2d 1328 (1993). *The Cole court said the courts are to scrutinize only the seizure itself, not the events leading to the seizure, for reasonableness under the Fourth Amendment because the Fourth Amendment prohibits unreasonable seizures, and does not speak of all of the conduct prior to seizure.*

*"Officers' Pre-Seizure Conduct. Another issue often raised is whether an officer's pre-seizure conduct is relevant to a subsequent decision to use deadly force. The argument typically takes one of three strategies: First, officers' pre-seizure conduct allowed the suspect to pose a threat; or second, the officers' pre-seizure conduct provoked the threat; or third, the officers' pre-seizure conduct created the threat.*

*"All three strategies have to overcome the basic premise that the Fourth Amendment applies to "seizures," and that what occurs outside the seizure is simply not relevant."*

— In *Defense of Self and Others . . . : Issues, Facts & Fallacies -- The Realities of Law Enforcement's Use of Deadly Force*, Third Edition by Urey W. Patrick, John C. Hall



## Wrap-Up

Searching for words and their meaning in use of force analysis is vital. Understanding what the legal standards are, *and what they say*, allows the investigator to professionally render an opinion. For instance, *Graham v. Connor* does not say that force has to be reasonable and necessary. The word necessary only appears once, *"The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that **police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation.**"* This phrase has to do with what the officer finds necessary.

Words matter and force investigators and experts should make every attempt to truly understand their existence in caselaw, their definition and meaning, as well as if they even exist in caselaw.

To find fault, condemn, opine unreasonableness, criminally charge, prosecute, or discipline an officer based on ignorance or improper belief of word placement and/or existence is most egregious and oftentimes avoided by simply searching for the word... **ILEETA**

## About the Author

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# Improving Performance and Decision Making: Gaze Training for Law Enforcement

by Jeff Johnsgaard

Part 1 of 2



This article is third in a series discussing visual training for police officers. Our initial article, *"Taking Aim with the Quiet Eye"* (ILEETA Journal Vol. 11, Ed. 2) was an introduction for law enforcement instructors who were unfamiliar with the principle of the "Quiet Eye". Our second article, *"Quiet Eye Specifics & Gaze-Action Coupling"* (ILEETA Journal Vol. 11, Ed. 3) addressed a few specific questions arising from the first article and gave a training progression for leveraging advantage onto the side of officers when utilizing their firearms by practicing a weapon presentation that benefits both a threat or sight focus.

This third article will be printed in two parts and will address the questions we received on the concept of "gaze training".

## **How to train an officer where to look in a situation to set them up for optimal observations / perceptions to drive better decisions and actions?**

To clarify, this question is not the coupling of vision and action as was addressed in our second article. An example of coupling vision and action is target identification and shot placement, which is vitally important but, is only a sliver in time for the overall encounter.

Real life situations have multiple demands for our attention and visual focus and often the added stress of time compression. Suspects are typically the ones initiating actions that police officers need to interpret and react to. Therefore, it is beneficial to immediately perceive a threat cue. Even more optimal is to understand when a situation is unfolding toward a possible threat in order to act and hopefully negate or diminish it.

The Quiet Eye technique is one part of a method for gaze training, especially in aiming tasks. It has been found effective in both increasing performance and in arousal control to increase performance under pressure (Vickers, 20007).

This article will look at the research on gaze training for an entire situation and not just the act of aiming and

firing.

We would like to discuss the following two questions;

1. Is there a more optimal place for an officer to look when in a situation?
2. If yes, what are best practices for training implementation?

Is there an optimal place for an officer to look in a situation?

Research from Liu et al. (2021) found that novice laparoscopic surgeons could be trained to match the behavioral characteristics of expert surgeons but their gaze patterns during the length of the surgery were not as optimal. This was the case even when the novice's physical movements were improved to the level of the experts.

Even when performing at expert levels for the procedure, the novices had fewer fixations on objects they were manipulating or targeting. The authors identified this as the novices lacking critical information for hazard detection, which the experts had. Meaning novices could be trained to perform in a manner indistinguishable from experts but their gaze behavior was still less optimal. Gaze did not improve proportionally.

This example from outside of the Law Enforcement community strongly suggests training to an advanced skill level does not always mean that gaze behavior is also optimal. So, how do experts get to this expert gaze level? Was it just experience or can it be done on purpose in less time?

First;

## **What about Law Enforcement relevant tasks?**

In, *Visual Attention and the Transition from Novice to Advanced Driver*, Underwood (2007) was able to identify expert police drivers as those able to increase the number



of horizontal fixations on the roadway when encountering increasingly demanding driving environments.

Underwood also identified the ability of expert drivers to refocus elsewhere after having fixated on something and are less vulnerable to attentional capture. Third, experts were more likely to seek out and monitor potential hazard locations during increased road complexity than novices were.

Underwood concludes that novice drivers scan the roadway less than officers with more advanced driver training and experience. Novices tend to focus their fixations on the roadway directly in front of them while more highly trained drivers scan more, especially to the sides (horizontally). Novices also are more prone to having their vision and attention captured for longer by visually novel things even if these things are not relevant to their safe driving.

Is there a specific training protocol for LE driver training?

Underwood discussed training done in a laboratory with video for novice drivers which had very positive effect. The novices gaze behaviour (scanning of the roadway) improved with as little as one training session though far greater benefits emerged with multiple sessions. The scanning behavior and hazard anticipation all increases. More importantly, there was transfer of these skills to real life driving out of the laboratory. This video training was inexpensive and fairly brief.

Strong evidence suggests that when driving there are optimal places for an officer to look to perform safer. Also, there is a straightforward method for passing on this learning and the technique for scanning or gaze behaviour that has shown transmissible results in as few as one or a couple training sessions.

What about LE skills other than driving?

In, *Performing Under Pressure: Gaze Control, Decision Making and Shooting Performance of Elite and Rookie Police Officers*, Vickers & Lewinski (2012) identified expert officers as having many more fixations on successful

attempts 86% vs rookies at 34% on the suspects weapon/cell phone prior to the decision to fire/not fire.

Interestingly the experts did not move to shoot/no shoot faster than the rookies, but the experts did move an average of 2.5 seconds earlier to that pivotal decision point. This is a substantial finding as moving 2.5 seconds sooner to fire in a close range gunfight can be argued as a substantial advantage, especially when the elite made far fewer errors, experts 18.5% error vs novices 61.5%.

The expert officers in the Vickers & Lewinski study can be argued to have better gaze behaviour. You could think of these experts as understanding better how an event like a sudden pistol/cell phone grab, aggressive turn and presentation was likely to unfold. They then shifted their eyes and arguably their attention to a specific spot to look for a specific cue in order to make a correct decision on their action or inaction.

Many experts in this study fixated on the elbow movement of the suspect. That movement was consistent with a weapon grab from the waistband. The suspect then started to turn toward them and they reacted by moving their eyes to where the hand (pistol/cell phone) was likely to be. This faster onset and longer duration of fixation could be what allowed them to form an accurate perception and make less errors.

What about officer's gaze patterns over an entire incident not just for a few seconds of decision-making?

In, *Gaze Control in Law Enforcement: Comparing a Tactical Police Unit to Patrol Officers*, (Heusler & Sutter, 2020) this exact question was addressed. The experiment took three groups of officers, 1 = Tactical Unit Trained, 2 = Patrol with same years of service/gender/age as the Tactical Unit Trained and 3 = Patrol with less years of service than the other officers in the study. In brief, all were shown four video scenarios while wearing eye tracking glasses and being armed with a pistol arcade gun.

Results showed the tactically trained officers fixated

significantly longer on the hands and hip region of suspects in the video situations than the Patrol officers of the same years of service and even more than the Patrol of less years of service.

The authors conclude the locations of hands and beltline/hips to be more “tactically crucial”. Though Patrol officers of the same years of service had more fixations than the junior Patrol officers, it suggests that some type of training tactical officers received and not simply years of service are responsible for a greater difference in gaze behavior. This is an important finding as it can drive an evaluation of the expert performers to help identify what helped them to gain more optimal gaze behavior.

We have now answered the first question posed in this article; Are there more optimal places for an officer to look when in a situation to set them up for accurate and faster better decision-making? We have presented only a very small part of the wealth of scientific evidence dealing with physical performance and gaze behavior. We have cited specific Law Enforcement studies for officers engaged in driving at high speeds and for dealing with suspects in person.

Part two of this article will go on to answer the second question posed; What are the best practices for teaching an officer this optimal gaze behavior?

## Citations

Heusler, B., & Sutter, C. (2020). Gaze Control in Law Enforcement: Comparing a Tactical Police Unit to Patrol

Officers. *Journal of Police and Criminal Psychology*. Published. <https://doi.org/10.1007/s11896-020-09412-z>

Liu, S., Donaldson, R., Subramaniam, A., Palmer, H., Champion, C. D., Cox, M. L., & Appelbaum, L. G. (2021). Developing expert gaze pattern in laparoscopic surgery requires more than behavioral training. *Journal of Eye Movement Research*, 14(2). <https://doi.org/10.16910/jemr.14.2.2>

Underwood, G. (2007). Visual attention and the transition from novice to advanced driver. *Ergonomics*, 50(8), 1235–1249. <https://doi.org/10.1080/00140130701318707>

Vickers, J. N. (2007). Perception, Cognition, and Decision Training: The Quiet Eye in Action. *Human Kinetics*.

Vickers, J. N., & Lewinski, W. (2012). Performing under pressure: Gaze control, decision making and shooting performance of elite and rookie police officers. *Human Movement Science*, 31(1), 101–117. <https://doi.org/10.1016/j.humov.2011.04.004>

## ILEETA

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# The Gun Grappling System: A Shooting Method with De-Escalation Options

by Daniel Spychalski



**A**s police officers, our daily existence often revolves around close

contact with the public. Our training directs us to strive to maintain a reactionary gap to enhance our safety. All too often, we do not get the reactionary gap we train for, as rapidly evolving struggles and situations occur.

Officers should have other force options other than deadly force, during a use of force encounter with a deployed pistol. This force could be a non-deadly force incident and officers should be handling incidents with a higher level of skill and options to mitigate force levels, whenever possible.

A related issue to consider is Police Pistol Holds that do not meet crucial grappling skills with stress testing. A commonly occurring risk is when officers are moving across transitional spaces, while pistols are deployed in a searching mode.

Consider the proven **Isosceles or Weaver Shooting Platform**; a two-handed shooting grip that places the thumbs forward. This results in the pistol having a **Frontal Firing Direction (FFD)** which is an excellent platform for shooting at distances. Through time and out of necessity, this grip has been adapted to close quarter environments in police work. Whether extended or retracted, the thumbs forward grip is not ideal for any gun grappling fight or assailant disarming attack.

A commonly used **Compressed Ready Position** (shown below), results in the officer's wrists being sharply bent; bent wrists are weak wrists.



The **Isosceles** and its retracted variant, the **Compressed Ready** (both **FFD**), fully exposes the pistol's slide in a high profile manner to many attack angles upon the slide. Essentially the left, right, top and underside of the pistol's slide (a grab handle) is within reach for a gun grab, sub 3 foot range. Many techniques for disarm defense involved the officer removing the hand off the pistol to perform a counter maneuver. This is telling as the two-handed, thumbs forward grip is not sufficient to grapple with a pistol. If an officer is forced against a fixed object such as a wall, the problem magnifies (shown below).

All the above are related to an officer standing, but what about ground gun grappling incidents? Suppose an officer gets put down and forced into a prone position. Once the officer's abdomen is forced into the ground, the ground becomes the disarmer as shown below; note the extreme wrist bend that occurs as a pistol held drives into

the ground. This is very likely a severe injury disarm, easily occurring with one or two assailants, “dog-piling” on a downed officer.



I ask you to consider a better option, from the late Paul Castle's pistol grip change that has now been adapted for gun grappling. Mr. Castle developed the Center Axis Relock System (CAR) in the 1990's designed for the operator in a close quarter environment, vehicle operations, and superior weapon retention. Additionally, it was a goal to be more adaptable throughout the use of force continuum.

The CAR System's two-handed pistol grip has the thumbs placed together, as opposed to forward, resulting in a **Lateral Firing Direction (LFD)**. This directs pistol fire from the support side shoulder region or *Firing Shoulder*. Both elbows are symmetrically, opposing and bent as the support hand further envelopes around the grip of the pistol and weapon hand.

Look closely at the photos below and notice that the left index finger blocks the right trigger finger. This is known as the ***Safe Grip*** (left photo -***Center Shooting Position***) which is implemented during intensive struggles that mitigates unwanted pistol discharges. The trigger finger becomes blocked from entering the trigger area by the opposing index finger. This enhances safe application of less lethal force by way of elbows that can also be used as

a striking means or to counter pistol disarm attacks.

<https://www.youtube.com/watch?v=VrKy3WoxBLA>

The Safe Grip is only possible with the 360 Grip that envelopes the fingers in a deeper overlapping manner. The *photo on the right* is the same pistol grip, however the elbows are adjusted with the front elbow down, rear elbow up, that results in a lowered muzzle direction known as the ***Searching Position***.



Over recent years, grappling based martial arts have positively influenced police tactics, and it is time this strategy is also implemented to elevate pistol handling to a higher level. Ultra-high retention pistol handling should be pressure tested with training pistols to include shooting capabilities with laser guns and NLTA. The 360 Gun Grappling System is so secure, de-escalation options to not shoot a disarm attack is a far more realistic option than ever before.



[Gun Grappling Ground Shooting](#)



Standing, clinch-based grappling as well as ground grappling is a very natural fit for this hold. The Center Position has much in common with the gripping that occurs in a football fumble, in which a player is holding and crushing the football into his center.



The 360 Grip, Safe Grip combined with the Center Position and the Searching Position should be operational tools of every police officer, whether standing or on the ground, I highly encourage you to grapple test the traditional pistol grip to the 360 Grip with the thumbs together. **ILEETA**

#### About the Author

*Daniel Spsychalski is a 24 year law enforcement veteran with having served on a Riot Police Team with instructor credentials in firearms, defensive tactics, ballistic shields and use of force. Daniel also has 30+ years in martial arts, holding several black belts with competition backgrounds in MMA and Grappling. Daniel is currently a full time sworn police officer for the Campton Hills Police Department in IL and is the founder of the 360 Gun Grappling System found at 360ggs.com.*

Email: [training@360ggs.com](mailto:training@360ggs.com)

Not only are the large muscle groups able to apply crushing force, holding the pistol to the center, but body mass rotation of the body can function as a shield, to create a barrier from assailants attempting to disarm an officer from his sidearm.



**2023 ILEETA**  **CONFERENCE & EXPO**  
ST. LOUIS UNION STATION HOTEL  
ST. LOUIS, MO ★ MARCH 20-25

# *Instructor Development*

Editor:  
Thom Dworak



# What Does the Research Say?

by Kerry Avery, M. Ed.



**A**t the 2022 ILEETA conference I presented on the science of learning. The field of cognitive

psychology, focusing on how people learn, is big and the research that began around the 1950s continues in an attempt to unravel the mystery of how to pass knowledge and skills from person to person. It is fascinating to learn which methodologies improve recall, but research studies always open up questions and the need for more research. Our understanding is constantly being challenged and evolving. The research results I share in this article today could be challenged with other research and change, but they provide insight into effective learning and, in some cases, challenge commonly held beliefs. This is an overview of the research discussed in my ILEETA conference session.

## Myths

When we teach, we pass on the information we have to others who, in turn, pass on that information. This is the cycle of learning and teaching. The problem with this is that misinformation becomes embedded in our collective knowledge.

I was shocked when I read a tweet that simply read. Sir Robert Peel did not write Peel's Principles. I wish I could remember who tweeted it and give them credit. This sent me down an internet rabbit hole, and low and behold – they were right! Despite numerous websites, including universities, stating Sir Robert Peel wrote the principles that guide modern policing, I was able to find sources that confirmed he did not write them. Sir Robert Peel did develop the concepts and deserves the credit, but he did not actually write Peel's Principles. Academics summarized his ideas into the principles in the 20<sup>th</sup> century.

[https://www.researchgate.net/publication/222736101\\_The\\_invention\\_of\\_Peel's\\_principles\\_A\\_study\\_of\\_policing\\_'textbook'\\_history](https://www.researchgate.net/publication/222736101_The_invention_of_Peel's_principles_A_study_of_policing_'textbook'_history)

<https://openoregon.pressbooks.pub/ccj230/chapter/5-2-sir-robert-peel/>

The author of Peel's Principles is an example of how myths become fact, but there is no harm in this mistake because the concepts are still valid. What happens when a myth has propagated so much that up to 90% of educators still believe it, spend time on it, and it is actually detrimental to learning? This myth is LEARNING STYLES.

How many of us have spent hours answering surveys to figure out if we are a visual, auditory, reading, or kinesthetic learner? Possibly some of you spend your precious classroom time doing this exercise. When anyone brings up the myth of learning styles in an online discussion forum, a heavy debate ensues. What I notice in this debate are the people arguing it is false cite research, and people who argue it is true use anecdotes. The biggest revelation from this debate is, we do not have the ability to understand how our own brain works. That may be uncomfortable to realize but the research on learning styles proves it over and over. People may prefer a format but test results show they do not learn better that way.

The source that first opened my mind to this is a TED talk <https://www.youtube.com/watch?v=855Now8h5Rs>

I have a number of sources on this, including a meta-analysis for the real research geeks, in the google doc link at the end of the article.

The issue with the myth of learning styles, aside from the amount of time wasted on those surveys, is that it pigeon-holes people and limits their mindset about learning. The statement we often hear is "I don't learn this way." The reality is everyone's brain receives and processes information through multiple senses. People claim they are kinesthetic learners. How do they learn about history, war, atoms etc. when they can't touch or experience

them? If you claim to be an auditory learner, how did you learn to drive?

Instructors are told to facilitate in a manner that appeals to the different learning styles. The useful part of this is presenting information in multiple modes, which does increase learning. The concept of dual-coding, using images and speech, are supported by research. My two goals in talking about this are that people stop referring to learning styles in their training, and teaching methodologies are driven by the learning objectives, not preferences.

## Effective Learning

What is more effective for learning, a well-presented lecture or engaging exercises? Which one do students prefer? This study facilitated a course using these two methods, tested the students, and asked for feedback. The students rated the class with the charismatic lecturer higher, but guess who did better on the test? The class with the exercises. This study really got the cogs in my brain going because of the weight that is often put on post course feedback, otherwise known as smile sheets. What is important, what they learn or how they feel about the class? Of course, this study also shows the benefits of engaging people in learning. Passively listening to a lecture is easier and may be more entertaining, but you're not learning as much as you think you are. This also ties back to learning styles and how we confuse preference with effective. You may prefer visual, listening, reading etc. but that does not mean you learn better that way.

<https://www.insidehighered.com/news/2019/09/09/study-how-smooth-talking-professors-can-lull-students-thinking-theyve-learned-more>

## Note Taking

Now we get down to a single component of learning, note taking. What is more effective, handwriting notes or taking notes on a laptop or device? Most people can type a lot faster than they write. Is it better to capture more of what was said in typed notes or less in handwritten

notes? I always believed it was handwriting, which is the correct answer but not for the reason I thought. I felt the physical action of writing helped commit the information to memory, but the studies show the limitation of writing slow forces people to process the information and pick out key points to write down. It is the brain having to work through it that helps us remember. This also falls under the concept of desirable difficulties. As we saw in the last study with the entertaining lecture and the exercises, the work involved may not make you a student favourite but it does improve learning. To incorporate this in to your training, consider using a manual populated with models and important concepts, and questions or headings with space to guide note taking.

<https://www.scientificamerican.com/article/a-learning-secret-don-t-take-notes-with-a-laptop/>

I had a great time discussing research and how we can use it to improve our effectiveness in the classroom. We are very lucky to have access to so much research at the touch of a button, but we still have to figure out how to apply the findings because research is conducted in a bit of a vacuum by design, to try and isolate the results. Thank you to every person who studies how we learn. We have learned a lot in the last 70 years but there is still a lot to learn, partly because advances in technology continue to open up more delivery methods.

<https://docs.google.com/document/d/10bYxydCtYPlbxReEsxrpBeiT0AeLW9U1DEEj79aD-al/edit>

## ILEETA

### About the Author

Kerry Avery is the owner of [Odin Training Solutions Inc.](#) Kerry has a Master's degree in Education and 20 years' experience designing training programs, with the last 12 years spent working with law enforcement. Kerry has consulted for various LE agencies and organizations in Canada, the United States, Central America and Ukraine. Kerry teaches in the Certificate in Adult and Continuing Education program at the University of Victoria, and coaches law enforcement instructors on course design and facilitation. Kerry is the Managing Editor for the ILEETA Journal, and has presented at conferences for ILEETA, IADLEST, and IACP. She can be reached at [Kerry.Avery@shaw.ca](mailto:Kerry.Avery@shaw.ca).



# Diary of a Conference Attendee

by Jason Der

**T**he 2022 ILEETA Conference and Expo was something special. It was a triumphant return for me after two years away and it brought new learning, new friends, and new memories. These are some of the highlights and big takeaways from my 2022 ILEETA experience.

The first course I attended was “5 Myths of Law Enforcement Training – History and Tradition Are Killing Us” with Chris Butler. He is an amazing presenter, and the content was captivating. Chris took us through a remarkable journey based largely on Force Science Institute related research that highlighted some persistent myths in law enforcement training and how to counter them. It was densely packed so I won’t cover all 5 Myths in this article, but I do suggest you contact him if you want to know where the research is (or at least should be) taking us. My key takeaways from this course were that interleaving and decisional training are two of the best ways to counter the illusion of learning and for bringing modern law enforcement training up to date.

Next up was “What Do They Want from Us? A Discussion on Police Expectations and Police Training in America” with Jason Mazeski. He explained the research he was conducting for his dissertation and highlighted how he was defining the problem, what we already know about it, and how he was going to study it. Primary research is always fascinating to me, and I was not disappointed. The problem as he defined it is that we have a police culture that has isolated itself and as a culture we must take some of the blame for current woes. Previous research into community-police relations shows that we have a difficult time with discourse and our outmoded training bears the biggest burden in the strain on community relations. Jason talked about perceptions and preconceived notions on both sides and how we as a profession can use sound research to create practices, actions, interventions, training, and learning that might help. My key takeaways from this were two questions he asked: are we trying fix current problems with 1990’s solutions and when we try to do community engagement

are we actually engaging them in a way the community wants? That last question was very powerful, and I look forward to seeing the findings from his research when he presents them at the 2023 conference.

The third course I attended was “The Scoop on The Loop” with Duane Wolfe. This was a deep dive into John Boyd’s OODA loop (Observe-Orientate-Decide-Act) and he showed us that it is a powerful tool for decision making and learning. Duane explained that a lot of people have misconceptions on what it is, how we teach it, and how we apply it along with some important cognitive biases that we need to be aware of. Most of those misconceptions have been handed down from trainer to trainer while attempting to explain a complex subject in a simplified manner. In fact, Boyd himself “dumbed down” the loop in order to explain it to the brass! My key takeaways from this course were that the OODA loop is more accurately described as a cycle, that the most effective way to deal with cognitive bias is to talk about it, and as law enforcement trainers when we have an opportunity to educate someone on what we do we have to be prepared to immediately take advantage of it.

My fourth class was “Where Did You Hear That? (The Importance of Sourcing your Training Information)” with Anthony Maness. In this course we looked at the fundamental questions of how do we build our training courses and what are we basing them on? Anthony used the concept of sourcing your materials as a backdrop to answering those questions and he even suggested we dive even deeper by asking not only why we teach it the way we teach it, but why are we teaching are we teaching it in the first place? We explored different types of source materials and the advantages/pitfalls each can present if we use them. The simple, but effective, CRAAP test (credibility, relevance, authority, accuracy, purpose) gave us questions we should ask for each source to stay on an



evidence-based path when designing or teaching content. My key takeaways from this were to ensure proper citing of sources to avoid legal or intellectual property issues and to ensure that if we are teaching material that hasn't been updated that it is still relevant, and the content has withstood the test of time.

Course number five was "You Can Do It! How Trainees Can Have 100% Retention" with Kerry Mensior. This was a captivating and interactive course on brain-centric design explaining how emotions play a key role in learning and how we can use brain science to help us in the classroom. Kerry explained that communication is about getting others to take on your point of view to help them understand why they are excited, and he demonstrated how to apply it beyond training when dealing with situations where verbal de-escalation comes into play in the field. On a personal note, he was teaching us how to apply the very topic of my own presentation! My key takeaways from his course were that we must recognize the emotion of the student/subject before we can find a fix and the Nested Egg (or Big Idea) where you focus on no more than three supporting ideas to avoid cognitive overload.

The sixth presentation I attended was "Gun Fighting: From Flat Range to Force on Force" with Dan Cotton. This session was filled with all sorts of great information based on a case study from Dan's department where they recognized a gap between scenario training and real-world gunfights. Although that gap was the focus of the presentation, he showed us that an honest critique of your training programs can provide valuable insight into other areas that need to be addressed and/or incorporated into what you're trying to teach. My big takeaways from Dan's course were to address flat range training first (change what you can, mitigate what you can't), that force-on-force training needs to be challenging at all levels (decision making, movement, use of cover/concealment), and that after action reviews are the key to making the learning stick.

My final course (I'm not going to review the one I almost walked out on) was "Filmmaking for Cops: A Masterclass"

with Patrick Shaver. This is outside the realm of what I would usually attend but I wanted to hear him speak and to my delight the content was every bit as good as the presenter. Patrick took us on an expedition through some of his documentaries as the frame for film making and if you haven't had a chance to see any of them you don't know what you're missing. They are all fascinating stories and very watchable. We started with the "why" of making a film, went through the steps and processes involved, and along the way he gave valuable tips on how to use the tools of the trade as you tell a story on film. My takeaways from this one was to do your research before you start, remember that your subjects are real people, and to sacrifice now or pay later.

And of course, a lot of learning happened outside the classroom. There were countless conversations in the hallways and over a meal that gave me just as many "ah ha" moments as the ones I got from the formal presentations I attended. So, what was the overall theme for me this year? That now, more than ever, we the need to push the boundaries of not only what we teach but also how we teach it. Evidence-based practices in law enforcement training should be the only way that curriculum is developed, and the student should be at the center of everything we teach.

The annual ILEETA conference and expo is the highlight of my year. It's a chance to learn, to grow, to connect with old friends and make new ones. It is venue for the profession of law enforcement training to come together and build itself up. If you haven't had a chance to attend one, then you *need* to experience it for yourself. I hope to see some new faces (and old) in 2023. **ILEETA**

## About the Author

*Jason Der is in his 14<sup>th</sup> year of service with an undisclosed agency in Saskatchewan (Canada). During his tenure Jason has worked as a field trainer, arrest and control tactics instructor, academy instructor, and scenario safety officer. Jason has previously served on his agency's provincial Equipment Advisory Group as well as the Training Advisory Group. Jason is a volunteer with the Law Enforcement Torch Run for Special Olympics and is the social media Director for the LETR in Saskatchewan.*



# Imposter Syndrome: Even Duane Does (EDD)

by Todd Fletcher

**E**ven though the 2022 ILEETA Conference has come to a close, the

affect of the Conference has had a lasting influence. This is nothing new since most ILEETA members use the Conference as a springboard to new information, research, and motivation for the rest of the year. However, for me, one particular influence has been Duane Wolfe's class, *The scoop on the OODA loop*, and the concept of imposter syndrome.

Duane's class was much more than a discussion about imposter syndrome. The presentation was a fascinating dive into John Boyd's OODA Loop. He paid special attention to the Orientation phase components, how they affect officers and trainers, and gave suggestions on using the information to increase performance and officer safety. Additionally, this class covered two topics that affect a significant number of trainers: imposter syndrome and the Dunning-Kruger effect.

## Imposter Syndrome

Imposter syndrome has been loosely defined as occurring when someone doubts their abilities or skills and feels like a fraud despite evidence of their competence and success. According to some informal research, it disproportionately affects high-achieving people who find it difficult to accept praise for their accomplishments and achievements.

During a recent [ILEETA Live interview with Duane Wolfe](#), Joe Willis and I spoke to Duane about imposter syndrome and how it affects many trainers. This discussion was interesting, as I'm sure many instructors have experienced this at some point. As a matter of fact, during Duane's class, one of my adjunct instructors, Billy Etheredge, wrote, "EDD", in his notes from class. I asked Billy about this, and he told me it stood for, "Even Duane Does". He said if an instructor of Duane's caliber and talent can feel like an imposter, then anyone can feel the same way.

During the interview, there were suggestions on ways to

cope with imposter syndrome. Kim Schlau commented that it takes courage to put yourself out there in front of others. This vulnerability means you may experience fear, but you can't let fear of failure stop you. You may succeed. If you fail, you will survive and learn from the experience so you can be better next time. There were also suggestions about finding a mentor. As a trainer, mentors can provide honest feedback while helping prepare class material and presentations.

Personally, I have experienced these thoughts and feelings more this year than ever before despite having amazing mentors and a great support network. My wife and co-instructor, Chrystal, has been incredibly supportive and keeps me grounded. We have two talented adjunct instructors, Ron Taylor and Billy, who support what we do and are influencing others on a regular basis. Despite the support, imposter syndrome still raises its ugly head causing me to doubt myself.

Even though imposter syndrome can make things uncomfortable, it's not always a bad thing. Unless it becomes overwhelming, imposter syndrome can keep us sharp and motivated. It can motivate us to conduct more research and study. It should encourage instructors to continue being a student and never stop learning. There are always new skills to learn, new information to process, and new techniques to master. Learning must be a lifetime endeavor.

During the ILEETA Live interview, Executive Director Harvey Hedden commented on how imposter syndrome has kept prospective Conference instructors from submitting class proposals resulting in a loss of potentially great instruction. This is arguably the single greatest tragedy of imposter syndrome: instructors who feel like they don't have anything to offer keeping information to themselves even when it could benefit those we train. As member Marie D'Amico stated, "ILEETA is a forum of tremendous opportunities. There is a very welcoming environment, but you must always look at what you can contribute and let that help you overcome your own fears." This sentiment has been echoed over and over. ILEETA is filled with members who want to see other trainers succeed.

## Dunning–Kruger Effect

Imposter syndrome seems to have a link to another interesting issue. During the [ILEETA Live interview with Duane Wolfe](#), he also spoke about the Dunning-Kruger effect. The Dunning–Kruger effect is a cognitive bias where people with low ability at a given task overestimate their ability. Conversely, there is an opposite effect for high performers. People with high ability tend to underestimate their skills.

As a firearm instructor, I see this phenomenon quite often. It's not unusual to have people ask about our training. This is usually accompanied by statements about how they have been hunting since they were knee-high to a grasshopper, spent some time in the military, and go to the range once a year. Now, I just smile and nod politely knowing I'm witnessing an example of the Dunning-Kruger effect.

The Dunning-Kruger effect may be one of the primary reasons many qualified and talented trainers don't submit class proposals for the Conference. If a knowledgeable instructor doesn't feel they have enough knowledge to share with others, they may feel like an imposter if they submit a class and it gets accepted. But

guess what? Most of the instructors at the Conference, most of the writers in the ILEETA Journal, and most of the instructors you see teaching on a regular basis experience these same thoughts and emotions.

I encourage you to consider the implications of imposter syndrome and the Dunning Kruger effect. These affect more of us than we realize or want to admit. Overcome your hesitation and submit a class for the 2023 ILEETA Conference. If that is too big a leap, submit a short article for the ILEETA Digest or a full-length article for the ILEETA Journal. If these conditions are stopping you from taking an active role as an ILEETA member, remember EDD.

Share your knowledge. It is a way to achieve immortality—Dalai Lama **ILEETA**

### About the Author

*Todd Fletcher recently retired with over 25 years of law enforcement experience. He has presented instructor development training at multiple ILEETA Conferences. Todd writes regularly for PoliceOne and Police & Security News magazine. As co-owner of Combative Firearms Training, LLC, Todd provides firearms training, instructor development classes, and consultation to law enforcement instructors and agencies. He can be contacted at [Todd@CombativeFirearms.com](mailto:Todd@CombativeFirearms.com).*





# *LE Environment & Health and Wellness*

Editor:  
Kim Schlau



# Progress, Not Perfection

By Kim Schlau

Covid messed with everyone's life, but one bright spot is that it changed how and how often we communicated. We were forced to find new ways to get "face to face", like Zoom and Facetime. I sent more cards and notes using the old-school US mail. Keeping in touch isn't my strong suit – we all get wrapped up in life and the next thing we know, weeks or months have passed. Social media can fill the gap but can't (and shouldn't) replace in-person connections.

The 2021 ILEETA Conference felt like a family reunion. It was an initial step into our "new" normal. Was it the same? Of course not, nor will it ever be. Did we enjoy it just the same? I know I did. It was so energizing, seeing everyone, hugging everyone, making new connections and solving the world's problems. As always, I left the conference with my head full of ideas, possibilities, people to see and places to be. My outlook was the best it had been since 2019.

And then the second wave hit, and knocked us back... again. Appearances were postponed, trips were canceled, hearts were broken. My sunny outlook went out the window, and it was a little harder to bounce back.

As the 2022 conference dates approached, I held off on registration and making my hotel reservation, even avoided planning my fundraiser that brings me such joy. I finally had to ask myself why I was resisting taking those steps. It's not like they couldn't be canceled and rescheduled...again.

Then my friends and colleagues started contacting me about the conference, about the fundraiser and donations they could bring, asking me for suggestions on what to do and where to eat and how to get from Point A to Point B. I joke about being the ILEETA den mother sometimes, but I secretly love it. And it started to re-energize me, and resurrect that enthusiasm I thought I'd lost. So, I got my rear in gear, did the paperwork, and started packing.

A few years ago, Brian Willis challenged ILEETA attendees to keep their conference enthusiasm going all year. It

requires little effort to keep your energy level high when you are

surrounded by your colleagues, friends and fellow trainers. You take copious notes, give feedback, offer assistance, even start to create your class for the following year. But once you get home and back into your previous routine, life takes over and we lose our forward momentum.



How can we sustain that conference enthusiasm level? Here are a few tricks to get you started:

- Set a goal. Do you want to teach a class? Write an article? Improve your current training? Write it down.
- To avoid being overwhelmed, break down your goal into smaller goals. As the old adage goes, "there is only one way to eat an elephant: a bite at a time." Celebrate achieving those smaller goals and use that success to move forward to the next.
- Set reasonable deadlines for your goals. And don't be afraid to move those deadlines – life happens.
- Surround yourself with enthusiastic people. Yes, I mentioned that above, but look for those people in your local circle as well. Alternatively, surround yourself with audio, video, or books by and about inspirational people.

# Progress...con't

- Find an accountability partner. It could be someone that you admire, a former or current mentor, or someone that is also striving toward a goal. Seeing others succeed can motivate us to keep moving toward our goals.

And finally, continue to communicate and connect. One of the major benefits of the ILEETA conference is the connections we form. The ILEETA network is a wealth of professional knowledge and insight. It is also the basis of so many friendships. We all have responsibilities, families, lives, and priorities. Making time to keep connections fresh can be hard. So, when you're setting those goals and deadlines, set one to reach out to those friends. Sometimes it can be as simple as a "hey, how's it going?" text. Personally, those unexpected texts have made my day a little brighter many times.

Keep reaching out. Keep making the effort. Keep moving forward. Progress, not perfection, is the goal. **ILEETA**

## About the Author

*Kim Schlau lost two daughters in 2007 to a traffic crash caused by a distracted Illinois State Trooper. Since 2009, Kim has spoken at numerous law enforcement agencies,*

*academies and conferences throughout the United States, as well as schools and businesses to prevent crashes due to speed and distracted driving. Kim is a section editor of the ILEETA Journal, and can be reached at kimberly.schlau@gmail.com.*





# Criminal Justice and Police Reform in America

by Dr. Matthew Loeslie



**C**riminal justice in America is complex compared to other nations; thus, reform can be difficult to achieve.

For example, there is a sovereign federal criminal justice system and fifty separate sovereign state criminal justice systems. Moreover, there are numerous criminal justice systems at the local levels. The criminal justice system as a whole is a convoluted collection of laws, practices, programs, government organizations, non-profit organizations, and workers. Additionally, the criminal justice system includes overarching areas of policing, courts and corrections. Each respective area has its own history of reforms and current challenges which require new reforms. Within the academic realm there is variation on how criminal justice should be viewed. Some academics view criminal justice primarily as a social science and others as a professional practice. Other academics focus on the behavioral sciences approach, yet leverage a system thinking model as a way to make sense of its complexity (Lewandowski & Bumgarner, 2020). It could be argued that even the goals of criminal justice is not agreed upon. Some policymakers believe criminal justice have a utilitarian approach while others think a deontological approach is better. For example, reformers have to determine whether the criminal justice system should be primarily focused on rehabilitation of offenders or punishment of offenders (Pollock, 2016). Taken together, there is no shortage of disagreements of what the best programs and practices are to achieve criminal justice reform.

Therefore, when groups make calls for reforming a part of the criminal justice system, it is important to understand which part of the criminal justice system they are referring to and how the potential reforms will impact the whole criminal justice system. Moreover, it is also important to recognize whether the proposed reforms are based on evidence-based practices or merely someone's

idea on what should happen (Justice Research and Statistics Association [JRSA], 2014).

Importantly, criminal justice reform happens mostly through our political system. Traditionally, politicians have not always been guided by evidence-based programs and practices. The “get tough on crime” is an example of a failed criminal justice reform which lead to a current problem of mass incarceration (Couzens, 2011; Schlossman, 2015). Additionally, sensationalism should not guide criminal justice reforms. For example, in the not too distant past, the “scared straight” program gained popularity as a criminal justice reform measure for youth. The scared straight program had troubled youth visit an adult prison facility where they would be verbally abused by the prisoners in an effort to scare them out of a life of crime. The idea was that the youth would be so scared they would abandon their deviance, and never return to the awful prison. While arguably logical, research has shown scared straight did not reduce youth recidivism rates and may have actually increased recidivism (Prendergast, 2011).

The complexity and the disjointed nature of the criminal justice system in America makes it difficult to achieve reform in policing, courts and corrections. However, policing, courts and corrections are all in need of reform. Difficult is not the same as impossible. Recently, the Federal Government enacted the First Step Act. Surprisingly, the bill was a bipartisan effort. Essentially, the First Step Act reforms the federal prison system by limiting sentencing laws in an effort to reduce recidivism and inmate population (Congressional Research Service [CRS], 2019). The First Step Act is a positive development; however, some academics would argue there is too much attention placed on federal criminal justice reform and not enough on state criminal justice reform. The federal correctional system is the largest. Yet, it should be noted 87 percent of all prisoners in the United States are within the state systems (Pfaff, 2017).



Within policing, there has been a push both nationally and at the state and local levels for police to have more de-escalation training. With highly publicized use of force incidents among police, the need for police to be able to defuse these incidents without violence is desired. As a result, academics, politicians, police trainers, civil rights champions and citizens have all advocated for police de-escalation training. Yet, despite the popularity of de-escalation training for police, it is not yet known if these efforts will have the desired effects. According to a systematic review of 64 studies related to de-escalation training, the researchers concluded there is no scientifically valid studies that demonstrate a benefit of such training (Engel et al., 2020).

Other reforms show more promise. The criminal justice system has gotten a much better handle on why wrongful convictions occur. The causes of wrongful convictions generally include eyewitness misidentification, false and coerced confessions, informant testimony, government misconduct, inadequate legal representation and false and misinterpreted forensic evidence. Of these culprits, eyewitness identification is responsible for the majority of wrongful convictions (Alarid & Reichel, 2018). States are waking up to reforms that need to be made to reduce wrongful convictions. For example, the Minnesota legislature recently passed measures to reduce wrongful convictions. As a result, a new statute section was developed. Minn. Stat. § 626.8433 directs the Minnesota Peace Officer Standards and Training Board to develop and issue a model policy on eyewitness identification procedures. The model policy must provide for the “blind” or “blinded” administration of photo lineups. Minnesota is not unique. Many states are adopting these reforms and it seems likely the trend will continue (Pennsylvania General Assembly, Joint State Government Commission, 2011).

In sum, it is important for academics and professionals alike to support criminal justice reforms that are evidence-based. Criminal justice reforms have a better chance of being successful if they are guided by research. Furthermore, those who operate within the criminal justice space need to have the knowledge, critical thinking, and problem-solving skills to navigate the

complexities of the criminal justice system to achieve needed improvements all while not repeating the mistakes of the past.

## References

- Alarid, L. F., & Reichel, P. L. (2018). *Corrections* (3rd ed.). Pearson.
- Congressional Research Service. (2019). *The First Step Act of 2018: An overview* (R45558). <https://fas.org/sgp/crs/misc/R45558.pdf>
- Couzens, R. J. (2011, June 1). Evidence-based practices-reducing recidivism to increase public safety: A cooperative effort by courts and probation. *Placer County Superior Court*, 1–14. <https://www.courts.ca.gov/documents/EVIDENCE-BASED-PRACTICES-Summary-6-27-11.pdf>
- Engel, R. S., McManus, H. D., & Herold, T. D. (2020). Does de-escalation training work? *Criminology & Public Policy*, 19(3), 721–759. <https://doi.org/10.1111/1745-9133.12467>
- Justice Research and Statistics Association. (2014). *An Introduction to Evidence-Based Practices*. [http://www.jrsa.org/pubs/reports/ebp\\_briefing\\_paper1.pdf](http://www.jrsa.org/pubs/reports/ebp_briefing_paper1.pdf)
- Lewandowski, C., & Bumgarner, J. (2020). *Criminal justice in America: The encyclopedia of crime, law enforcement, courts, and corrections*. ABC-CLIO. <https://www.waterstones.com/book/criminal-justice-in-america-2-volumes/carla-lewandowski/jeff-bumgarner/9781440862625>
- Minn. Stat. § 626.8433 (2020).
- Pennsylvania General Assembly, Joint State Government Commission. (2011). *Report of the advisory committee on wrongful convictions*. <https://www.loc.gov/item/2011506873/>
- Pfaff, J. F. (2017). *Locked in: The true causes of mass incarceration and how to achieve real reform*. <https://>

[www.amazon.com/Locked-Causes-Incarceration-Achieve-Reform-ebook/dp/B01L6SLKK8](http://www.amazon.com/Locked-Causes-Incarceration-Achieve-Reform-ebook/dp/B01L6SLKK8)

Pollock, J. M. (2016). *Ethical dilemmas and decisions in criminal justice* (9th ed.). Cengage Learning.

Prendergast, M. L. (2011). Issues in defining and applying evidence-based practices criteria for treatment of criminal-justice involved clients. *Journal of Psychoactive Drugs*, 43(sup1), 10–18. <https://doi.org/10.1080/02791072.2011.601984>

Schlossman, M. B. (2015, December 1). Searching for the best mix of strategies: Delinquency prevention and the transformation of juvenile justice in the “get tough” era and beyond. *The University of Chicago Press*, 89, 622–652. <https://www.jstor.org/stable/26463020>

## ILEETA

### About the Author

Dr. Matthew Loeslie was recently hired as an assistant professor at the University of Minnesota Mankato. In addition, Matthew has also served as an academic dean at a community and technical college, criminal justice program director and faculty at a state university and has experience working as a police officer and trainer within Minnesota. Matthew earned a Doctor of Criminal Justice from California University of Pennsylvania, a Master of Arts in Criminal Justice Leadership from Concordia University-St. Paul, a Bachelor of Science in Sociology from South Dakota State University.



# Principles of Practice: How to Conduct Proper Investigative Interviews and Interrogations

by Joseph P. Buckley



Since 1947 John E. Reid and Associates has been conducting investigative interviews and when appropriate, interrogations.

Since the mid 1970's we have been teaching investigators from law enforcement, government agencies and the private sector from around the world proper interview and interrogation procedures. In this article we will detail the procedures, guidelines, and best practices that all investigators should follow.

## ***The Essential Elements of the Investigative Interview***

The initial contact with the subject (absent a life-saving circumstance) should be a non-accusatory, non-confrontational interview.

All interviews should be conducted in accordance with the guidelines established by the courts, such as the appropriate advisement of rights, the presence of a parent or guardian for a juvenile; etc.

Throughout the interview the investigator should maintain a neutral, objective fact-finder demeanor. During the interview the investigator should not engage in any accusatory or confrontational behaviors.

The interview should begin with casual conversation, biographical information, employment information, etc. to acclimate the subject to the interview process, develop rapport and to develop the subject's behavioral baseline

The investigator should use open-ended questions to develop the subject's statement, story, version of events or explanation of what happened. In the interview the investigator should do about 20% of the talking and the subject should do about 80%.

The investigator should observe the subject's verbal and non-verbal behaviors as a guide for the interview questions – suggesting when the subject may be editing, fabricating, or withholding relevant information, suggesting the need for additional follow-up questions. It

is important to remember that there is no behavior unique to deception – behavior must be evaluated in context and against the subject's normal behaviors. There are numerous factors that can affect a subject's behavior during the interview, including culture, mental and psychological impairments, physical condition, drugs, and alcohol, etc. which the investigator must consider.

A subject's verbal and nonverbal behaviors are not a substitute for evidence, but can be helpful in identifying when a subject may be less than candid during the interview, prompting additional questions which may in turn lead to the discovery of additional incriminating facts or evidence

The investigator should evaluate the subject's statement in conjunction with the case facts and evidence. If the subject offers an alibi the investigator should attempt to verify its authenticity.

The investigator should not tell the subject what they already know about the case – but rather should see if the subject's statement is consistent with what is known or if the case facts and evidence contradict what the subject has stated.

The investigator should utilize investigative and behavior provoking questions during the interview.

The investigator should not reveal all the details about the crime (it is critical to withhold crime details that can later be used to confirm the authenticity of the subject's acknowledgment of what he did). Do not show the suspect crime scene photographs that reveal corroborating details

The investigator should evaluate the subject's possible involvement in the issue under investigation based on the

# Interviews...con't

involvement in the issue under investigation based on the investigation, case facts, factual evidence and information developed during the interview/investigation

The interview (and any subsequent interrogation) should be recorded.

## ***The Essential Elements of the Interrogation Process***

Interrogations should only be conducted when the case investigative information indicates the subject's probable involvement in the commission of the crime. The purpose of an interrogation is to learn the truth.

The investigator should conduct all interrogations in accordance with the guidelines established by the courts - advisement of rights; presence of a parent or guardian for a minor; length of time, etc.

The investigator should always treat the subject with dignity and respect.

The investigator should not make any promises of leniency, threats of harm or inevitable consequences, or physically abuse the subject.

The investigator should not conduct interrogations for an excessively lengthy period of time.

The investigator should not deny the subject any of their rights.

The investigator should not deny the subject the opportunity to satisfy their physical needs.

In a non-custodial interrogation do not deprive the subject of the opportunity to leave the room.

The investigator should exercise special cautions when questioning juveniles or individuals with mental or psychological impairments – do not lie to these subjects about evidence.

The investigator should never manufacture evidence implicating the subject.

When a suspect claims to have little or no memory for the time period when the crime was committed the investigator should not lie the suspect about incriminating evidence.

The investigator should begin the interrogation with a statement of involvement – “John the results of the investigation indicate that you did set fire to the warehouse at 1<sup>st</sup> and Canfield streets.”

Following this initial statement, the investigator should engage in a monologue presentation (theme) in which he/she proposes to the suspect reasons and motives that will serve to psychologically justify or excuse their behavior – not legally justify or excuse their behavior

The investigator should focus the theme on why the suspect committed the act, not if thy committed the act, and should attempt to place the blame for what the suspect did on some person or set of circum-stances other than the suspect himself, building the subject up as “a good, honest hard-working person who made a mistake in judgment due to (for example, financial pressures) ...”

The investigator should use an alternative question to develop the subject's initial acknowledgement of what they did: “Was this the first time you did something like this, or has it happened many times before?”

When the subject acknowledges what they did, the investigator should ask open-ended questions to develop corroborating information – the location of the murder weapon or bloody clothes; how the subject entered the building; where the subject sold the stolen jewelry; where they poured the accelerant, etc. Corroboration is an essential element to establish the authenticity of the subject's statement.

The interrogation should be recorded.

The subject's confession is not the end of the investigation...the investigator should continue to develop additional details about the subject's behavior before and after the commission of the crime and to verify the details of his statement of involvement



# Interviews...con't

## **False Confession Issues**

The primary causes and contributing factors for false confessions are the following:

- Physical abuse of the subject
- Threats of physical harm
- Threats of inevitable consequences
- Promises of leniency
- Denial of rights
- Denial of physical needs
- Excessively long interrogations
- Disclosure of crime details
- Failure to properly take in to account the subject's mental limitations and/or psychological disabilities
- Failure to properly modify approaches with socially immature juveniles
- Failure to properly corroborate confession details

The best way to avoid false confessions is to conduct interrogations in accordance with the guidelines established by the courts, and to adhere to the following Core Principles and Best Practices:

- Do not make any promises of leniency
- Do not threaten the subject with any physical harm or inevitable consequences
- Do not deny the subject any of their rights
- Do not deny the subject the opportunity to satisfy their physical needs
- Withhold information about the details of the crime from the subject so that if the subject confesses the disclosure of that information can be used to confirm the authenticity of the statement
- Exercise special cautions when questioning juveniles or individuals with mental or psychological impairments

- Always treat the subject with dignity and respect
- Conduct an interview before any interrogation. Absent a lifesaving circumstance the investigator should conduct a non-accusatory interview before engaging in any interrogation
- Conduct an interrogation only when there is a reasonable belief that the suspect committed the issue under investigation or is withholding relevant information
- Attempt to verify the suspect's alibi before conducting an interrogation
- When interrogating a non-custodial suspect, do not deprive the suspect from his freedom to leave the room
- Do not conduct excessively long interrogations
- When a suspect claims to have little or no memory for the time when the crime was committed the investigator should not lie to the suspect concerning incriminating evidence
- Electronically record the interview and interrogation
- The confession is not the end of the investigation.

Following the confession, the investigator should investigate the confession details to establish the authenticity of the subject's statement, as well as attempt to establish the suspect's activities before and after the commission of the crime.

Additional resources: [www.reid.com](http://www.reid.com) - Investigator Tips

The Reid Technique Tips <https://www.youtube.com/c/THEREIDTECHNIQUETIPS/playlists>

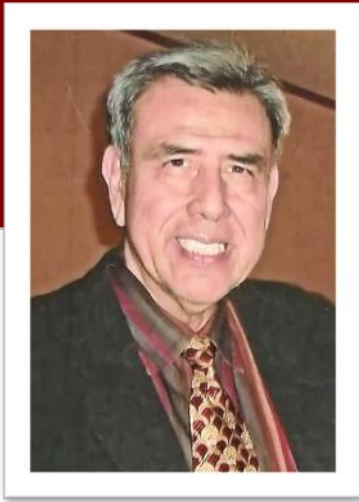
## **ILEETA**

### **About the Author**

*Joseph P. Buckley is the President of John E. Reid and Associates; he has been with the firm since 1971 and has been teaching The Reid Technique of Interviewing and Interrogation for over 45 years. He is co-author of four books, including Criminal Interrogation and Confessions, now in its 5<sup>th</sup> edition.*

# The War on Cops: Bringing it into Focus

by Jesse C. Gonzalez, CST, CPT, ILEETA



**V**ery few in the profession of law enforcement will disagree that there is an ongoing war against Police.

Last year seventy-three officers were killed, while on duty, a 20 year high.

These officers were ambushed, or killed while answering calls for assistance, conducting traffic stops or while sitting in their vehicles.

2022 has started out much worse than 2021, in New York, two officers killed while answering a domestic disturbance call, in Phoenix, five officers shot and four others hit with shrapnel, from the ensuing gunfight. The worst of this incident was that a small infant was used to lure the officers to the front door, and when they approached they were ambushed from inside the house.

The war is not only being waged against officers but now also it is targeting their families. In Westhampton, Suffolk County messages were painted on the street stating, "SHOOT COPS 4 FUN" and "COPS WIVES GET SHOT 2". These messages were found only days after the two NYPD Officers were shot and killed in Harlem during a domestic violence call.

The indicators that this type of behavior will continue and 2022 will be even a worse year for police officers is unfortunately what the future holds for law enforcement.

Police Officers started to be seen as the enemy several years ago when there began an outcry about Police agencies becoming too "militarized", because of the surplus military type vehicles they purchased for their departments, the weapons that were purchased and the increased SWAT training even in small Police departments.

The general public has no idea that the military is trained to seek out, engage and destroy the enemy. The Police are trained to enforce laws, arrest criminals, and keep the public safe in the communities they serve.

The need for the military type equipment and training came from the fact that Police have been outgunned by the CARTELS and other organized crime groups. Also, many of these groups have trained their members in military type tactics when they resist or engage Police.

The war against law enforcement Officers, really has been fueled by the most recent incidents involving deaths of George Floyd, Breana Taylor and others that immediately cast all Police officers, as lacking humanity, devoid of empathy and compassion. The liberal media, anti-Police hate groups, community activists, and the general public began to miscast all law enforcement as the enemy.

These tragic events are not put into perspective by any of those groups, and do not take into consideration that every year Police interact with the public around 20 million times, and a very small percentage of those interactions involve use of deadly force by the Police.

Additionally soft on crime district attorneys often allow hardened criminals back on the streets to plot crime against police officers and follow through on those crimes. Anti-cops groups, with agendas like defund the Police, the liberal media and the general public who are swayed by these groups, make it difficult at best for Police to do their jobs safely and effectively.

The biggest negative impacts that occur from this war against police officers, include, many Officers retiring much earlier than before, many officers are quitting the profession, because they do not want to be targeted, ambushed, and killed on the job. Even more challenging is that recruitment of Police Officers is the most difficult it has ever been because many see becoming a Police Officer as too unpopular and too dangerous a job to take on in the current Policing environment.

Saying that "this has got to stop" has no effect except on the people who want it to stop, which includes all law enforcement officers. Steps that need to be taken immediately and will help is for communities, politicians, and the media to work with law enforcement to find ways to improve interactions between law enforcement and those they serve, holding everyone to the highest standards in how they perform their duties of to serve

and protect.

Yet until this become the norm instead of the goal, it is important for Officers to continually focus on not only monitoring each other on how they perform their duties on the streets. But also, to constantly be situational aware of what is happening around them while they perform their duties, and protect themselves and their Officer partners, from being ambushed and targeted by the misguided criminals and some of the general public who believe it is acceptable to shoot, injury and kill Police Officers.

Other actions that can help, Police should continue to work with community activists to highlight the positive things Police bring to the community. Also work with cultural group leaders within communities who often are older and have a real insight into who in their community may be a potential threat to law enforcement officers. It is also an excellent time to cultivate confidential informants who live and work with criminal groups and often have inside information on who planning and what is being planned against Police in the streets.

It is not all doom and glum, there are many communities who value the sacrifices that Police make to perform their duties, with honor, integrity, and compassion. People in communities you serve understand that most Police

Officers perform their duties with professionalism and commitment to equal justice for all citizens.

The future all though challenging and dangerous still depends on Police Officers to be there when needed. Every day officers get up put on their uniforms and place themselves at risk not knowing what dangerous situation or traumatic situation they may encounter. Keep valuing what you do with honor, come home to your families at end of shift. Stay safe out there. **ILEETA**

### About the Author

*Jesse C. Gonzalez is a Law Enforcement/Private Security Educator/ Advisor. He is an active member of ILEETA, a Certified Security Trainer, and a Certified Programs Developer. He is a frequent contributor to the ILEETA journal and has taught professional development programs to Law Enforcement as an American Management Association Professional Speaker, in English and Spanish, nationally and internationally.*

*He has presented training programs on the Law Enforcement and Private Security Television Networks to over 8100 agencies. He has also presented leadership programs to the United Justice Department, Federal Bureau of Corrections, and Police Cross Cultural Programs, at the National Crime Prevention Institute, at the University of Louisville.*

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### Section 1 - Conference Attendee Information If not an ILEETA Member, complete membership application in Section 2

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Title/Rank			Agency			
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Preferred Contact	<input type="checkbox"/> Home <input type="checkbox"/> Agency		Web site if applicable			

Check those that apply: ☐ Criminal Justice Educator ☐ Public Agency Trainer ☐ Privately Employed Trainer  
☐ Training Manager ☐ Field Training Officer ☐ Researcher/Author ☐ Other – describe

Check those that apply: Type of training conducted: ☐ General subjects ☐ Use of force ☐ Safety/Wellness ☐ Firearms  
☐ Investigations ☐ Defensive tactics ☐ Other – describe

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Please provide verification that you are an instructor in the field of criminal justice. Describe in the space provided the nature of your instruction/training. Additional information such as trainer certification or testimonial/reference letter may be attached to this e-mail/mail/fax (two documents maximum). We will contact you if additional information is required.

Supervisor or Client who can verify you the above			
Contact Info for above	Phone		E mail
ILEETA Sponsor Name if Any			

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<input type="checkbox"/> Conference Registration \$420 <input type="checkbox"/> New Membership \$50	
<input type="checkbox"/> Renewal Membership One Year \$45 <input type="checkbox"/> Renewal Membership Three Year \$120	
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