How to Defuse Police-Civilian Encounters

By **Julius Wachtel** | July 18, 2022

Photo via Minneapolis Police Department

Getting citizens to peacefully comply with officer requests is the sine qua non of everyday policing.

It helps make a stressful occupation bearable and—hopefully more often than not— even personally gratifying.

Of course, no cop reasonably expects that everyone will welcome their intrusion, and some clashes are likely unavoidable. Officer and citizen personalities also vary. Some cops take offense at things that their colleagues might shrug off.

Minor miscreants – say, traffic scofflaws – are usually more likely to cooperate, or at least refrain from objecting violently, than, say, robbers or thieves.

Times have changed.

Violent crime exploded as the pandemic took hold, in some places reaching an intensity that harkens to the crack epidemic of the 1990s.

According to the Centers for Disease Control and Prevention (CDC) there were 5.9 gun homicides per 100,000 population in 2020. That rate is nearly 50 percent higher than in 2015, when it was a relatively modest 4.0.

Coming on the heels of a years-long series of fatal encounters between citizens and police, the killing of George Floyd became a pivotal moment. Many ordinary persons concluded that activists had been right all along: cops are irredeemable.

"Defund the police" became a rallying cry for some.

It's not that agencies ignored officer misconduct pre-Floyd. Many police departments had long adopted elaborate operational and decision-making protocols.

During the 1990s, de-escalation training became the rage. But human nature has a way of circumventing correctives.

Some departments failed to act against chronic miscreants, and problematic cops remained in the ranks. In 1994, federal law empowered the Department of Justice to initiate pattern-and-practice investigations, and these inquiries have propelled needed change.

District attorneys have campaigned on pledges to right past wrongs, and once elected they've brought officers to account for controversial uses of force, including some that occurred years earlier. But policing is a complex enterprise. Many officers have been been acquitted, and public perceptions about the police remain deeply, perhaps irrevocably split.

Some criminals have taken advantage of the turmoil.

Turning to the underground marketplace, potentially dangerous sorts began acquiring unserialized "ghost guns" assembled from parts. Even before the Supreme Court's recent decision, which struck down requirements to demonstrate a "need" to carry, dozens of states had already authorized concealed carry without a permit.

More than ever, police are finding themselves dealing with persons who are armed. FBI data reveals that 73 law enforcement officers were murdered in 2021. That's a nearly 60 percent increase from 2020, when 46 officers were feloniously slain, and it's the worst toll since 1995, when 74 officers fell to criminal shootings.

And current trends aren't promising.

The National Law Enforcement Memorial Fund (https://nleomf.org/) (NLEOMF) reports that 30 officers were killed by gunfire this year through July 8, one more than during the same period in 2021.

Along with the virus, a disinclination to comply with police – indeed, with any authority figure – has infected our land.

Meanwhile the rules officers must follow are undergoing profound change. Preoccupied with the imperative to prevent tragic uses of force and, as well, to assure the public that officer decisions are unaffected by race and ethnicity, police executives have been reworking the policies that guide what cops do, and how they go about doing it.

One jurisdiction's foot chase rule, for example, now requires that before an officer runs after someone whom they believe committed a crime, they must assess whether the maximum punishment for the suspected offense meets a certain standard.

If it does not, their decision should take into account key aspects of the fleeing person's personal characteristics, including their mental state, as well as the threat they may pose to themselves and others.

No-Chase Policy?

That may seem perfectly reasonable. But police organizations have complained that given the chaotic nature of the police workplace, this might in effect turn into a "no chase" policy.

Parsing complex rules while performing complex tasks under fraught, rapidly evolving circumstances would challenge (if not discourage) any professional. But there is another option.

What if we could substantially improve the likelihood that both "good" *and* "bad" citizens will behave?

How can cops make it more likely that crooks *and* ordinary citizens will voluntarily comply? De-escalation – slowing things down, providing distance, avoiding the use of threats – can be a useful approach.

Yet, as I discovered on the job, defusing potentially explosive, rapidly-evolving encounters doesn't always come from being "nice."

Indeed, a few folks seem to consider courtesy as an invitation to misbehave. Avoiding violence might require firmness. Displaying weapons and using less-than-lethal means might even be called for.

Real-world circumstances are complex, and in this gun-saturated land, a prompt, accurately calibrated response is essential. It's how practitioners earn their stripes as "crafts persons."
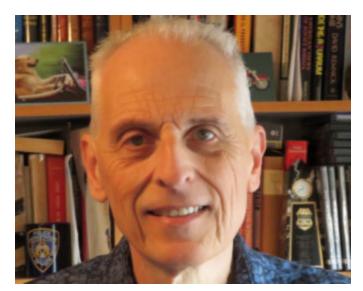
Alas, while academics have collected plentiful data about police behavior – and misbehavior – the examples on which they feed tend to have poor endings.

But even in these deeply conflicted times, officers peacefully resolve potentially violent encounters every hour of every day. So, for a moment, let's set rule-making and preconceptions aside.

Let's systematically collect information about the many police-citizen encounters that are successfully resolved. How did officers *get* that "voluntary compliance"?

Or cops could simply keep going about their business and hope for the best.

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