



Guardian vs. Warrior Mentality in Law Enforcement: Re-evaluating Training

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How to Avoid Complaints,
Challenges and Claims in Law
Enforcement

Make officers
less of a
target!!!





Outline

- **Introduction**
- **Warrior vs. Guardian**
- **Psychological Reactance Theory**
- **Seven legal survival skills**



Why Might a Citizen Complain About an Officer?

- **Rudeness**
- **Perceived abuse of power**
- **Excessive force**
- **Not fair**
- **Condescending**
- **The list could go on...**



Skills for Officer Safety

- **Intermediate weapon**
- **Firearm**
- **Interpersonal communication**
- **Handcuffing**
- **Empty hands defensive tactics**
- **Officer fitness and ability**

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Warrior vs. Guardian



Warrior

- The “warrior” mindset
- Presents obstacles to improving police/community relations
- Starts in the academy
 - “First rule of law enforcement”
 - Hostile world
 - Learn to be afraid
- Vigilant, attentive, cautious, alert or observant

Warrior

- Hypervigilance offers best chance for survival
- Every individual is a threat
- “Remain humble and compassionate; be professional and courteous- and have a plan to kill everyone you meet”
- John Bennett, *How Command Presence Affects Your Survival*, POLICEONE.COM (Oct. 7, 2010), <http://www.policeone.com/Officer-Safety/articles/2748139-How-command-presence-affects-your-survival> [<http://perma.cc/CKF3-Y8C6>].



**Be Prepared
Be Aware
Be Ready**

Warrior

- Affects the way that officers interact with civilians
- Creates a substantial barrier
- Community policing?
- Thought experiment: The rookie officer



Warrior

- Taught to both verbally and physically control the space they operate in
- Set the proper tone for the encounter
- “Unquestioned command”
- *Acting* friendly can make them a target
- Assertive manner can set the stage for a negative response



Warrior

- Individual must accede
- Respect the officer's authority by doing what they are told
- Failure to comply is confirmation
 - Individual is an enemy to vanquish
 - Physically if necessary
- This creates avoidable confrontations and complaints
- Realistically, violence is relatively uncommon



Guardian

- The guardian mindset
- Emphasizes communications over commands
- Emphasizes patience and restraint over control, stability over action
- Initiates non-enforcement contacts with members of the community

Guardian

- People care more about how they were treated by the police than they do about crime rates
- Positive police contacts facilitates public confidence
- Good officers are viewed as part of the community
- Policing should be done *with* the community, not *to* the community



Guardian

- Justice-based policing
- LEED
 - Listen
 - Explain
 - Equity
 - Dignity

Guardian

- Listen
 - Allow people to give their side of the story; give them voice, and let them vent
- Explain
 - Explain what you're doing, what they can do, and what's going to happen
- Equity
 - Tell them why you are taking action
- Dignity
 - Act with dignity and leave them with their dignity

Psychological Reactance Theory



Psychological Reactance Theory

- Explains why people do the opposite of what we want
- Loss of choice
- “Push me and I will resist”
- Brought on by:
 - Imperative commands
 - insulting language
 - Lack of trust



Psychological Reactance Theory

- An aversive affective reaction in response to regulations or impositions that impinge on freedom or autonomy (Brehm, 1966).
- Reactance is defined as a “motivational state directed toward the reestablishment of [a] threatened or eliminated freedom” (Brehm, 1966).
- Results in behavioral and cognitive efforts to reestablish one’s freedom

Language and Reactance

- Evoke the perception that free behavior might be curtailed
- Language that is dogmatic provokes reactance
- Examples of dogmatic language:
 - Imperatives, such as “must” or “need”
 - Derision towards other perspectives, such as “Any reasonable person would agree that...”
 - Threatening warnings



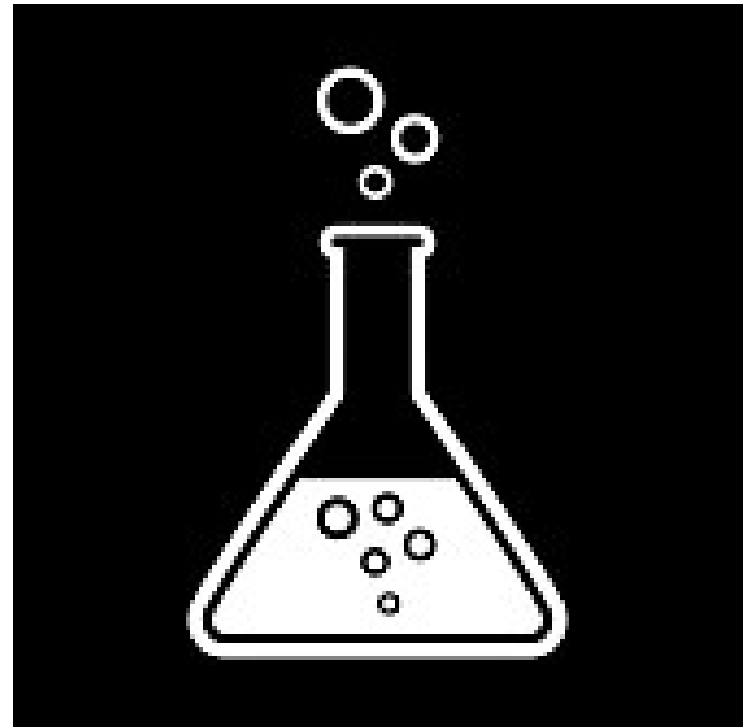
Language and Reactance

- Less dogmatic examples:
 - Allusions to choice, such as “You have a chance to...” or “We leave the choice to you...”
 - Impartial, objective language



Chemical Reactions

- Power differentials
 - Police
 - Citizen
- Biases
- Lack of communication skills
- Two things that police hate



Seven Legal Survival Skills



Seven Legal Survival Skills

1. Be Nice (or at least professionally detached)
2. Minimize the harm
3. Know your department's policy
4. Presence and verbalization
5. Document injuries
6. Write a good, detailed report
7. Locate witnesses

Be Nice (or at least professionally detached)

- Don't take the bait
- Get the job done and get out of there
- Presence and verbalization skills
- If it would feel good, don't say it!



Elements That Contribute to Litigation

- Credibility
- Professionalism
- Level of detachment
- Emotionally invested in the outcome
- Damage to the suspects dignity

Minimize the Harm

- Your safety comes first
- No injuries = not much to sue you for
- Consider all of your options - when you have time use your maximum advantage
- Suspect's dignity may seek "a payback"

Know Your Department Policy

- “Cowboy Cop”
- Immunity
- Discretion
- If an officer violates policy, immunity may not be available

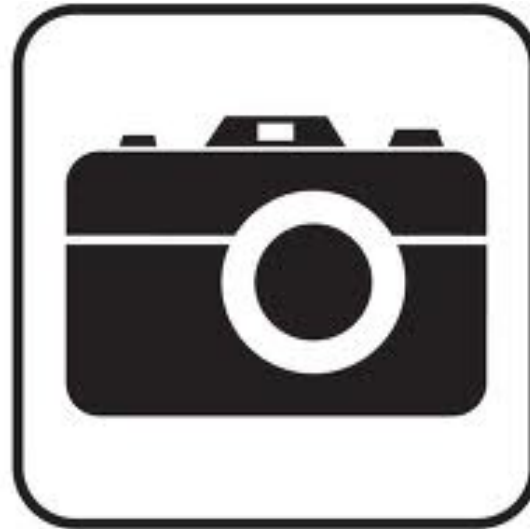


Presence and Verbalization

- Adjusting and matching
- Critique your performance
- Profanity
- Audiences
 - Suspect
 - Bystanders
 - Partners
 - Cameras

Document Injuries

- To yourself
- To suspects
- Photos
- Lack of photos





Write a Good, Detailed Report

- Any serious use of force
- When an officer or suspect is injured
- Details – no conclusions
- Connect the dots



Identify Witnesses

- Locate and interview witnesses
- Document there was a search for witnesses
- Assist in criminal and civil case

Summary

- Make your officers a less attractive target
- Psychological reactance
- Be Nice – don't take the bait
- Minimize the harm

Summary

- Presence and verbalization
 - 4 audiences and negative effect of profanity
- Document injuries to anyone involved
- Write a good report
 - Are the dots connecting?
- Locate witnesses and document

Positive Psychology

- Self-care
- De-escalation
- Suicide intervention
- Nonenforcement interactions



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Questions?



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