

# The Seattle Times

Tuesday, September 28, 2010 - Page updated at 01:01 AM

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## Seattle's officer training draws scrutiny after fatal shooting

By Mike Carter and Steve Miletich  
Seattle Times staff reporters

When Seattle police Officer Ian Birk approached John T. Williams at the corner of Boren Avenue and Howell Street on Aug. 30, Birk carried more than the Glock handgun, radio and handcuffs on his utility belt. He was armed with hundreds of hours of department training.

Questions about the scope of that training have grown in light of what happened next — within a minute of meeting Williams, Birk shot and killed the 50-year-old First Nations totem carver.

Williams, a well-known street person and public inebriate, was carrying a legal, 3-inch folding knife and a piece of wood, according to witnesses, and Birk ordered him three times to drop the knife. Whatever led him to pull the trigger, Birk was relying on two things: his experience and his training, according to national experts on police use of force.

Birk, 27, had been on the streets about two years.

A Seattle police trainer says an officer with that level of street time "can pretty quickly find himself in a situation where he just doesn't have the experience to draw on."

"Combine that with the fact that six officers were murdered last year, and they might find it hard to tell when to back down," said Officer Dallas Murry, a 35-year veteran who coordinates the department's Taser training program.

Developing better ways to deal with volatile situations is exactly what is being demanded of the Seattle Police Department (SPD) by community advocates, police watchdogs and key members of the City Council. The department has responded to the criticism by promising to put more Tasers in the hands of officers; train more officers in crisis intervention; and put the entire force through a course of "verbal judo," which gives officers the skills to help defuse tense situations by appealing to the rational judgment of people or their personal needs.

National studies on police use of force have concluded that the quality of a department's training, more than anything, drives an officer's actions in stressful "shoot/don't shoot" situations.

Experience also is a key factor, said Geoffrey Alpert, a recognized expert in use of deadly force and a professor of criminology at the University of South Carolina.



JOHN LOK / THE SEATTLE TIMES

Officer James Thomsen, a member of the Seattle Police Department's firearms training unit, takes part last week in an exercise inside a situation simulator at the department's training facility in Tukwila.



John T. Williams was shot Aug. 30 by an officer.

Alpert says he attended the Seattle police academy while researching the use of nonlethal weapons on a Justice Department grant. Seattle was among the first large police departments to issue Tasers to officers, and Alpert said he found the overall program to be "excellent."

"The department should be proud of it," he said.

At the same time, Alpert said, Seattle police deploy officers, like many large, unionized departments, based at least partly on seniority. And that, he said, can put the least experienced officers in some of the toughest situations.

"With few exceptions," Alpert said, "you don't tend to find the older, more senior officers on the midnight shift in the high-crime areas. So what happens is that you put young officers in harm's way and expect them to do the best job, which is ridiculous."

Birk was working second watch in the West Precinct, which includes the downtown core and encompasses the hours of 11 a.m. to 8 p.m. Sgt. Sean Whitcomb, the department's public-affairs officer, said it's the busiest precinct and among the busiest shifts.

### **Unanswered questions**

The department has not explained fully why Birk decided to stop Williams, pending an examination by its Firearms Review Board on Monday and an expected court inquest into the circumstances of the shooting.

Among the questions are why the department retreated from an earlier story that Williams had advanced on the officer, and why Birk didn't call for backup. And, if the officer felt the knife was a threat, why he didn't use his patrol car as cover rather than confront Williams in the open.

Alpert, noting that an "officer's best friend is cover and concealment," said, "You have to wonder why he gave up that tactical advantage."

The department has been careful not to draw official conclusions in the Williams shooting, but it has reorganized its captains' ranks and put more emphasis on getting officers out of their cars and connecting more with the community.

Those steps are in keeping with Police Chief John Diaz's pledge at the time of his confirmation in August, when he promised to address what Seattle City Councilmember Tim Burgess â€" who oversees the council's public-safety committee â€" has called a "culture of confrontation" within the department.

Police Department watchdogs, including the former director of the civilian-led internal-affairs unit and the unit's auditor, a former U.S. attorney, repeatedly have criticized the department for not emphasizing training aimed at avoiding or de-escalating confrontations.

Birk is a graduate of the Washington State Criminal Justice Training Commission in Burien as well as the SPD's academy, housed in trailers and Spartan classrooms alongside the department's shooting range near Boeing Field on East Marginal Way South in Tukwila. The sharp crack of gunfire is a constant companion to students.

Seattle officers spend 740 hours at the state training center, 200 hours in the department's classes and from 560 to 800 hours training in the field.

The department recently opened the doors of its Tukwila facility to reporters to offer a snapshot of its training, as well as an overview of its eight-hour class titled "Perspectives in Profiling." The class is intended to encourage a "conversation between participants regarding the topics of profiling, bias and ethics" with an aim toward broadening perspectives.

## "A cultural change"

It includes a series of fictitious video scenarios set in a "branched" fashion, so that participant responses dictate how the story progresses. In one, an off-duty black female police officer, driving with her brother and his friend, is seen by a white officer in a predominantly white suburb after dark. On a dare, she doesn't identify herself as a cop and winds up on the ground at gunpoint.

As it turns out, the white officer was on the lookout for a trio of robbers driving a similar car. But he also admitted that part of his reasoning was that the black occupants were "out of place" in that neighborhood.

"This is the start of a process," said training Sgt. David Drain, who says the program is intended to generate discussion of biases among officers. "We are trying to facilitate a cultural change in the department" — with the end result hopefully being fewer instances of officers using force, and fewer complaints when they do, he said.

"It's a very good way to get officers thinking about things," Drain said.

The thrust of the class is to demonstrate that everyone has biases, he said.

"We want people to know that they are welcome to their thoughts. It's the behavior we focus on." A 2008 study by the Police Policy Studies Council, a New Hampshire-based company that offers advanced officer training and studies use-of-force issues, looked at the use of deadly force in "ambiguous" circumstances, and involved 307 officers from six Michigan law-enforcement agencies. Researchers scripted and videotaped 80 scenarios using actors for a "shoot/don't shoot" simulator. The officers were told only that they were responding to either a mugging, a burglary or a robbery.

Many scenarios involved actors who hid their hands or made furtive movements, but not all were armed. Officers shot the unarmed "suspects" 38 percent of the time, the study found. One agency's officers — their affiliations and identities were withheld — shot the unarmed suspect nearly half the time.

The best agency's frequency was 24 percent.

"The question will undoubtedly arise: 'What noted differences were there between the agency with the lowest frequency of shootings [of unarmed suspects] and those with the highest frequency?' The answer, simply put, 'It was the difference in training,' " particularly in the area of use of force, wrote Thomas Aveni, a career law-enforcement officer and the study's author.

Seattle police training, according to the department, requires officers to consider their decisions along the way — before they reach the point of having to choose whether to shoot.

Looking at that kind of analysis is crucial when police officers actually shoot and kill or injure people, says Merrick Bobb, one of the nation's top experts on police oversight.

"You track through the whole thing," Bobb said in Seattle last week during a panel discussion at the national convention of the National Association of Civilian Oversight of Law Enforcement, a nonprofit that works to establish or improve oversight of police officers in the U.S.

Bobb, a pioneer in the field of police monitoring and founding director of the Los Angeles-based Police Assessment Resource Center, said he was aware of the Williams shooting but didn't want to comment on it.

"I do believe it's important to look at the event from beginning to end," Bobb said, referring in general to shootings by police officers.

*Information from Seattle Times archives is included in this story.*

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