De-escalation Policies and Training

POLICY ASSESSMENT MARCH 2021

Traditional police training teaches officers to use various forms of force commensurate with the degree of threat and nature of resistance presented by the person they are trying to arrest or subdue. De-escalation training is more proactive, showing officers how to defuse situations before force becomes necessary and teaching them ways to evaluate and respond to difficult, volatile, and potentially combative situations in real time. Companion policies reinforce de-escalation training and increase application of de-escalation tactics in the field. Agencies that implement de-escalation training and complementary policies aim to reduce the frequency and severity of the use of force, preventing harm to both community members and officers.

SUMMARY ASSESSMENT

+ Research evidence supports policies that mandate de-escalation as an important component of academy and in-service training. When implemented with fidelity and complemented with strong supervisory and accountability mechanisms, such training can yield reductions in use of force, public complaints, and injuries to officers and members of the public.

+ De-escalation training should be a key component of police training, afforded equal weight to use-of-force training and fully integrated into all aspects of the training curriculum.

+ Critical components of de-escalation training include teaching officers how to remain calm, use verbal communication strategies, create physical distance between themselves and community members, and employ critical thinking skills to pivot to other tactics in response to changing dynamics.

+ De-escalation policies work best when supervisors routinely conduct use-of-force incident reviews to identify officer behaviors that, if altered, could have prevented force and accompanying injuries.

+ Recognizing and commending officers who successfully de-escalate situations can reinforce agency-wide compliance with de-escalation practices.

Current Practice and Research

De-escalation training and accompanying policies have gained prominence in recent years. The training was recommended by President's Task Force on 21st Century Policing and by the National Association for Civilian Oversight of Law Enforcement (NACOLE), which said that de-escalation training offers the greatest promise for use-of-force management (see NACOLE statement in US CCR, 2018; Klinger, 2015).[1] Yet while all police officers receive use-of-force training, de-escalation training as a stand-alone module remains relatively uncommon; only eight states mandated de-escalation training prior to 2009 and only 16 states did so as of 2017. There are signs that those numbers are growing. Vermont enacted mandatory de-escalation training in 2020 and lawmakers introduced similar bills in several states in 2020 and 2021. In this year alone, five states have already proposed legislation requiring law enforcement agencies to incorporate de-escalation training into use-of-force training (NCSL, 2021).

Among states without mandated de-escalation training, decisions on officer training topics and delivery are made by state Peace Officer Standards and Training (POST) entities or at the local level. Most of the nation's 18,000 independent law enforcement agencies offer a few hours of de-escalation training or none at all (Gilbert, 2017). A review of the nation's 100 largest agencies found that as of early February 2021, 56 required officers to employ de-escalation techniques before using force.[2] Among the dozens of U.S. Department of Justice investigations of law enforcement agencies in the past two decades that determined a pattern or practice of conduct in violation of the Constitution or federal law, reform agreements universally included de-escalation policies and training.[3]

De-escalation training relies on a collection of methods that officers use to resolve interactions with members of the public through means other than force and to minimize the extent and severity of force when it is deemed necessary (Engel et al., 2020c). The training teaches officers who encounter people who may be hostile, combative, threatening physical violence, or resisting restraint or arrest to use tactics that prevent or defuse these tense and potentially dangerous situations. In de-escalation training, officers learn to identify people experiencing mental health crises and are taught communications skills and other strategies that create temporal and physical distance between themselves and community members. Officers are taught to slow down, stay calm, back up to a safe place, and prevent the rush of adrenaline from triggering unnecessary or disproportionate force. De-escalation trainers advise participants to plan out their de-escalation strategy with their partners and avoid multiple officers speaking at once, which can create confusion and aggravate stress on the part of the community member, particularly if the person is experiencing a mental health crisis.

There is a small body of rigorous research on the impact of de-escalation training. Most notable are two studies of the Police Executive Research Forum's (PERF) Integrating Communications, Assessment, and Tactics (ICAT) training program, which is delivered over two consecutive eight-hour days and includes lecture-based instruction, viewing of videos, team-building activities, role-playing of hypothetical scenarios, and group discussion (Engel et al., 2020). The PERF ICAT training emphasizes the dynamic nature of police interactions with people in crisis and the importance of integrating de-escalation methods into all facets of police training and operations, such as duty-to-intervene policies. For example, officers learn to identify people experiencing mental health crises, substance use disorders, or intellectual disabilities, instruction that may overlap with or complement an agency's Crisis Intervention Team program.

One study of ICAT employed a randomized controlled trial design to estimate the impact of training provided to officers in Louisville, Kentucky (Engel et al., 2020), while the second used a quasi-experimental synthetic control methodology to analyze the impact of the same training curriculum in Camden County, New Jersey (Goh, 2020). The Louisville study found that officers who completed the program were involved in 28% fewer uses of force, 26% fewer citizen complaints, and 36% fewer officer injuries than those who received no training

(Engel et al., 2020). The Camden training yielded a 40% decline in use-of-force incidents compared to other large New Jersey police agencies, but the study design had some limitations that may have inflated this finding.

Another rigorous evaluation involved the study of a training program that includes de-escalation components but focuses more broadly on procedural justice and/or officer-community member social interactions. The Tact, Tactics, and Trust (T3) social interaction training curriculum was found to lead officers to prioritize use of procedurally fair communications in one of the two agencies evaluated, but did not yield a statistically significant reduction in police use of force (McLean et al., 2020).

Studies of de-escalation training in other contexts and professions, such as nursing in hospital settings and psychiatry in specialized care units and mental health care centers, are uneven in rigor. However, a recent systematic review identified modest but generally favorable impacts on perceptual measures, such as appreciation for and knowledge of de-escalation tactics, as well as improvements in behavioral metrics associated with reduced use of force and severity of injury (Engel et al., 2020b).

Qualitative research and expert opinion on de-escalation policies and training identify a common stumbling block to implementation: the widespread belief among officers that they are at tremendous risk of harm (Sierra-Arévalo, 2020). Officers in police academies are programmed to be constantly vigilant about threats, with trainers spending a disproportionate amount of time teaching when and how to use force for rare events and insufficient time guiding officers on how to handle more common interactions that may involve body language, cultural differences, and other sources of miscommunication. While threats to officer harm are certainly a reality, the perception of perpetual deadly threat – emphasized by messages to recruits that "hesitation can be fatal" or "complacency kills" – can lead officers to default to drawing their weapon before a threat is fully analyzed (Stoughton, 2015). This underscores the importance of addressing the underlying culture of policing as a critical complement to de-escalation training.

Experts argue that to be effective, de-escalation training should be coupled with non-punitive reviews of both use-of-force incidents and examples of successful de-escalation that enable officers to evaluate their responses to incidents and threats.[4] To help identify the specific instance that led to an unfavorable outcome, these reviews should dissect every action that transpires, beginning with the very first contact with a community member (Lanier, as cited in PERF 2015).[5] Such "after action" reviews should be protected and separate from formal internal investigations to invite candor and foster constructive learning opportunities.

Recognizing and commending officers who model effective de-escalation can also help promote officer compliance with de-escalation policies and strategies. For example, both the Philadelphia and Los Angeles police departments created a commendation explicitly intended to recognize successful de-escalation (Gilbert, 2017). In addition, agencies should enhance accountability by instituting clearly stated standards for officer adherence to de-escalation policies – as well as accompanying oversight measures – throughout the chain of command (Klinger, as cited in U.S. Commission on Civil Rights, 2015).

Critical Policy Elements

+ Agencies that establish de-escalation policies and training should convey to officers that de-escalation is both the expectation and the norm. One way to accomplish this is to ensure that the hours dedicated to de-escalation training are substantial and commensurate with those allocated to use-of-force training.

+ Training alone is insufficient to change behaviors. De-escalation should be grounded in written policy, and training should accurately reflect the policy. Supervisors should ensure that the policy is adhered to, and counseling, remedial action, and disciplinary measures should be used to promote compliance and accountability.

- Successful de-escalation training should be combined with policies and practices that reinforce defusion tactics, such as use-of-force incident reviews and complementary duty-to-intervene policies.
- To ensure de-escalation training is effective, agencies must also address the underlying cultural belief among many police officers that refraining from using force will put them at tremendous risk of harm.
- Agencies should commend officers who successfully de-escalate volatile events and hold them up as examples for others to follow.

Expected Impacts

PREVENTING MISUSE OF FORCE

Certain types of de-escalation training can reduce use-of-force incidents significantly, particularly those that offer substantial training hours.

ENHANCING TRANSPARENCY AND ACCOUNTABILITY

Accountability is enhanced when de-escalation policies include the routine review of de-escalation and use-of-force incidents, accompanied by appropriate corrective action as needed.

STRENGTHENING COMMUNITY TRUST

Reductions in the frequency and severity of use of force likely help build community trust and reduce the number of incidents that can spark public outcry and unrest.

REDUCING RACIAL DISPARITIES

It is difficult to predict the degree to which de-escalation training reduces racial disparities; absent other measures to reduce biased policing, such training may decrease use of force overall but have no impact on disparities. However, training that advises officers to slow down and stay calm may help officers identify their biases and refrain from acting upon them.

ENSURING OFFICER SAFETY

De-escalation training and accompanying policies have been found to reduce officer injury, thereby enhancing officer safety.

PROMOTING PUBLIC SAFETY

Public safety is served when reductions in use of force frequency and severity help restore community trust, making residents more willing partners in crime control and prevention.

Endnotes

1 See also the Police Executive Research Forum's Guiding Principles on Use of Force from 2016, which emphasizes incorporating de-escalation principles and strategies into all aspects of departmental policies and trainings.

2 http://useofforceproject.org/

3 https://www.justice.gov/crt/file/922421/download

4 https://journals.sagepub.com/doi/pdf/10.1177/0002716219892913

5 https://www.policeforum.org/assets/reengineeringtraining.pdf

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About The Task Force

The independent **Task Force on Policing** was launched in November 2020 by the **Council on Criminal Justice**. Its mission is to identify the policies and practices most likely to reduce violent encounters between officers and the public and improve the fairness and effectiveness of American policing. The **11 Task Force members** represent a diverse range of perspectives and experience and include law enforcement leaders, civil rights advocates, researchers, a former mayor, and community members who have lost loved ones to police violence. The Council staffs the Task Force, and the **Crime Lab** at the University of Chicago's Harris School of Public Policy is serving as its research partner.

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