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MAKING TIME

Split-second decisions can end in tragedy



By Julius (Jay) Wachtel. Early on a Saturday morning three weeks ago [two uniformed LAPD gang enforcement officers](#), one with eight years of experience, the other with seven, were patrolling in South Los Angeles when they heard a “loud noise.” Wheeling their car around they spotted Steven Eugene Washington, 27, walking down the sidewalk. He seemed to be fiddling with something on his person. Although a detailed official account is lacking, it seems that the officers exited their vehicle, called out to Washington and ordered him to stop. Instead he walked towards them and removed an object from his waistband.

Or seemed to. Fearing that their lives were in danger, the officers fired. Struck once in the head Washington fell, mortally wounded.

No gun was found. What the object was – if anything – hasn’t been disclosed.

According to Washington’s mother, and to the attorney representing her in a claim against LAPD, her son, [who suffered from autism](#), was on his way home after seeing a friend. Fearful of strangers and respectful of police, he had never been in trouble with the law. [“We want to know why,” his outraged aunt demanded.](#) “You’re dealing with a 27-year old man who is autistic – 27, but with the mind-frame of a 12-year old. He never carried a gun, he was never around guns, he wasn’t violent. He was a kid.”

At a press conference soon after the incident [LAPD Assistant Chief Earl Paysinger](#) emphasized that officers believed Washington was reaching for a gun and had only an instant to decide. “The officers made decisions in a fraction of a second and teams of investigators now have to examine it from every possible angle...It is important to note that what happened was tragic to Mr. Washington, his family, to whom we offer

our condolences, but also for the officers, who have our strong support during this incredibly difficult period for all of us.”

Earlier postings (see “related posts,” below) document a recent string of questionable shootings by Southland law enforcement agencies. Perhaps the most similar took place in May 2008 when [two Inglewood cops](#) shot at a car they mistakenly thought was the source of gunfire. One occupant was killed and two others were wounded. Expressing deep regret, the city’s police chief suggested that it wasn’t the police but circumstances – shots *had* been fired and the vehicle seemed to be headed straight at the officers – that were really to blame. “I won’t go so far as to call it a mistake. The process that the officers went through had a very tragic outcome.”

Mentally unstable persons do present a special challenge. One week after the Inglewood incident [Long Beach officers](#) were called to deal with a middle-aged man who was behaving erratically. During a struggle he grabbed an officer’s baton and was shot five times. Surviving relatives described him as a loving person who was distraught about a failed relationship. (They sued, but a jury found in the department’s favor.)

Considering the innumerable police-citizen encounters that take place each day in this gun-obsessed and violence-prone land, it seems a miracle that so few shootings actually occur. Knowing that appearances can deceive, most officers take care not to act hastily, thus accepting at least some risk. If they didn’t, dead civilians would be lining the streets at the end of every shift.

Still, one needless death is one too many. What can prevent mistaken shootings? Shortly after Washington’s death [LAPD reassured the public](#) that its officers are trained to deal with the autistic. A project by the [Autism Society of Los Angeles](#) has reached thousands of officers, including many with family members afflicted by the disorder. Autism training is now commonplace for cops around the U.S. (Awareness of the problem has even seeped into popular entertainment, with a theatrical play, “[The Rant](#),” portraying the police killing of an autistic teen.)

Yet is training enough? Last October [an autistic 16-year old](#) North Carolina high school student asked to speak with a resource officer. When the cop arrived the youth suddenly drew a knife and lunged. By the time it was over the officer had several knife wounds and the boy was shot dead. “It’s very upsetting, and I just hope everybody realizes that this was an isolated case, and he was a good kid,” [said the boy’s mother](#).

When officers have the luxury of time skills learned during classroom instruction and practical exercises can be useful. But self-initiated contacts, such as the observation that led to the encounter between the LAPD cops and Washington are far more difficult to manage. Officers who know nothing beyond what they observe might perceive a threat where none exists. And if they're in a high-crime area, fear, anxiety and past experiences can predispose them to respond reflexively.

Sometimes cops must make decisions in Chief Paysinger's "fraction of a second." But it may also be possible to "make" enough time to give oneself some breathing room. Officers know not to place themselves in positions where they lack cover or are inherently at risk, such as in front of a suspect's car. On the other hand, choreographing unplanned street encounters isn't easy. Merely closing in can place an officer in a dangerously exposed position. Should a suspect make a move, the cop may instinctively react by deploying their only ready defense – a gun.

That's what supposedly led to a [widely-criticized episode](#) last September, when a man running from an L.A. County deputy was fatally shot when he reached for what turned out to be a cell phone. He turned out not to be the robber that officers were seeking. The upshot was a [new policy](#) that urges officers to contain suspects rather than charge in. "You don't have to go barreling in on every case and then find yourself in a position where you have no choice but to use your gun," said Sheriff Lee Baca.

When cops go through simulation exercises they learn the importance of taking cover and seeing a gun before firing. Unfortunately, the lessons don't always transfer to the rough-and-tumble of the streets. How long did the officers who shot Washington observe him before moving in? Once they did, did they take any precautions to increase the time they had to react? And most importantly, *what was in the youth's hands?*

Hastily entering an uncertain environment with little information is a recipe for tragedy. Alas, it's a practice that officers seem doomed to repeat.