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## WORKING SCARED

***Fearful, ill-trained and poorly supervised cops are tragedies waiting to happen***

*By Julius (Jay) Wachtel.* Keeping one's gun holstered is a sine qua non of policing. It's not just to avoid offending citizens. As experienced cops well know, and as hapless officers regularly discover, a gun needlessly in the hand is an accident waiting to happen. [In an episode](#) that took place only days ago, a Los Angeles County sheriff's shot himself in the calf while pursuing car theft suspects on foot.

Such events aren't rare. Guns accidentally go off in police stations, cop's garages, and during marksmanship sessions at the range. Sometimes the consequences are more than embarrassing. [One small-town police chief](#) has sheepishly admitted shooting himself twice. (For a host of examples plug "officer accidentally shoots himself" into Google.)

It's not only cops who get hurt. Not long ago [a Colorado officer](#) slipped on the ice and accidentally wounded the man he was pursuing. Of course, when the person shot is a crook or was aggressive, blame is easy to deflect; after all, policing is a tough job, and had the suspect behaved to start with, they'd be just fine. That rationale was used, with some success, to minimize the culpability of [an Oakland transit cop](#) who mistakenly drew and fired his sidearm instead of the Taser he had meant to deploy. Tough-minded prosecutors charged the officer with murder, but jurors took pity and convicted him of involuntary manslaughter. In the end, the former officer served a bit over one year. A civil suit against him [went nowhere](#).

These circumstances recently reoccurred in Tulsa. While assisting in an arrest, an elderly reserve deputy fired his gun, [killing a suspect](#) whom he intended to stun into compliance. [Prosecutors charged the volunteer](#) with the lesser form of manslaughter, which in Oklahoma carries a penalty of up to four years in prison or one year in jail. In an accidental shooting last November, [rookie NYPD officer Peter Liang, 27](#), entered a dark stairwell while patrolling a high-rise in the projects. He drew his pistol for protection. (Liang's partner, also a rookie, kept his gun holstered.) Liang would testify that he was startled by a noise and squeezed off a round. The bullet ricocheted off a wall and fatally wounded Akai Gurley, 28. He and his girlfriend had been using the stairs because the elevator was out. Last week a jury convicted officer Liang of manslaughter and official misconduct for failing to render aid. He faces up to fifteen years in prison. (His hapless partner was also fired, ostensibly for not providing aid to the dying man.)

Mr. Gurley's death was unintended. Not so the November 2014 [shooting of Tamir Rice](#), the 12-year old Cleveland boy who flaunted a realistic-looking pellet gun. Neither Timothy Loehmann, the 26-year old rookie who shot him, nor his partner were charged.

Prior posts have identified factors that can lead to the inappropriate use of lethal force. Some cops may be insufficiently risk-tolerant; others may be too impulsive. Poor tactics can leave little time to make an optimal decision. Less-than-lethal weapons may not be at hand, or officers may be unpracticed in their use. Cops may not know how to deal with the mentally ill, or may lack external supports for doing so. Dispatchers may fail to pass on crucial information, leaving cops guessing. And so on.

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Here we'll take a different approach. Comparing the accidental killing of Akai Gurley with the deliberate shooting of Tamir Rice, we'll examine whether these incidents are in fact as dissimilar as they seem.

First, officers Liang and Loehmann were both young and inexperienced. Including the academy, Liang had worked for NYPD less than eighteen months. Loehmann was on the Cleveland force only eight months. He was previously a cop in Independence, a small town south of Cleveland, but left after only one month on the street.

Substantial questions have been raised about both officers' suitability for police work. A *New York Times* reporter who was at Liang's trial [characterized the defendant](#) as "young, scared and unqualified to perform dangerous work..." Loehmann [was rejected by several agencies](#) before being hired by Independence. [According to a deputy chief](#), the recruit was "distracted" and "weepy" during firearms practice and seemed unlikely to improve:

He could not follow simple directions, could not communicate clear thoughts nor recollections, and his handgun performance was dismal...I do not believe time, nor training, will be able to change or correct the deficiencies...

Loehmann resigned under pressure. Cleveland hired him anyway.

During academy training recruits are obsessively cautioned about officer safety. Lectures and practical exercises harp on the fact that being careless can cost a cop's life. Natch, in our gun-suffused land there is an unlimited supply of examples. (Indeed, while officer Liang's trial was in progress, two NYPD officers were shot and wounded while patrolling – you guessed it – a housing project stairwell. The judge disallowed testimony about the episode.)

Few officers are as nervous as recent grads. Of course, people are constantly doing crazy stuff, so it falls to field training officers to calm their junior partners and keep them from shooting citizens for pulling a tissue to blow their nose. What experienced cops well know, but for reasons of decorum rarely articulate, is that the real world isn't the academy: on the mean streets officers must accept risks that instructors warn against, and doing so occasionally gets cops hurt or killed. Your blogger is unaware of any tolerable approach to policing a democratic society that resolves this dilemma, but if he learns of such a thing he will certainly pass it on.

Alas, the hiring process isn't infallible. Even good screening measures fail. That's why it's essential to closely monitor recruits in the academy and during their first years in the field. That's not foolproof either. Every working officer knows cops who have poor people skills or are prone to overreact, leaving messes for colleagues to clean up. Fortunately, no one usually dies and things get papered over until next time.

Occasionally, though, there is no "next time."