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New York Times Attacks The Force Science Institute - A rebuttal

Written by Dave Blake on 25 August 2015.

The New York Times recently published an article by Matt Apuzzo entitled, ["Training Officers to Shoot First, and He Will Answer Questions Later"](#). The article's title continues to vilify American Law Enforcement while the contents of the article attack Dr. William Lewinski and the Force Science Institute. The article's biased intent showed in a separate article quoting Chief Harold Medlock as saying; "he decided not to have William Lewinski speak to his officers in part due to the NYT article".

I am a rabid student of the empirical information explaining officer's actions during tense, uncertain, and rapidly evolving violent encounters. My passion and thirst for knowledge pushed me to research the statements made in the NYT article. I believe the article contains some problematic statements from officials and researchers that I wished to fully understand. For instance, Police Executive Research Forum (PERF) director Chuck Wexler is quoted as saying he is, "troubled by Dr. Lewinski's teachings." The statement is ambiguous and needs further explanation. I started my research here by emailing Mr. Wexler and respectfully asking for him to expand on his quote in the NYT article. As of this writing, I have yet to receive a response from Mr. Wexler and hope he will someday clarify his statement.

I moved to another statement made by Dr. Lisa Fournier. The NYT's article states she reviewed Dr. Lewinski's "studies" and found them lacking. Yet, her direct quote within the article points to a review of only one study which she evaluates as, "invalid and unreadable." The important point to consider is that she did not review the study, but rather bases her opinion on the magazine article which obviously does not follow standard research methods in its formatting. A magazine article is a summary of research and shouldn't be the standalone method determining the veracity of research. Finally, Dr. Fournier's attacks do not undermine the results in which the time to complete an action is standardized. Her critique is more based upon methodology and other facts that don't seemingly refute the outcome. It should also be noted that most of the studies conducted and posted on the FSI website are peer reviewed and published in the journal; Law Enforcement Executive Forum. I have personally experienced the peer review and editorial process with this journal and found it to be extensive and demanding.

One of the worst examples of a statement seemingly provided through confusion and a lack of correctly established context was from, Dr. Arien Mack. Mack is a leader in the study of Inattention Blindness. She is quoted in the NYT article as saying, "I hate the fact that it (theory of inattention blindness) is being used this way." This surprisingly ambiguous and yet potentially devastating statement by Dr. Mack ultimately prompted the writing of this article. I emailed Dr. Mack to determine the veracity of her statement in the NYT article. Dr. Mack explained to me (unedited), "Inattention Blindness occurs when one's attention is engaged by something and objects not part of the focus of attention are not seen." As an FSI certified Force Analyst, I can attest to the fact that this is exactly how the concept was presented by FSI in the classroom.

Dr. Mack stated in her email to me (unedited), “I do not think Inattentional Blindness can account for or validate an police officer's claim that in a fraught encounter he had seen gun where in fact it later turns out there was no gun because if in fact the officer is focused on the weapon, which he understandably might be, he would see it if it was there and perhaps because of Inattentional Blindness not see other things in the scene like the color of the clothes worn by the suspect.” Mack’s response is telling as it appears she was not accurately educated by the author. I was never taught by FSI that the theory can be used to “see a gun” where none exists.

To solidify my belief, I provided Dr. Mack two scenarios that I often provide in the Force Options Simulator (FOS) and asked her to opine. These scenarios have repetitively demonstrated that students miss objects clearly within their view. This occurs even as everyone else in the room sees them. While not empirical, this observation could lead to a reasonable belief that the theory of inattention blindness applies. For those unfamiliar with the FOS, it is simply a large video screen that plays a life size force options scenario and reacts realistically to the officer’s use of a firearm, Taser, or Pepper Spray. The scenario descriptions are as follows:

Case Study #1: Student approaches the driver’s side of a car while hearing a woman screaming. The driver’s door opens quickly and stays open for just under a second before a very large man gets out and begins to threaten the officer. The man removes a clearly visible handgun from a pouch on the driver’s side door and shoots at the officer. Later, I interview the students as to what they saw and did. I have found that approximately 75% never see the gun when the door opens (about 1 – 1.5s visible before the suspect grabs it). I believe the students are selectively attending to the passenger compartment or large man getting out of the car - and what their training tells them is the most important – what the man in the car does. I tell them (and please correct me) they do not see the clearly visible handgun in the door because of Inattentional Blindness.

Case Study #2: Students approach a suicidal young man with a knife to his neck. The man is pacing and threatening suicide. Suddenly the man moves quickly towards the officer in a threatening manner. The officer will shoot the man in almost all of these situations (multiple times). However – in this particular scenario the man throws down the knife before reaching the officer. Almost 100 percent of the time, the officers do not see the man drop the knife and are surprised to see how the event played out afterwards. Again, in applying what I know about the science – an officer sees the knife and feels his life is in danger; ultimately making the decision to shoot. I don’t know your familiarity with weapons – but, lining up the sights or even lining up the top of the weapon with a target requires extreme selective attention, which to me would cause inattention to most other things in the environment – to include the dropped knife.

In response, Dr. Mack stated (unedited), “I am afraid the situations you describe are far too complicated for me to comment upon intelligently. In order to do so I would have to run carefully controlled experiments and then carefully analyze the responses to understand what is going on.” Dr. Mack’s response is problematic as she had no problem commenting to the NYT’s how sickened she is, but can’t provide an answer on the plausibility of two scenarios without research?

I then reached out to leading experts (all PhD’s) in the study of inattention blindness. I asked them to review the scenarios I provided to Dr. Mack and to opine as whether Inattention Blindness might apply. I do not identify the researchers in this article as I did not ask their permission to publish their opinions; however, I have maintained the written responses from which the following quotes are taken:

Researcher #1 stated: “Case 1 could be an example of Inattentional Blindness”. “Case 2 is less clear. It sounds a bit more like an example of change blindness, the failure to notice something different from one moment to the next.”

Researcher #2 stated: “In both of the cases that you describe it is certainly plausible that the individual's attention becomes focused upon that event which appears to be most threatening in the individual's evaluation of the instance, i.e., the person.”

Researcher #3 stated: “Both of the situations that you describe do sound like plausible instances of Inattentional Blindness to me.”

It should be noted researcher #1 asked clarifying questions about case study #2, which I surmise if answered, would change his stance to the scenario being an example of Inattention Blindness.

Regardless, I believe the responses gathered provide evidence to refute Dr. Mack's possibly biased (by Apuzzo) remarks.

Lastly, I emailed the author and told him I felt the article was biased and inflammatory. He responded in part as follows; "I'm sorry you feel the story was biased. Every criticism I quoted someone having on Dr. Lewinski, I tried to give his side. For example, I noted that while the Justice Department criticized him and said his research was unreliable, the same DOJ hired him just seven months later and obviously considered him reliable enough to testify on a DEA agent's behalf. And he trains federal marshals." Ultimately, I believe Mr. Apuzzo's article has an agenda – regardless of what he states about providing a fair and balanced review. What is even more disheartening is how this article will now be used as another hurdle for expert witnesses to explain the human limitations of a police officer when engaged in use of force incidents.

This article was reviewed by FSI prior to publishing. FSI will soon be publishing a direct response themselves that has other important details.

About the author: *Certified Force Science Analyst, Dave Blake, M.Sc., CCI., is currently an Adjunct Professor of Criminal Justice, a Police Academy Instructor, and a Force Options Simulator Instructor at a large regional training center. His policing experience includes positions in; SWAT, Field Training, Gangs, Narcotics, Supervision, and Use of Force Training. Dave has instructor certifications in; Force Options Simulator, Firearms, DT, and Reality Based Training. He is a published author in several periodicals and journals to include a quarterly column with PoliceOne online magazine entitled; "The Science of Training". He holds a Bachelor of Science in Criminal Justice Management and a Master's of Science in Psychology. He is a Certified Criminal Investigator with the American College of Forensic Examiners Institute. Dave owns The Blake Consulting and Training Group which provides consulting / expert witness services on police practices (use of force) and human factors.*