

Surviving Verbal Conflict®

“Verbal De-escalation Techniques”



Law Enforcement Professionals

(4) Hour Program

2021

WORKBOOK

Presented by:
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(08.09.21)

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Harry P. Dolan is a 32-year police veteran who brings 25 years of public safety executive experience to his courses. He retired in October 2012 as Chief of Police of the Raleigh Police Department and is now the CEO of Dolan Consulting Group LLC, an organization of public policy experts who address issues related to public service provision organizations, such as law enforcement agencies, corrections agencies, fire departments, emergency medical services, hospitals, and school districts.

Chief Dolan began his law enforcement career in 1980 as a deputy sheriff in Asheville, North Carolina, and served there until early 1982 when he joined the Raleigh Police Department. In 1987 he was appointed Chief of Police for the N.C. Department of Human Resources Police Department, located in Black Mountain. He served as Chief of Police in Lumberton, N.C. from 1992 until 1998 when he became Chief of the Police of the Grand Rapids, Michigan Police Department. Chief Dolan led the Grand Rapids Police Department for nearly 10 years before becoming Chief of the Raleigh Police Department in September 2007.

Chief Dolan has lectured throughout the United States and has trained thousands of public safety professionals in the fields of service excellence, leadership & management, communications skills, and community policing. Past participants have consistently described Chief Dolan's presentations as career changing, characterized by his sense of humor and unique ability to maintain participants' interest throughout his training sessions.

Chief Dolan is a graduate of Western Carolina University and holds a master's degree in Organizational Leadership and Management from the University of North Carolina at Pembroke.

Surviving Verbal Conflict®

Honoring Our Duty to Intervene

(4) Hour Program

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Disclaimer: The information and attachments contained in the *Surviving Verbal Conflict® - De-Escalation Techniques Training* are designed to be used as a guide to the subject matter covered and should be thoroughly reviewed by your agency's training department, legal department and policy unit before implementation in your agency. For the best benefit the Dolan Consulting Group, LLC (DCG) recommends that the training be implemented in a comprehensive manner, and not in a haphazard, arbitrary or piecemeal way. Accordingly, DCG shall have neither liability nor responsibility to any person or entity with respect to any loss or damage caused or alleged to be caused directly or indirectly by the information, in whole or in part, contained in this Training.

Section 1:

Opening Statement

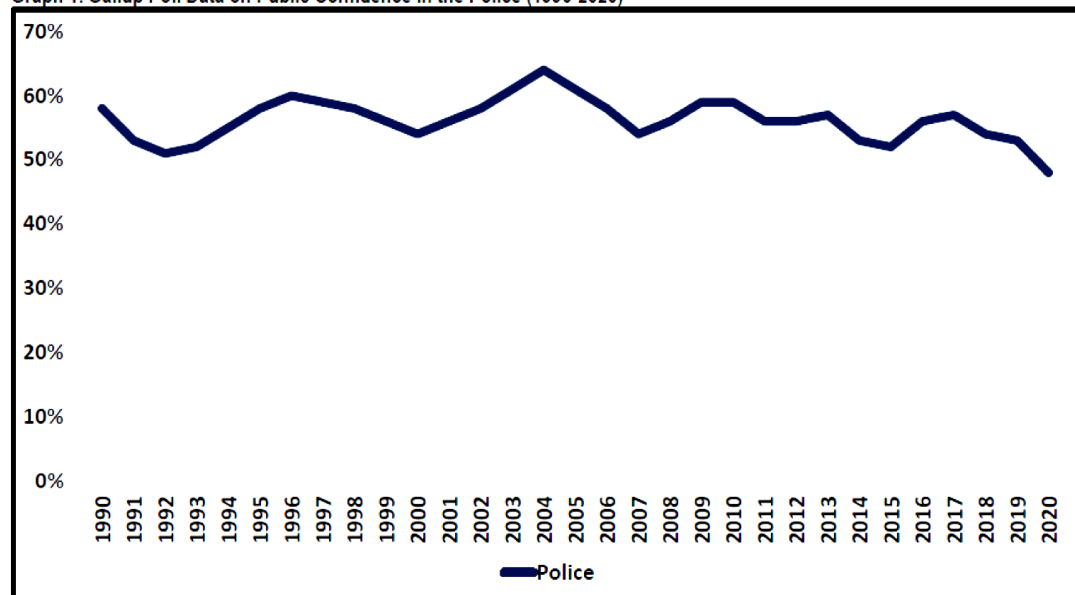
Just what does it mean to survive verbal conflict? In a word, Professionalism.

When you boil it down, successful human interaction is artful common sense. The ancients got it right. Rhetoric, the art of persuasion, is based on connecting with people as human beings; all of us want to be treated with respect, understood, and know the right thing is being done.

A. The public's Confidence in the Police Might Be Better Than You Think!

1. The public confidence in the police has remained fairly stable over the last 31 years, fluctuating between 48% and 65% from year to year. Nevertheless, confidence in the police has remained much higher than public confidence in other institutions.
2. Graph 1 below shows the percentage of Americans surveyed by the Gallup Organization who indicated that they had "a great deal" or "quite a lot" of confidence in their local police, year by year.

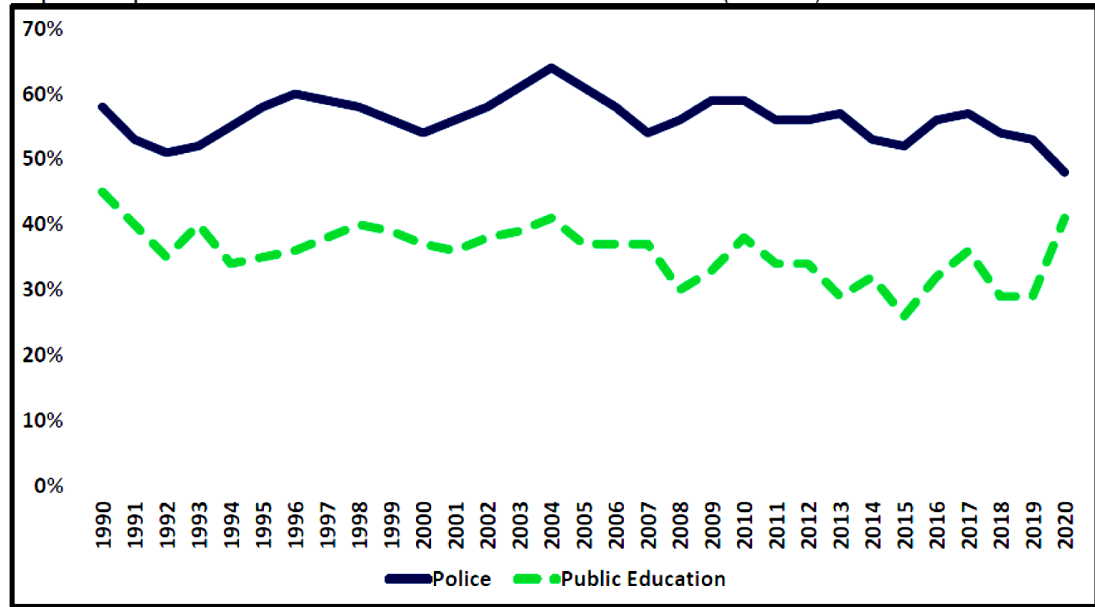
Graph 1. Gallup Poll Data on Public Confidence in the Police (1990-2020)



Source: Dolan Consulting Group & Gallup Organization

3. Graph 2 compared the trend in public confidence in the police, with public confidence in public education, from 1990 through the first half of 2018. As this graph reveals, public confidence in public education has been below 50% since before 1990.

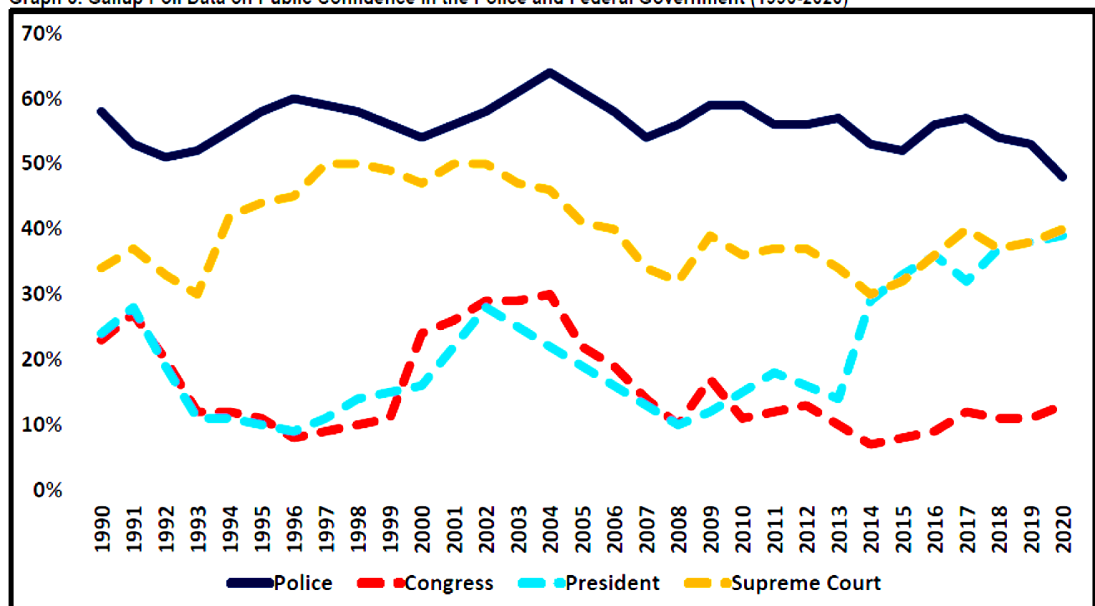
Graph 2. Gallup Poll Data on Public Confidence in the Police and Public Education (1990-2020)



Source: Dolan Consulting Group & Gallup Organization

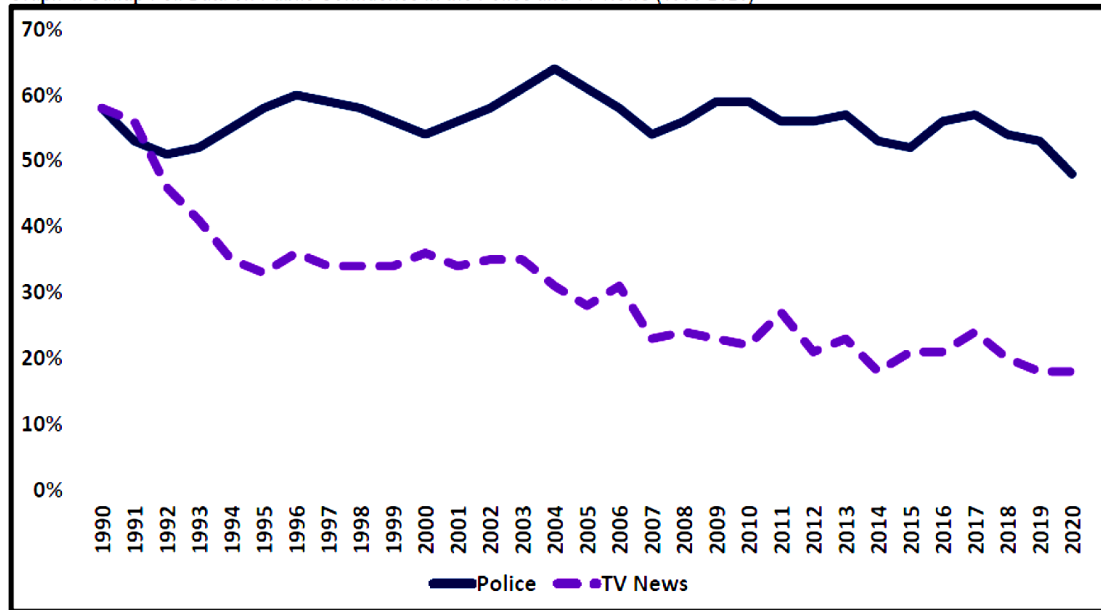
4. Graph 3 below reveals the levels of public confidence in the police alongside the levels of public confidence in Congress, the President, and the Supreme Court. As this graph reveals, since 1990, public confidence in law enforcement has remained much higher than the level of public confidence in the three pillars of the federal government.

Graph 3. Gallup Poll Data on Public Confidence in the Police and Federal Government (1990-2020)



5. Our final graph, Graph 4, compares the Gallup Poll data on public confidence in the police, with Gallup Poll data on public confidence in the television news media. In 1990 and 1991, law enforcement and the television news media had similar levels of public confidence – between 55% and 60%. After that, public confidence in the television news media took a major nose dive, dropping far below public confidence in the police. **Public confidence in television news media fell from 58% in 1990, to 33% in 1995. After its initial plummet in the early 1990s, public confidence in the television news media has never recovered.**

Graph 4. Gallup Poll Data on Public Confidence in the Police and TV News (1990-2020)



Source: Dolan Consulting Group & Gallup Organization

6. These statistics demonstrate something fundamentally important: law enforcement officers are members of one of the most trusted institutions in our country—more than our news media, our public schools, or our elected political bodies. There is a clear majority of the public that supports you and trusts in your work. That confidence is something to be protected through the professional execution of your duties as officers.

[Note to Student: Refer to the Research Brief: *“The Public’s Confidence in the Police Might Be Better Than You Think”* located on the Dolan Consulting Group Webpage and read it at your convenience. <https://www.dolanconsultinggroup.com/news/>]

B. Goals of “Surviving Verbal Conflict®” Training

1. Provide police professionals with expanded verbal de-escalation tools.
2. Enhance police and community safety
3. Improve relationships between the police and the community
4. Honor the proud tradition of the police serving as community “Guardians of the Peace”

Reasons for the Training: *Don't Let the Training Tape Run Out!*

1. SVC training may very well save your career - and more.
2. Assist you with managing hypervigilance at work and HOME.
3. Help you become who you admire.
4. Provides you with additional tools to deflect verbal abuse.
5. Helps to keep the “Training Tape from Running Out!”

C. Defining Verbal De-escalation:

“We define verbal de-escalation as verbal and non-verbal communication techniques most likely to defuse hostility, avoid physical aggression, and obtain the voluntary compliance of another, whenever safety is not unduly compromised. Verbal de-escalation techniques also assist the communicator in maintaining professional composure in the face of verbal hostility and abuse.”

– Chief Harry P. Dolan, (Ret.)

D. **Safety FIRST:** *“There’s a time to TALK and a time to ACT”*

Whenever your SAFETY, or the safety of another person is compromised, you need to take action which includes disengaging, and/or calling for assistance when faced with violent resistance.

SVC is in the lowest steps on the use of force continuum. SVC is not a replacement for physical action – including withdrawal – when faced with violent resistance.

E. **Subject Control Options Discussed During This Presentation**

Presence- Form of psychological force established through the officer’s presence and demeanor at the scene.

Verbal Direction/Control- Verbiage utilized by an officer to control or de-escalate a situation



Not the Focus of this Presentation

Physical Interaction or Control

Aerosol/ Chemical Agent

Electronic Control Device

Intermediate Weapons

Canine

Deadly Force

F. Training Objectives

1. Review Gallop Organization Data: *The public's Confidence in the Police Might Be Better Than You Think!*
2. Explain DCG's Definition of *"Verbal De-escalation Techniques."*
3. Understand The concept of *"Officer & Citizen Safety First"*.
4. Identify persuasion options discussed in the course.
5. Examine Chief Dolan's *"Guardians of the Peace"* Statement.
6. Recognize the *"Three Types of People": Proceed with Caution.*
7. Review Rhetoric: Aristotle's Art of Persuasion:
 - (a) *Aristotle's concept of ethical appeal*
 - (b) *Aristotle's concept of logical appeal*
 - (c) *Aristotle's concept of persuasive appeal*
8. Discuss *"Chief Dolan's Rhetorical Continuum": Combining Aristotle's "Rhetorical Perspective" and Chief Dolan's "Rhetorical Continuum" serves as a tool to help persuade citizens to comply with requests. (Using speech to persuade).*
9. Explain Making your audience concept: *"Audiences are made, not found" – Aristotle*
10. Understand the *"One Lead Voice Concept"*.
11. Focus on the Two Most Powerful Words in the English Language: *Empathy & Paraphrase*
12. Discuss The *"TUI" concept- Avoid talking, texting or typing Under the influence of a substance, anger, rage or grief.*
13. Apply the FAA *"Sterile Cockpit Rule" as it applies to law enforcement.*
14. Explain Why police professionals fall prey to the *"Rope-a-Dope Syndrome"*.
15. Examine the Police Veteran's Overriding Question When Confronting Verbal Abuse: *"Just how important is this?"*
16. Understand The Significance of Answering the Question *"Why."*
17. Discuss Sgt. Jim Dolan's *"Dust 'em Off Rule" & Confront "SPS"*.
18. Recognize and beware that *"Officer Schitz-storm" may be on Scene.*

19. Explain how to avoid *"Creating Jeopardy."*
20. Discuss *"The language of the Street Fallacy"*.
21. Explain Chief Dan Savage, (Ret.) *"G" Rated Communication Rule*
22. State The Benefits of following *"The 24-Hour Rule"*.
23. Discuss Chief Dolan's *"Verbal Contact and Cover Principle"*.
24. Recognize *"Hot Buttons"* and Indicators that Verbal Conflict is About to Lead to a Potentially Career-Altering Consequence for you or your partner
25. Compare The Role of *"Groupthink," "Diffusion of Responsibility,"* and *"Bystander Effect"* as it relates to *"the power of one"* in emergency situations.
26. Discuss Sergeant Coffee Technique in a Contact and Cover situations.
27. Demonstrate an understanding of a law enforcement officer's *"Legal Duty to Intervene"* when an officer loses self-control on a call for service.
28. Discuss how to Confront *"Explicit Bias"* with the *"Power of One!"*
29. **IF TIME PERMITS:** Demonstrate, through participating in practical class exercises, an understanding of the range of communication skills used when surviving verbal conflict. These skills include the importance of physical appearance, nonverbal communication, voice tone, verbal deflection techniques, empathetic active listening, and building rapport through reflective statements.

G. Chief Dolan's *"Guardians of the Peace"* Statement

"I am a guardian of the peace. Where I walk there will be peace. If I am called to restore peace, I will first use my professional presence as persuasion. When I meet resistance, I will, when feasible, use my verbal skills of persuasion to restore the peace. If verbal persuasion is rendered ineffective by the resistance I encounter, I will then employ my physical skills of persuasion with a peace warrior's spirit to restore peace. This is what I am called to do."

-Chief Harry P. Dolan, (Ret.)

According to Merriam-Webster's dictionary, a guardian is defined as a keeper, defender, or protector.¹ Is not that what public safety professionals do?

We protect and defend people and property in order to keep them safe. Sometimes, in order to achieve this mission, we have to act in the role of a warrior, so I disagree with those that consider the guardian role as weak or expect that we can be guardians without ever having to act as warriors.

The two roles – guardian and warrior – are intertwined when keeping the public peace. That is why, in Ireland, the police are called “An Garda Síochána,” which is Gaelic for “*Guardians of the Peace*.” This has caused me to develop, after much thought, a definition for a guardian of the peace. I describe a guardian of the peace in the manner above.

H. Recognize the “Three Types of People”: *Proceed with Caution*



Agreeable



Challenging



Manipulator

1. AGREEABLE:

The most common type encountered in society. The agreeable personality type will likely be compliant if the officer appears legitimate in appearance, word, and action. (NOTE: “Officer Schitz-storm” can easily turn the ordinarily agreeable person into a challenger with a negative demeanor or just a few comments)

2. CHALLENGING:

Characteristics of this personality type, which is known for demanding explanations for orders before willingly giving compliance to requests. This type will likely be physically compliant (but not necessarily verbally congenial) if the

¹ Merriam-Webster. (n.d.). Guardian. In Merriam-Webster.com dictionary. Retrieved October 21, 2020, from <https://www.merriam-webster.com/dictionary/guardian#:~:text=1%20%3A%20one%20that%20guards%20%3A%20custodian.person%20or%20property%20of%20another>

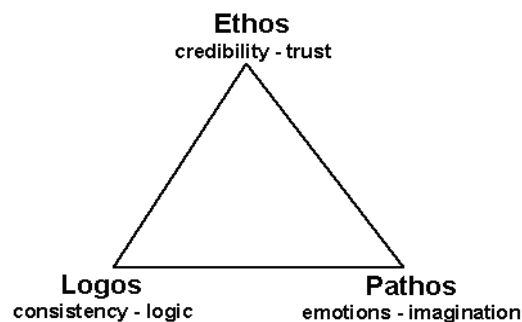
officer explains the reasons for his or her requests or actions compliance most often follows. The challenger presents a safety concern to the officer because they are demonstrating non-compliance, however due to their personality type they often display pre-attack indicators prior to making an aggressive move. (*Watch the body, if there is a conflict between the body language and verbal, focus on the body language*)

3. MANIPULATOR:

The most dangerous type. This personality type will likely pretend to be compliant but may ensnare the officer. As Dr. George Thompson would say, *"sneaky people paint a cloud of illusion"* their words and actions are inconsistent. Often times they confuse you when they say, *"I don't want a problem"*, yet they do not comply with your legitimate request or directive.² (*Watch the body, if there is a conflict between the body language and verbal, focus on the body language. "I know you told me to stay in the waiting area for my safety and yours, but I have a question."*)

I. Rhetoric: Aristotle's Art of Persuasion- *Using Speech to Persuade*

Aristotle revealed three methods of persuasion – *ethos*, *logos*, and *pathos*.³



² Thompson, G. & Jenkins, J. B. (1993). *Verbal Judo: The Gentle Art of Persuasion*. New York: William Marrow, p. 45-46.

³ Aristotle (1984). *Complete Works of Aristotle: The Revised Oxford Translation*. Princeton, NJ: Princeton University Press.

1. Ethos, or one's ethical, refers people being persuaded to comply because it is perceived as the ethical or moral thing to do. The ethical appeal only works when people accept that you, and your requests, are legitimate. If people perceive that you lack legitimacy because of your appearance, words, or actions, it is hard to gain compliance.

2. Logos, or one's logical appeal, refers to the use of logical explanation in order to change a person's mind. Some people need to hear a logical reason for a request before they will comply.

3. Pathos, or appeals to one's passions, refers to people being persuaded by reasoning that touches their personal sentiments or emotions. Pathos persuasion shows people how they will personally benefit from cooperating.

J. "Chief Dolan's Rhetorical Continuum": *Combining Aristotle's "Rhetorical Perspective" and Chief Dolan's "Rhetorical Continuum" helps persuade citizens to comply with requests. (Using speech to persuade)*

The Rhetorical Continuum traces its origins to the writings of the Greek philosopher Aristotle, from his book entitled *Rhetoric*.⁴ Aristotle was an early student of human nature and, despite the fact he wrote this book somewhere around the year 335 B.C., much of what he wrote about human communication has been borne out by social science today.

⁴ Aristotle (1984). *Complete Works of Aristotle: The Revised Oxford Translation*. Princeton, NJ: Princeton University Press.

The principles underlying Chief Dolan's Rhetorical Continuum come from: Aristotle's principles of persuasion: *the act of changing someone's mind through reasoning*

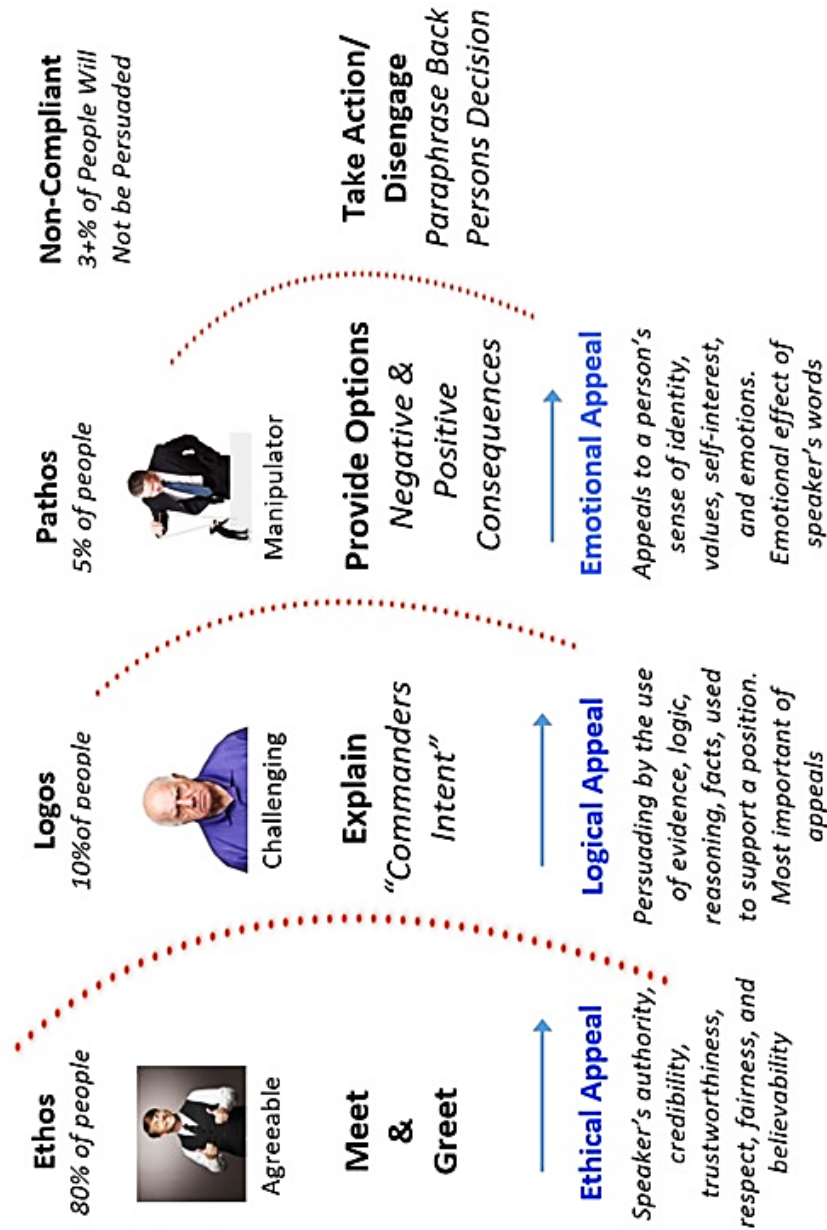
Surviving Verbal Conflict® emphasizes use of the *Rhetorical Continuum* when dealing with verbal resistance and/or argument from a citizen.

The Rhetorical Continuum Overview: *How do these three concepts apply to helping officers deal with difficult and argumentative verbal interactions with citizens?*

- Like the use of force continuum gives you physical force options, the *Rhetorical Continuum* gives you verbal persuasion options – ethical, logical, and emotional appeal – that correspond in complexity with the level of verbal resistance encountered.
- At the low end of the continuum is the ethical appeal alone, which requires the least complexity of effort. In the middle is the addition of the logical appeal, and the high end of the continuum is the emotional appeal.
- People respond better to one type of persuasion over another depending on their personality, the context of the situation, or their mood at the moment.
- The person's level of resistance determines the persuasion option applied by the officer.
- Police professionals need to be able to determine the most appropriate method of persuasion for each specific situation and apply the appropriate persuasion method to gain citizen compliance or cooperation.
- Utilizing this tool helps officers visualize their verbal options and understand when it is best to use each one.

“Chief Dolan’s Rhetorical Continuum”

Verbal persuasion options – ethical, logical, and emotional appeal – that correspond in complexity with the level of verbal resistance encountered



IMPORTANT!

Whenever your **SAFETY**, or the safety of another person, is compromised, you need to take action which include disengaging and/or calling for assistance. SVC is not a replacement for taking action/disengaging when your safety is compromised.

Star Trek Examples of the Rhetorical Perspective

One fun way to illustrate these three concepts is through three popular characters from the *Star Trek* series.⁵

- Dr. Leonard “Bones” McCoy, the medical officer on the starship *Enterprise*, illustrates the ethical appeal. In almost every episode he states, “I’m a doctor” as he tries to assert his authority and get people to listen to him. He seeks compliance with his requests based on his authority as a Doctor of Medicine. Dr. McCoy is the embodiment of ethos.
- Mr. Spock, on the other hand, is the ship’s first officer and an excellent illustration of the logical appeal concept. Mr. Spock, who is a member of an alien species that does not feel emotion, operates entirely on logic. In almost every episode, Spock responds to decisions based on emotion by uttering the phrase, “Captain, that is highly illogical.” When confronted with problems, Spock always lays out the options for action and the logic behind each. Spock is the embodiment of logos.
- Finally, James T. Kirk, the ship’s captain, is a good illustration of the emotional appeal. He leads the crew by tapping into their emotions and inspiring them to follow him. Through overacting, William Shatner tries to stir passion and emotion in the crew so they will perform the mission because they have an inner desire to do so. Captain Kirk is the embodiment of pathos.

Ethos – Dr. McCoy “Bones”:

“I’m a doctor Jim,” you should listen to me because I have the knowledge, credibility to state what I did.

Logos- Mr. Spock:

“That’s not logical Captain.”

Pathos- Captain Kirk: Emotion.

“We must boldly go where no person has gone before.” What is in everyone’s best interest?

⁵ Gross, E. & Altman, M. A. (2016). *The Fifty-Year Mission: The Complete, Uncensored, Unauthorized Oral History of Star Trek: The First 25 Years*. New York: Thomas Dunne Books.

The following is a list of suggested communication strategies and statements to be considered as a guide when interacting with citizens:

(This is not intended to be all-inclusive, rather meant as providing you with guidelines rooted within the "*Rhetorical Perspective*" and "*Chief Dolan's Rhetorical Continuum*.")

(Reminder: "*The Rhetorical Continuum*" provides you verbal persuasion options - ethical, logical, and emotional appeal - that correspond in complexity with the level of verbal resistance encountered. Therefore, the steps below are arranged *Ethos* for the approximate 80% of agreeable people, *Logos* for the additional approximate 10% who verbally challenge us, and *Pathos* for the remaining 10% manipulative people, of which we can only hope to gain compliance from 3-5%. We all understand that even Aristotle didn't persuade everybody!)

ETHOS (Ethical Appeal) Meet and Greet Basics:

- The Ethical Appeal is utilized whenever we come into contact with citizens.
- Explain the Reason for Encounter: When conducting public interactions, it is recommended that you state the reason for your actions/requests. NOTE: Safety First! It is understood that under some circumstance's safety concerns will take priority.
- Most people, 80%, comply with an officer's request when "credo/legitimacy" is demonstrated:
- People universally want to know why. Avoid, "*You know why I stopped you/ why I am here?*" Rather, try "*My name is Officer Dolan and the reason I stopped you/ came to talk to you/ why I am here at this location etc.. is _____?*"
- When conducting traffic stops, or when asking citizens to provide you with something not in plain sight, it is recommended that you use the "forecasting future behavior" strategy. "Before reaching, where do you ordinarily keep your license? Is there anything I need to be aware of for your safety and mine, and so on for registration/other required items?"
- After securing a driver's license/registration card during a traffic stop and prior to returning to your vehicle, consider directing the motorist and passengers to remain in the vehicle "*for your safety and mine*" while you are evaluating the information. You can apply this strategy as well when requesting that a citizen stay where they are while you perform a required task,

- "for your safety and mine, please stand _____ and I will be with you in a moment."*
- Let there be no confusion here, when you say to a contact, *"Remain in the vehicle or stay in this area for my safety and yours"* and they fail to comply, your safety concerns should rise. Remember most people comply with officer's lawful requests, when they don't officer safety may be compromised.
 - Show everyone professional respect.
 - Always be aware of safety
 - Ask Required Questions and/or for Compliance when Required
 - Close Professionally
- "Your safety is important to us, be careful as you pull back out onto the highway."*
- Consider Sgt. Jim Dolan's "Dust 'Em Off Rule": Following an abrupt interaction with a citizen, officers would be wise to explain the reasons for their actions/demeanor exhibited under the circumstances. Serves to enhance legitimacy. (*"Pick 'em up, dust 'em off and send 'em back on their way"*)
- "When the trust account is high, communication is easy, instant, and effective."* - Stephen R. Covey⁶

LOGOS (Logical Appeal): *Persuading others by the use of evidence, logic, reasoning, and facts used to support a position. Explaining the logical reason why compliance is needed.*

- The Logical Appeal is utilized when compliance is not accomplished through the ethical appeal.

Move onto the logical appeal demonstrating "Commanders Intent" by explaining the logic, rationale for your decision, practice, policy and/or procedure.

"The reason you must provide your license is because it is the law. Although you don't reside in this state, your state participates reciprocally with this state, which legally requires you to comply with my directive. I would like to think you would cooperate with me so that I can evaluate the information, and if everything checks out, have you on your way."

⁶ Covey, S. R. (1989). *The 7 Habits of Highly Effective People*. New York: Simon & Schuster, p. 84

We can get close to 90% of people to comply with legitimate requests when we look the part, deflect verbal abuse, treat people with respect, empathize, paraphrase, and tell them WHY (logic for your actions/request).

PATHOS (Emotional Appeal): *Emotional effect of speaker's words; Appeals to a person's sense of identity, values, self-interest, and emotions.*

- If you continue to meet resistance after having explained the commander's intent supporting your request for compliance, and when safety permits, explain the positive options (alternatives) available to them in contrast to the negative options (consequences) which will result due to continued non-compliance.

Appeal to the person's self-interest. What's in this for me? Greed/self-interest motivates

Confirm person's choice: paraphrase back to the person your understanding of what they said: "So, what you're saying is you would rather _____ than comply with my request..."

We can get close to 95% of people to comply with legitimate requests after we have appealed to their self-interest and emotions.

ACT / DISENGAGE: *To comply or not comply: the citizen's choice"*

- After providing options and confirming the person's choice not to comply with legitimate requests, we must act, disengage and/or call for additional assistance

Ordinarily we can estimate that less than 3- 5% of people police encounter fail to comply with requests for reasonable compliance. Therefore, these encounters end in one of the following manners:

Resolve the conflict with compliance

Exhaustion of the Rhetorical Continuum strategies

Act, disengage, and/or get additional assistance

K. **Make your Audience Concept:** *“Audiences are made, not found”* – Aristotle⁷

One truth Aristotle discovered from his study of rhetoric in action in the real world was that audiences are made, not found.

What does that mean?

It means that how an audience behaves is heavily dependent upon the manner of presentation of the speaker. A speaker, for example, who says and does things to insult his or her audience can turn a passive audience into an enraged audience. Conversely, a speaker can also oftentimes calm a group that is growing restless, provided the proper communication methods are used.

- Police officers “Make an Audience” the minute they pull up to the scene and continue right up until they depart.
- Become less dependent upon “ATM” (*Ask, Tell, Make*) and more effectively trained to use persuasion (*Rhetoric*)
- Don't Take Anything Personally:

“Nothing others do is because of you. What others say and do is a projection of their own reality, their own dream. When you are immune to the opinions and actions of others, you won't be the victim of needless suffering.”- Miguel Ruiz⁸

“When the debate is lost, slander becomes the tool of the loser.” Socrates⁹

⁷ Aristotle (1984). *Complete Works of Aristotle: The Revised Oxford Translation*. Princeton, NJ: Princeton University Press.

⁸ Inspirational quotes by author Miguel Ruiz on Goodreads. Retrieved on July 19, 2021 from: https://www.goodreads.com/author/quotes/4402.Miguel_Ruiz

⁹ Taylor, C. C. W. (1998). *Socrates*. London: Oxford University Press.

L. **“One Lead Voice Concept”: *One Person Talks at a Time!***

Whenever feasible, one officer should take the lead communicating with suspects and others on a scene. Multiple people giving directives and giving directives often lead to confusion and misunderstanding. Simply stated, one person talks at a time.

M. **Stay Focused on the Two Most Powerful Words in the English Language**

Empathy & Paraphrase

Empathy- See the world through the eyes of others. (*The most powerful word in the English Language*)

- Tactical Empathy: Listen with empathy and gather intelligence. Discover the meaning of the words so that you are not distracted and/or react to the words.
- The intelligence gathered can then be used as you paraphrase back to people who are TUI your understanding of what really is the matter.
- Most importantly, it helps you avoid being drawn into the rope-a-dope boxing ring.
- Find common ground- *“I see where you’re coming from, however, if you were in my position what would you do if someone.....”* **Help people see the world through your eyes.**

Paraphrase – (*Second most powerful word in the English Language*)

- Reflect your understanding back to the other in his/her words
- *“So, what you’re saying is..., is that right?”*
- *“You would rather be arrested rather than simply comply with my legitimate request”*

N. The “TUI” Concept

Talking, Texting or Typing Under the Influence of a substance, anger, rage or grief.

If we learn to deflect verbal abuse, we can gather intelligence from people who are “TUI” as to why they are “TUI”, thereby providing us with an opportunity to paraphrase back that we understand why they are angry. *“So, what you are saying is that you are upset because _____, is that right?”*

Getting to the Carnegie Hall of Communication: *How to Get the Most out of this Course:*



Practice!

Practice!

Practice!

Like any skill, communication skills learned here can be perishable if not practiced:

Section 2:

A. **Applying the FAA “Sterile Cockpit Rule”:** *Manage the “Incident Scene Social Effect”*

“While in public conducting police business, team members will use professional language and maintain a professional demeanor.” – Chief Harry Dolan

In commercial aviation, pilots follow what is called the sterile cockpit rule. The Federal Aeronautics Administration (FAA) has a rule governing airliner flight crew behavior during critical phases of the flight, such as take-offs and landings, or flight below an altitude of 10,000 feet. Called the ‘Sterile Cockpit Rule,’:

- *“No flight crewmember may engage in, nor may any pilot in command permit, any activity during a critical phase of flight which could distract any flight crewmember from the performance of his or her duties or which could interfere in any way with the proper conduct of those duties.” - FAA Sec. 121.542¹⁰*
- This rule was developed after an FAA study revealed unnecessary aircrew distractions in the cockpit contributed to a number of tragic airliner crashes.
- In 1988, Delta Airlines Flight 1141 crashed on takeoff at the Dallas-Fort Worth airport due to its flaps not being set for takeoff. The crash of this Boeing 727 resulted in the deaths of 14 persons. The crash investigation recordings revealed extensive nonessential conversation with a flight attendant about some infamous recent plane crashes, the upcoming presidential election, and favorite alcoholic beverages, all topics unrelated to the operation of the aircraft.¹¹

Manage the “Incident Scene Social Effect”

Police officers should consider implementing the FAA “Sterile Cockpit Rule” during calls for service.

- While on the job, you need to leave behind the distractions from outside of work. For your own physical safety, and your professional career safety, you need to keep your mind fully in the game. Do not let yourself be distracted by personal, or outside of work, activities while at work.

¹⁰ Federal Aeronautics Administration Rule 121.542

¹¹ National Transportation Safety Board (1989). *Aircraft Accident Report, Delta Air Lines Inc., Boeing 727-232, N473DA, Dallas-Fort Worth International Airport, Texas, August 31, 1988, Report Number: NTSB-AAR-89-04*. Washington, DC: National Transportation Safety Board.

- Letting yourself engage in personal phone calls, emails, or texts when you should be focused on your work, may blind you to hazards. If you are thinking about things outside of work while on calls, you cannot be focused on your job. You are more likely to make mistakes, say the wrong thing, or miss warning signs of danger.

B. Escape the: “Rope-A-Dope” Syndrome

To take people off their game: *“You don’t make them mad, you make them angry”*- Muhammad Ali¹²

- Officers at times evolve from being dedicated pros to hypervigilant, frustrated veterans who appear convinced that no one understands them except other police peers. Without training and professional support, they can become highly vulnerable to the “Rope-A-Dope Syndrome”. Once “Rope-A-Doped” they are “TUI”, talking under the influence of frustration, anger, sense of victimization, outrage etc.
- Once successfully “Rope-A-Doped” they struggle to deflect verbal abuse and find themselves bringing insufferable people, figuratively, home with them for dinner. Reality based training applied to verbal de-escalation techniques and learning to identify and manage hypervigilance is critical if we are going to provide our personnel with the tools indispensable to succeed at work and home.”- Chief Dolan, (Ret.)
- Avoiding “The Rope-A-Dope”: (*Avoiding a power struggle is the art of Surviving Verbal Conflict*©)
 - Rope-a-dope – (*phrase coined by Mohammad Ali*) A boxing tactic of pretending to be trapped against a rope, goading an opponent to throw tiring ineffective punches.¹³
 - *“A Rope-a-dope comment is often stated by a manipulative person, or individual who is TUI, designed to trigger an immediate intense reaction”*- Chief Dolan

¹² Hauser, T. (1992). *Muhammad Ali: His Life and Times*. New York, NY: Simon & Schuster.

¹³ Ibid.

C. **Police Veteran's Overriding Question When Confronting Verbal Abuse:** *"Just How Important is This?"*

- Just how important is this?
 - What's the overriding government interest here?
 - Am I taking this too personally?
-
-
-

D. **The Significance of Answering the Question "Why?":** *It's Not Always a Form of Disrespect*

"All people by nature desire to know" - Aristotle¹⁴

"Why?" This is a one-word question that requests clarification, reasoning, or purpose of some thing or some request. Asking 'why' is a universally human concept. Aristotle pointed this out over 2,300 years ago when he said, "All human beings, by nature, desire to know."¹⁵ It is also a truly American word. In the United States, the greatest country in the history of the planet, we have taken the question "why" to the next level.

- The key to improving morale at home and work: Raise Expectations and Tell People Why!
- Police officers explaining to citizens "why", when safety permits, is yet another example of the importance of becoming less dependent upon "ATM" (Ask, Tell, Make) and more effectively trained to use persuasion (Rhetoric).
- In addition, telling people "why" further exemplifies the importance of demonstrating "Commanders' Intent": explaining the logic, rationale for your decision, practice, policy and/or procedure.

¹⁴ Aristotle (1984). *Complete Works of Aristotle: The Revised Oxford Translation*. Princeton, NJ: Princeton University Press.

¹⁵ Ibid.

Colonel Von Steuben's observation from the Revolutionary War about Americans demand to know WHY: *Truly an American trait!*

During the American Revolution, General George Washington realized he needed help creating a professional army out of his rabble of untrained, undisciplined farmers and tradesmen. Benjamin Franklin contacted and recruited Baron Friedrich von Steuben from Europe to help. Baron von Steuben, who had joined the Prussian army at the age of 17, was a combat veteran with 30 years of military service in numerous wars across Europe. He had trained and led soldiers in many military campaigns against Russia, Poland, and France. If anyone knew how to train and lead soldiers, it was him. But then he met the Americans.¹⁶

Baron von Steuben arrived at Valley Forge to begin training these new American recruits and quickly learned that the training techniques he used in Europe were ineffective here.

When he gave orders, he immediately received pushback from the American soldiers who questioned everything he did. He was used to European soldiers who rarely questioned orders. Frustrated, von Steuben wrote in his personal diary the following entry:

*"The genius of this nation is not in the least to be compared with that of the Prussians, Austrians, or French. You say to your [European] soldier, "Do this," and he doeth it, but I am obliged to say, "This is the reason why you ought to do that," and he does it."*¹⁷

"Don't act as if the question 'Why?' was a form of disrespect; respond as it it's your obligation to explain 'Why', and, when necessary, go ahead and explain your rationale (commanders' intent). You may be surprised by the response you receive." - Chief Dolan, (Ret.)

¹⁶ Lockhart, P. (2008). *The Drillmaster of Valley Forge: The Baron De Steuben and the Making of the American Army*. New York, NY: Smithsonian.

¹⁷ Lockhart, P. (2008). *The Drillmaster of Valley Forge: The Baron De Steuben and the Making of the American Army*. New York, NY: Smithsonian, p. 104.

E. Sgt. Jim Dolan's "Dust 'Em Off Rule"

Following an abrupt interaction with a citizen, officers would be wise to explain the reasons for their actions/ demeanor exhibited under the circumstances.

Serves to enhance legitimacy.

- Confront "SPS" (*Secret Police Stuff*)
- "Pick 'em up, dust 'em off and send 'em back on their way."

F. Beware "Officer Schitz-storm" may be on Scene

Refuse to tolerate "Officer Schitz-storm" in our midst. (*pronounced "shit-storm"*)

- This is the type of person who, through words and actions, creates needless conflict. Most of the horrible YouTube videos of poor police behavior involved "Officer Schitz-storm."
- Every agency has them! This is typically the visibly irritated officer on the scene who can't help "stirring things up". They are the people who are "creating jeopardy."
- Through peer pressure, coaching, and disciplinary action, we need to communicate clearly to these types of people that their behavior is hurting our entire profession, placing us all at risk of injury and lawsuits, and will not be tolerated.

Watch your coworkers for these warning signs and step in to rescue them before they make career damaging statements or actions. We shall discuss this later in the presentation during the "Verbal Contact & Cover" section.

G. Don't Create Jeopardy

Creating Jeopardy: may be defined as a situation where an officer departs from sound tactics or policies and his/her behavior unnecessarily places him/her (and/or others) at greater risk of harm because of those actions. For example, an officer stepping in front of a fleeing vehicle and then shooting because he is now in danger of being run over. Or calling a suspect a derogatory or offensive name in the presence of a family member.

"Swearing doesn't make your argument valid; it just tells the other person you have lost your class and control." — Shannon L. Alder¹⁸

"Police officers who choose to use profanity in their interactions with the public might as well expect the outcome to be further alienation toward the police, especially when these individuals are already negatively disposed toward them." - Mervin White¹⁹

H. Chief Dolan's *"The Language of the Street Fallacy"*

Avoid the natural tendency to fill people with adrenaline. Sidestep *"Backfire Language"*

The language of the street refers to profanity and other abrasive language sometimes heard used by the criminal element in some neighborhoods.

- While most police officers agree with us, that using this language when communicating with the public is inappropriate, some officers (and even some supervisory personnel), have challenged us on this issue.
- These individuals argue that people in impoverished, high-crime areas tend not to understand any other type of language, and that using profanity and other uncouth language is a way to establish authority when dealing with these people. We argue that this view is incorrect, calling it the language of the street fallacy.

¹⁸ Alder, S. L. (2011). "Sharon L. Alder Quotes" on Good Reads website:

http://www.goodreads.com/author/quotes/1391130.Shannon_L_Alder (accessed October 25, 2015).

¹⁹ White, M., Cox, T., & Basehart, J. (1994). The theoretical considerations of officer profanity and obscenity in formal contacts with citizens. In T. Barker & D. Carter (eds.) *Police Deviance*. Cincinnati, OH: Anderson.

- We would like to suggest, for your consideration, that using such language when engaging in an official interaction with a citizen only brings harm to the police officer's credibility, harms the legitimacy of the profession, and is not necessary.
- There are countless examples of controversial and even career-ending encounters caught on tape that turn not solely on legitimate actions but an officer's words—leading up to, during, and following an encounter.
- While we recognize that this job—and the words and actions of those you encounter on- duty—can be very frustrating at times. Using the 'language of the street' within earshot of the public, however, will only continue to make your job more challenging and hurt the profession.
- Reasonable members of the community accept the fact that officers must at times be direct in their language and actions that are not necessarily pleasant. What they have a more difficult time accepting is the notion that officers fail to exhibit a professional demeanor consistent with their position.

I. Chief Dan Savage's "G" Rated Communication Rule

You can communicate with people without using foul language. You just need to practice using professional language and correct inappropriate language in the field.

Profanity and insults interfere with clear communication:

- Deputy Chief Daniel Savage, (Ret.) served as the Grand Rapids Police Department's elite tactical team commander for almost two decades. He enforced his "G-Rated Language" requirement during raids and other tactical operations. His perspective was, tactical officers need to give loud, clear commands when assaulting a location. Their language needs to be forceful, but not profane.
- After tactical actions were taken, he and his officers would explain to the people present what just happened and why.
- The reasons for demanding "G-Rated Language" are based on his concern about the perceived legitimacy of his team as well as the effect inappropriate language would have on the memories of any young people at a given location.

J. “Chief Dolan’s 24-Hour Rule”

Police officers often find themselves in challenging emotional circumstances at work and at home. Although in some cases an immediate reaction is necessary, many situations provide the professional with the opportunity to delay a response.

Over the course of our careers, we have all discovered the overwhelming benefits of delaying a response for 24 hours.

- Information first delivered in the midst of a crisis is rarely completely accurate, so be very careful responding with a “knee jerk” comment you will long regret!
- In 24 hours, you will always respond more professionally and effectively, absent emotion.
- We often find that with the clarity 24 hours brings, the matter didn’t warrant action at all; we simply allowed our anger to elevate the incident to a false level of importance.
- If you can’t delay 24 hours, try 2 hours 40 minutes, 2 minutes 40 seconds, or as in the case of a live T.V. interview, 2.4 seconds before responding to a question.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.

Section 3:

A. Chief's Dolan's "Verbal Contact & Cover Principle"

Overview

Each of us has a duty to intervene to protect our coworkers. We routinely practice this principle with regard to physical dangers. We watch our partners' backs to warn them about physical dangers and physically intervene to protect them from these physical dangers. We wouldn't hesitate to intervene if someone threatens our partner physically. Then why do we tend to stand by, acting powerless, when our partner loses his or her composure? Why do we fail to protect one another from being "rope-a-doped"?

- Watch your coworkers for these warning signs and step in to rescue them before they make career damaging statements or actions.
- Are you willing to be that kind of partner to your colleagues?

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, leaving small margins at the top and bottom. There are no vertical margin lines, text, or other markings on the page.

B. Recognize “Hot Buttons” and Identify the Indicators that Verbal Conflict is About to Lead to a Potentially Career-Altering Consequence for you or your partner

Why do people verbally abuse you? IT WORKS

What are your PERSONAL HOT BUTTONS!

Notice when verbal conflict is about to change your career and your life and not in a good way:

- Self-Referential Language (Resume’ recital) taking words personally as a challenge to one’s position. *“I’ve been in this job since you were in grade school, I started out as a beat cop, and now I’m a sergeant and you are going to challenge me by.....!”*
- Facial expressions/body language.
- *“You talkin’ to me _____?”*
- *“I don’t get paid to take this _____.”*
- *“I don’t have time for this _____.”*
- *“_____ See-Saw” (back and forth)*
- *“Do you want to go to jail....?”*

C. Overcoming “Groupthink,” “Diffusion of Responsibility,” and “Bystander Effect”

Groupthink

The term “groupthink” was coined by social psychologist Irving Janis (1972). “No single individual feels responsible for what is occurring. Members consider loyalty to the group the highest form of morality.”²⁰

Diffusion of Responsibility

“Diffusion of responsibility” is an aspect of groupthink. Simply put, when a task is placed before a group of people, there is a strong tendency for each individual to assume someone else will take responsibility for it—so no one does. The bystander effect occurs when the presence of others discourages an individual from intervening in an emergency situation.

Case Example: Discuss the case of Catherine Genovese, the infamous 1964 Kitty Genovese murder in New York City. Genovese was stabbed to death outside her apartment while bystanders, who observed the crime, did not step in to help her or call the police. After the incident, social psychologists Bibb Latané and John Darley popularized the concept of diffusion of responsibility²¹.

²⁰ Janis, I. L. (1972). *Victims of Groupthink: A Psychological Study of Foreign-Policy Decisions and Fiascos*. New York: Houghton Mifflin.

²¹ Darley, J. M., & Latane, B. (1968). Bystander intervention in emergencies: Diffusion of responsibility. *Journal of Personality and Social Psychology*, 8(4), 377–383.

The Bystander Effect: The “bystander effect” occurs when the presence of others discourages individuals from intervening in an emergency situation. Everyone thinks that someone else will act and therefore they, themselves, do not act. Social psychologists popularized the concept following the infamous 1964 murder of Kitty Genovese in New York City. Genovese was stabbed to death outside her apartment while bystanders who observed the crime did not immediately step in to assist or call the police.²²

How to overcome “Groupthink”, “Diffusion of Responsibility”, and “The Bystander Effect?”

The Power of ONE: *Sergeant Coffee Wants to Talk with You!*

The “power of one” is a concept from the groupthink research. This research revealed that if at least one person overcomes the strong social influences of groupthink and the diffusion of responsibility, others will resist these influences more easily. If you become the one to act or speak up when no one else is acting, others will follow your lead.²³

²² Darley, J. M., & Latane, B. (1968). Bystander intervention in emergencies: Diffusion of responsibility. *Journal of Personality and Social Psychology*, 8(4), 377–383.

²³ Darley, J. M., & Latane, B. (1968). Bystander intervention in emergencies: Diffusion of responsibility. *Journal of Personality and Social Psychology*, 8(4), 377–383; Janis, I. L. (1972). *Victims of Groupthink: A Psychological Study of Foreign-Policy Decisions and Fiascos*. New York: Houghton Mifflin.

D. Sergeant Coffee Technique

If you observe your partner or supervisor showing signs of losing composure, do not give in to the bystander effect. Intervene to help save their careers. Advising them that, “Supervisor Coffee wants to talk to you.” This is a code word to let your coworker know you see they are losing composure. Take over for your coworker while he or she backs away from the conversation, pretends to talk to the supervisor, and calms down. This procedure 1) puts your coworker on notice that he or she is starting to act inappropriately, 2) allows your coworker to save face when backing off, and 3) allows your coworker a brief break to calm down before re-engaging.

Case Example: Discuss the Rodney King incident involving a group of Los Angeles Police Officers and Sergeants.²⁴ Clearly the four officers directly involved in the application of force had lost their control and composure. The remaining officers on the scene who simply observed, but did not intervene, were caught up in the bystander effect. Regarding the four officers that were criminally prosecuted, what would these officers have given to have had a partner there who truly had their back and was willing to step in and save them from themselves?

Remember the power of one. *Are you willing to be that kind of partner to your colleagues?*

²⁴ Deitz, R. (1999). *Willful Injustice: A Post-O.J. Look at Rodney King, American Justice, and Trial by Race*. Washington, DC: Regnery Publishing; Koon, S. (1992). *Presumed Guilty: The Tragedy of the Rodney King Affair*. Washington, DC: Regnery Publishing.

E. HONORING OUR LEGAL DUTY TO INTERVENE

In addition to having a moral and ethical responsibility to intervene, when a co-worker loses self-control while responding to citizens requests for service, it is understood that officers have a legal duty to intervene.

***Anderson v. Branen*, 17 F.3d 552 (1994)**

The U.S. 2nd Circuit Court of Appeals stated: *"An officer who fails to intercede is liable for the preventable harm caused by the actions of the other officers where that officer observes or has reason to know: (1) that excessive force is being used, (2) that a citizen has been unjustifiably arrested, or (3) that any constitutional violation has been committed by a law enforcement official."*

***Crawford v. City of Chicago*, Case No. 12 C 5289, 15 (N.D. Ill. Apr. 25, 2014)**

The U.S. District Court for the District of Northern Illinois stated: *"An officer has an affirmative duty to intervene to protect the constitutional rights of citizens from infringement by other law enforcement officers... This duty attaches when the officer observes or has reason to know that a constitutional violation is being committed and possess a realistic opportunity to intervene to prevent the harm from occurring... Additionally, in order for an officer to be held liable under Section 1983 in cases of inaction, the plaintiff must show (1) that excessive force was being used, (2) that a citizen has been unjustifiably arrested, or (3) that any constitutional violation has been committed by a law enforcement official; and that officer had a realistic opportunity to intervene to prevent the harm from occurring."*

***Priester v. City of Riviera Beach*, 208 F.3d 919 (2000)**

The U.S. 11th Circuit Court of Appeals stated: *"Sergeant Cushing admitted on cross-examination that the dog's attack on Plaintiff may have lasted as long as two minutes. Two minutes was long enough for a reasonable jury to conclude that Sergeant Cushing had time to intervene and to order Wheeler to restrain the dog. And, because Cushing stood on top of the canal with his flashlight on the scene and watched the entire event and was in voice contact with Wheeler, this case is distinguishable from those cases where an officer who failed to intervene was found not liable because he did not observe the violation or have the opportunity to intervene."*

***Lewis v. City of Chicago*, Case No. 04 C 3904, 8-9 (N.D. Ill. Apr. 11, 2005)**

The U.S. District Court for the District of Northern Illinois stated: *"A police officer satisfies the personal responsibility requirement of Section 1983 if he acts or fails to act with a deliberate or reckless disregard of the plaintiff's constitutional rights. A police officer who is present and fails to intervene to prevent other police officers from using excessive force can be liable under Section 1983 if that officer has reason to know excessive force is being used and a realistic opportunity to intervene to prevent the harm from occurring."*

***Smith v. Hunt*, Case No. 08 C 6982 (N.D. Ill. Sep. 27, 2010)**

The U.S. District Court for the District of Northern Illinois stated: *"A police officer has a duty under Section 1983 [of the U.S. Code] to intervene to prevent a false arrest or the use of excessive force if the officer is informed of the facts that establish a constitutional violation and has the ability to prevent it... Thus, in an excessive force case, a police officer who is present and does not intervene to stop other officers from infringing the constitutional rights of citizens is liable under Section 1983 if the officer had reason to know that excessive force was being used, and the officer had a realistic opportunity to intervene to prevent the harm from occurring."*

***Sweet v. City of Hartford*, Civil Action No. 3:15-CV-00553 (CSH), 11-12 (D. Conn. May. 24, 2018)**

The U.S. District Court for the District of Connecticut stated: *"A law enforcement officer has an affirmative duty to intercede on the behalf of a citizen whose constitutional rights are being violated in his presence by other officers... It is widely recognized that all law enforcement officials have an affirmative duty to intervene to protect the constitutional rights of citizens from infringement by other law enforcement officers in their presence... Liability attaches on the theory that the officer, by failing to intervene, becomes a tacit collaborator in the illegality."*

***Bunkley v. Detroit*, 209 F.3d 552 (2018)**

The U.S. 6th Circuit Court of Appeals stated: *"The officers...had a duty to intervene to prevent violations of plaintiff's constitutional rights, and the case law shows that this duty clearly extends to unlawful arrests and detentions."*

***Byrd v. Brishke*, 466 F.2d 6 (1972)**

The U.S. 7th Circuit Court of Appeals stated: *"We believe it is clear that one who is given the badge of authority of a police officer may not ignore the duty imposed by his office"*

and fail to stop other officers who summarily punish a third person in his presence or otherwise within his knowledge. That responsibility obviously obtains when the nonfeasor is a supervisory officer to whose direction misfeasor officers are committed. So, too, the same responsibility must exist as to nonsupervisory officers who are present at the scene of such summary punishment, for to hold otherwise would be to insulate nonsupervisory officers from liability for reasonably foreseeable consequences of the neglect of their duty to enforce the laws and preserve the peace."

***Byrd v. Clark*, 783 F.2d 1002 (1986)**

The U.S. 11th Circuit Court of Appeals stated: *“If a police officer, whether supervisory or not, fails or refuses to intervene when a constitutional violation such as an unprovoked beating takes place in his presence, the officer is directly liable under Section 1983 [of the U.S. Code].”*

***O'Neill v. Krzeminski*, 839 F.2d 9 (1988)**

The U.S. 2nd Circuit Court of Appeals stated: *"Police officers have an affirmative duty to intercede on the behalf of a citizen whose constitutional rights are being violated in their presence by other officers."*

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F. Confronting “Explicit Bias” with the “Power of One!”

1. The Significance of “Implicit & Explicit Bias” and your role as the “Power of One!”

Implicit bias is an idea that suggests, regardless of our conscious thoughts and feelings, we all hold biased judgements in our subconscious against people that are different than us.²⁵

This argument suggests that police officers, jailers, prosecutors, victim advocates, judges, corrections officers, treatment counselors, and probation and parole agents all have subconscious biases that cause them to unconsciously profile and discriminate against African American and Hispanic defendants.²⁶

2. Clarification of Terms²⁷

Explicit (adjective):

fully revealed or expressed without vagueness, implication, or ambiguity; leaving no question as to meaning or intent; fully developed or formulated.

Implicit (adjective):

capable of being understood from something else though unexpressed; involved in the nature or essence of something though not revealed, expressed, or developed

3. Implicit Bias:

Several recent studies, however, find that after controlling for one’s overt racist views, implicit bias test scores had little or no influence on actual racial discriminatory behavior. ²⁸

²⁵ Greenwald, A. G., McGhee, D. E., & Schwartz, J. L. K. (1998). Measuring individual differences in implicit cognition: The implicit association test. *Journal of Personality and Social Psychology*, Vol 74(6), 1464-1480.

²⁶ Fridell, L. A. (2017). *Producing Bias-Free Policing: A Science-Based Approach*. New York: Springer.

²⁷ <https://www.merriam-webster.com/>

²⁸ Carlsson, R. & Agerstrom, J. (2016). A closer look at the discrimination outcomes in the IAT literature. *Scandinavian Journal of Psychology*, 57(4), 278-287; James, L., Klinger, D., & Vila, B. (2014). Racial and ethnic bias in decisions to shoot seen through a stronger lens: experimental results from high-fidelity laboratory simulations. *Journal of Experimental Criminology*, 10, 323–340; Oswald, F. L., Mitchell, G., Blanton, H., Jaccard, J., & Tetlock, P. E. (2013). Predicting ethnic and racial discrimination: A meta-analysis of IAT criterion studies. *Journal of Personality and Social Psychology*, 105(2), 171–192;

4. Explicit Bias: Where the evidence suggests we should place our focus

Two important law enforcement points to take away from these findings:

FIRST, overt stereotypes and racist views **do** influence people's behavior.

The research findings here strongly suggest that if an officer consciously holds negative views and stereotypes toward African Americans or Hispanics, his or her behaviors will be influenced by these prejudiced attitudes in a negative way.

SECOND, the findings also strongly suggest that persons who **do not hold overt racist attitudes** do not have to worry about some deeply hidden, unknown, unconscious racist attitudes influencing their work decisions.

These findings reveal the need to aggressively weed out officers who hold conscious racial stereotypes and biases in order to avoid biased-based policing.

[illegible]

Oswald, F. L., Mitchell, G., Blanton, H., Jaccard, J., & Tetlock, P. E. (2015). Using the IAT to predict ethnic and racial discrimination: Small effect sizes of unknown societal significance. *Journal of Personality and Social Psychology*, 108(4), 562–571; Schimmack, U. (2021). The Implicit Association Test: A method in search of a construct. *Perspectives on Psychological Science*, 16(2), 396–414.

Section 4: *(If Time Permits)*

A. Practical Exercise 1: *Demonstrating Understanding of “Chief Dolan’s Rhetorical Continuum” with Agreeable People*

The instructor organizes the students into groups of two in order to allow them to practice their 'Meet & Greet' statements, verbal deflectors, (*ethos, logos & pathos,*) and professional closing comments when encountering agreeable people.

In this exercise, each student should demonstrate a general understanding of “Chief Dolan’s Rhetorical Continuum.”

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

B. Practical Exercise 2: *Demonstrate Understanding of “Chief Dolan’s Rhetorical Continuum” while Encountering a Challenging and/or Manipulative Person on a call for Service and/or Traffic stop.*

In this exercise students demonstrate understanding of “Chief Dolan’s Rhetorical Continuum” while encountering a challenging and/or manipulative person on a call for service and/or traffic stop.

The student must respond, when safety is not threatened, with the use of persuasion (ethos-logos-pathos), making your audience, deflecting verbal abuse, all the while striving to avoid the 'Rope-A-Dope.'

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

C. Practical Exercise 3: *Demonstrate Understanding of Chief Dolan's "Verbal Contact and Cover Principle"*

The instructor has students participate in a role play exercise where they are required to verbally step in and assist a partner who has been Rope-A-Doped and is “TUI.” The student demonstrates the ability to utilize Chief’s Dolan’s “Verbal Contact & Cover Principle” invoking ‘Sergeant Coffee.’

This image shows a full page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, providing a template for handwriting practice or general writing. There are no margins, text, or other markings on the page.

Section 5:

A. Actionable Take-A-Ways & Closing Comments

"Chief Dolan's Rhetorical Continuum": Foundational Principles

The principles underlying the *Rhetorical Continuum* come from Aristotle's principles of persuasion. Persuasion is the act of changing someone's mind through reasoning, and Aristotle revealed three methods of persuasion – ethos, logos, and pathos.

Ethos, or one's ethical appeal, refers to people being persuaded to comply because it is perceived as the ethical or moral thing to do. The ethical appeal only works when people accept that you, and your requests, are legitimate. If people perceive that you lack legitimacy because of your appearance, words, or actions, it is hard to gain compliance.

Logos, or one's logical appeal, refers to the use of logical explanation in order to change a person's mind. Some people need to hear a logical reason for a request before they will comply.

Pathos, or appeals to one's passions, refers to people being persuaded by reasoning that touches their personal sentiments or emotions. Pathos persuasion shows people how they will personally benefit from cooperating.

"Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser -- in fees, expenses, and waste of time." - Abraham Lincoln²⁹

²⁹ Basler, R. P. (ed.) (1953). *The Collected Works of Abraham Lincoln, Volume 8*. Springfield, IL: The Abraham Lincoln Association.

To Sum It All Up:

Surviving Verbal Conflict® boils down to serving in a professional manner. We need to ensure that all of our interactions strive to meet expectations of proper behavior. However, the reality is that this job is hard, some people are very challenging, and it takes effort and skill to be able to handle them.

Show everyone professional respect.

Call people “sir” or “ma’am” or by their last name with the appropriate prefix of “Mr.” or “Ms.” While it feels unnatural to do so with someone who is cursing you, showing even this kind of person respect increases the legitimacy of the police in the eyes of those who witness the incident. Any YouTube video that results from the incident will end up making you look good and the challenging person look like a fool.

Use verbal deflectors to deflect verbal abuse.

Confronting verbal abuse is part of the job in many occupations. Do not get rope-a-doped into an arguing match that will make you look bad on YouTube, especially after someone edits out his own abusive comments. Briefly acknowledge the abuse and move past it by saying something like, “I hear what you’re saying, I get that, but I need you to do what I ask.”

Listen and empathize.

The people who come into the most contact with the police live in a world of chaos – poverty, difficult relationships, lack of education, substance use, unemployment, past abuse, and family dysfunction. Listen to what they say and empathize by trying to see the situation through their eyes. This is not just another call for them. Slow down and provide whatever assistance or understanding you can.

Give them options.

Even if the citizen is being unreasonable, pose your requests as a positive option that shows the citizen what he stands to benefit from cooperation. You could say, “Sir, wouldn’t you rather be home right now having dinner? The faster I can get your identification the faster I can assess the information and get you on your way. I know you don’t want to be stopped right now, but it is really up to you how long

this takes.” This plays to feelings of fairness as it lets the citizen decide how things will play out for him or her. It also shows the public that you gave the citizen a chance to cooperate.

Confirm noncompliance.

If it is necessary to take action, and safety permits, get the citizen to confirm his or her noncompliance verbally. “Sir, so what you’re saying is you would rather we use force to take you to jail and risk you getting hurt in the process. Is that what you are really saying? I need to know if that is really what you want.” Posing the question like this, forces the citizen to face the reality of further noncompliance, and shows any members of the public watching the interaction that the citizen chose what came next. You gave them a chance to avoid arrest or use of force.

Train for real life.

Since it is a fact that officers are required to use their communication skills thousands of times more often than their use of force skills, and more citizen complaints each year result from officer communication than occur from use of force, why do we spend so little time training for verbal communication under stress? Just like with our scenario-based simunition and “Redman” training, officers should routinely be put through difficult communication scenarios and required to perform under real world conditions. It is better to fail in a training environment and learn from the mistake rather than fail out on the street in the crosshairs of a cell phone camera.

"The longer I live, the more I realize the impact of attitude on life. Attitude, to me, is more important than facts. It is more important than the past, than education, than money, than circumstances, than failures, than successes, than what other people think or say or do. It is more important than appearance, giftedness, or skill. It will make or break a company ... a church ... a home. The remarkable thing is we have a choice every day regarding the attitude we will embrace for that day. We cannot change the inevitable. The only thing we can do is play on the one string we have, and that is our attitude ... I am convinced that life is 10% what happens to me, and 90% how I react to it. And so it is with you ... we are in charge of our Attitudes." – Charles Swindoll

Closing Comments

Actually, when you boil it down, successful human interaction is artful common sense. The ancients got it right. Rhetoric, the art of persuasion, is based on connecting with people as human beings; all of us want to be treated with respect, understood and know the right thing is being done.

Getting along with people is understanding that we are a wonderful mashup of personalities. In fact, depending on the situation, each of us most times are agreeable or a bit challenging. We can even be a bit manipulative. Yes, you can admit it. Yet, we want the same things.

Wouldn't it be wonderful if we met someone, especially your officer, or your internet geek for example, who practices the skills we discussed here no matter which personality I showed up with!

A master of the *Rhetorical Continuum* and the various techniques is a master at developing relationships and making friends. In the course of doing so they become better people, better partners, husbands, wives and fathers, mothers, better colleagues and certainly better at delivering police services and community well-being.

Yes, this is work, necessary work and worth the work of mastering the process, methods and techniques of human interaction.

While this workshop provided you with basic principles of effective communication skills for surviving verbal conflict - mastery of it *never* ends. Begin now! Even when having everyday casual discussions, take the conversation through the steps: Listen with empathy, discuss the facts, and explain options. Remember you are the professional! Practice until it becomes more than second nature, practice until it is intuitive, automatic, part of you. Ask yourself – “How do I wish to be remembered?”

“If I had to point to the essential skill that contributed to my most meaningful and memorable policing career, it has to be how I got along with those around me and especially with those I served. Actually, in distilling all those years; if I had to pin down the essential character of any professional it would have to be that he or she has mastered, and continues to master, surviving verbal conflict.” – Chief Harry P. Dolan, (Ret.)

B. Research Briefs & Articles: *Located on the Dolan Consulting Group Webpage*

<https://www.dolanconsultinggroup.com/news/>

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3. Dolan, H. P. (2017). *Don't Lose the Agreeable People!* Raleigh, NC: Dolan Consulting Group.
4. Dolan, H. P. (2017). *Verbal Contact and Cover: Protecting Your Colleagues and Your Profession*. Raleigh, NC: Dolan Consulting Group.
5. Dolan, H. P. (2017). *"Why?" is Not Always a Form of Disrespect*. Raleigh, NC: Dolan Consulting Group.
6. Dolan, H. P. (2018). *Verbal De-escalation Techniques: How They Actually Work*. Raleigh, NC: Dolan Consulting Group.
7. Dolan, H. P., & Johnson, R. R. (2017). *The 'Language of the Street' Fallacy*. Raleigh, NC: Dolan Consulting Group.
8. Johnson, R. R. (2004). Citizen expectations of police traffic stop behavior. *Policing: An International Journal of Police Strategies and Management*, 27(4), 487-497.
9. Johnson, R. R. (2015). Perceptions of interpersonal social cues predictive of violence among police officers who have been assaulted. *Journal of Police and Criminal Psychology*, 30, 87-93.
10. Johnson, R. R. (2016). *Why Officer Demeanor Matters*. Raleigh, NC: Dolan Consulting Group.

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13. Johnson, R. R. (2018). *Public Perceptions of Police Profanity*. Raleigh, NC: Dolan Consulting Group.
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15. Johnson, R. R., & Aaron, J. (2013). Adults' beliefs regarding nonverbal cues predictive of violence. *Criminal Justice and Behavior*,
16. Dolan, H.P., & Johnson, R.R. (2019) *Surviving Verbal Conflict: Verbal De-escalation Needs for EMS Personnel*. *Journal of Emergency Medical Services*
17. Johnson, R. R. (2018). *The Need for Empathetic Verbal De-escalation Training for Healthcare Professionals*. Raleigh, NC: Dolan Consulting Group.
18. Johnson, R. R. (2018). *The Public's Confidence in the Police Might Be Better Than You Think*. Raleigh, NC: Dolan Consulting Group.

Thank You!
for participating in this important
educational program!

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