

GRAB 'EM BY THEIR HEARTS AND THEY WILL FOLLOW

Training That Inspires

By
Valerie Van Brocklin

It was the 2005 American Society of Law Enforcement Trainers' International Conference. A breakout session claiming *emotion* was central to learning and challenging participants to discover *inspirational* training methods was becoming a fire marshal's nightmare. Chairs spilled out into the hallway, blocking the only exit. People stood along walls or settled down cross-legged on the floor. This burgeoning crowd of trainers wanted to inspire officers. Why?

When the throat clearing and handout shuffling settled down, the speaker stood silently, looking out at the waiting faces. Then in a voice her high school drama coach taught her to reach the hard-of-hearing, blue haired lady in the back row, she boomed, "*Why...are...you...here?*"

Hesitantly, people began to respond, "*To learn,*" "*To become a better trainer,*" "*To be inspired.*" The speaker pressed the dialogue,

"Why do you care about that?"

Silence, shifting, shuffling.

"What do you want your officers to do after your training?"

To this, voices called out confidently,

"Be competent." "Act professionally." "Have the confidence to make good decisions." "Respond to situations appropriately."

"But why do you care about that?"

Again, a weighted silence claimed the room. This "caring" stuff was hard to get at.

A quiet but firm voice spoke out from the middle of the room, "*I care because I want to build a better world.*"

Yes! Yes. We all want to make a difference. We care deeply – about making sure the recruits and officers we train go home safe at the end of their shifts, about our communities and the world we leave to our children. Sometimes we get so caught up in the complex demands of law enforcement training – adult learning theory, instructional methodologies, legalities, liabilities, public relations and the media – we forget why we first walked into the arena.

The speaker pushed on, “*What's the most important quality for being a great trainer?*”

“*Motivated!*” “*Dynamic!*” “*Commitment!*” “*Passion!*” The answers came quickly from the audience. Hmm. Apparently the hard-shelled “caring” nut had been cracked. All these qualities spring from caring about your training and expressing your passion for it.

Great trainers aren't necessarily the best spoken, the highest educated, the smartest or smoothest. But they all have one thing in common – *passion* .

Every time you train, ask yourself:

- Why am I here? What do I want *for* and *from* my officers?
- What is my passion for this training? Why do I care?

You can't inspire others unless you are inspired. You can have plenty of *purpose* for your training – measurable goals and objectives. And you can have mastered *principles* of your training – adult learning theory and instructional methodologies. But if you haven't found your *passion*, your training will remain pedestrian. It will lack the heart necessary to inspire others.

When you find your passion, express it, in as many ways as are authentic to you. Some inspirational trainers have charismatic styles. Others rely on a penetrating steadfastness in their eyes, subtler body movements, and the simple weight of their words. Some move all about a room. Others walk quietly into its center and stand easy, but firm, drawing the group together. Some tell compelling, illustrative stories. Others help recruits or officers tell their stories. And some inspirational trainers – like good pitchers -- mix it up. Inspirational training isn't about adopting a “style.” It's about expressing passion for your training in whatever ways are natural to you – energetic, warm, sincere, funny, down-home, compelling.

Inspiration vs. Information – It Isn't Even a Fight

Why should you care whether your training inspires officers? Because information without inspiration is wasted time. A lot of training is based on the whopping myth that: Information + Information = Something of Value. It doesn't. Information + Information = Zilch, unless officers or recruits *respond, change, or do* something .

In traditional “providing information” training, the trainer usually prepares by:

1. Selecting (or being assigned) a topic.
2. Gathering information about the topic.
3. Presenting the information. 1

This may result in well-organized training but can anybody see a problem here? Right! The entire focus is on what *the trainer* is going to say. Simply providing information may be fine for those who like to hear themselves talk, but it doesn't cut it for our recruits and officers. They deserve better and won't survive their careers unless they get it.

So how do we train so officers and recruits *change* or *do something* in response? A lot of experts agree such change occurs on an emotional level.² Corporate America certainly thinks so – look at advertising and marketing. Companies spend wheelbarrow loads of money to train CEOs and workers to present information so employees, customers or clients will be moved to *do something*. They've even boiled the experts' agreement down to a slogan: *Facts Tell, Feelings Sell*. Companies get us to buy their services or products by connecting with our emotions. We need to do the same to get officers and recruits to buy into training.

We can't just provide information to recruits and officers. We must also *inspire* them. Inspirational trainers:

- Decide what they want recruits or officers to *do* .
- Gather the information they need to do it.
- Present the information so they are *inspired* to do it. ³

Step 1 puts *the learner* at the center of the training content. Step 2 is self-explanatory. But without Step 3, our training is just information of no value.

The Science of Inspiration

About 25 years ago, Dr. Albert Morabian conducted a famous and oft-cited study at UCLA. He and his researchers concluded that communication is made up of:

- 7% WHAT we say
- 38% HOW we say it – tone of voice, pitch, modulation, etc., and
- 55% *NON-VERBAL STUFF* – body language, gestures, demeanor.

Ninety three percent of what you communicate in your training is not *what* you say – the information -- but *how* you say it: your voice and body language. This has incredible implications for trainers.

How do you prepare to train? Do you spend nearly all your time on what you're going to say? Get it perfect and your 7% on the way to anything of value. That's why some of the most genius experts can make terrible trainers. How much time do you spend on *how* you're going to say what you're going to say? How much time do you

spend preparing your body language, gestures and demeanor? And what do you think impacts *how* you speak and use your body the most – your mind or your heart?

Inspiration Takes Perspiration

Once the decision of *what* to say has been made, many trainers simply review their outline, PowerPoint, or other instructional materials. Plenty of trainers never even say the words out loud until they are in front of officers or recruits. But having something in your head and being able to do it in real life under real pressures are very different things. That's the big push behind scenario-based training. Most of us have come to understand the critical importance of scenario-based training. But how many of us practice what we preach and scenario train for training itself?

What's the key to effective scenario-based training? Making it real. Inspirational trainers take the 93% of their training effectiveness – their voice and body language – and they *make it real*. They practice out loud where they will be training, or simulate a setting as close to it as possible. They practice in front of live listeners and solicit feedback, or they imagine their learners – they see their puzzled, bored, resentful, hostile, engaged or inspired faces – and they train out loud to each of them. They listen to how they sound. They become keenly aware of how they use their body.

This doesn't mean you have to rehearse an entire 40-hour training. But put some concentrated time into preparing that 93% of your training that will determine its value. Present a 5-minute portion of your training to a recorder (better yet, videotape yourself) just like you intend to do it for real. Listen to and watch the recording. Imagine you don't know the trainer. Then, write down your responses to the following questions:

- *What part of the tape looked and sounded best to you? Why?*
- *What part seemed most important to the speaker? Why?*
- *Did the speaker influence you? Why or why not?*
- *Were there parts you didn't understand? If so, what got in the way?*
- *Which of the following aptly describe the speaker?*

Engaging Committed Boring Enthusiastic

Bored Authoritative Pedantic Knowledgeable

Shy Powerful Friendly Insincere

Sincere Incoherent Intelligent Condescending

Stiff Monotonous Direct Passionate

If you answer all the questions the way you hope the officers you train will, you're done. Otherwise, decide what parts of your vocal and physical communication you'd like to improve and work on them. 4

As officers, you wouldn't think of using your firearm, expandable baton, handcuffs, pepper spray, or patrol vehicle without training and practicing with them. Do your recruits or officers deserve any less from you as their trainer? Practice these exercises for your voice and body – the tools that determine 93% of your training effectiveness. 5

- Read aloud from a magazine, newspaper or book three times a week for 10 minutes. Listen to your voice. That's it.

- Examine some videotape of your classroom training with the audio muted. Do you stay behind a lectern or table with your outline in front of you? If you do, you're isolating yourself from *your* inspiration – your recruits or officers. Go out into where your officers are; bring them up to where you are. Make one on one contact with them with a hand on a shoulder, with your eyes, with your voice. Look at your posture. What does it say about your passion for being there, about your commitment to the recruits or officers, about how important they are to you and their communities? Ask yourself if the person you see is committed, enthusiastic, inspired, engaged or passionate? Does she believe in what she is saying? Use your eyes, your hands, your posture, and your body movement to communicate your passion for the training and for your recruits and officers. Examine your movements for distractions: flying hands, toe or finger tapping, swaying, shuffling feet, pacing, fiddling with your hair, adjusting your clothing, shrugging. Get rid of those. Keep the body movements that purposefully communicate your material and your commitment to it and your officers.

“What Are You Doing?”

Imagine you're walking and you come to a construction site. You ask the first person you meet, “What are you doing?” and he replies, “I'm making \$12 an hour.” You ask the next worker you see the same question. This person says, “I'm a brick layer. I'm making a wall.” You continue on and ask a third person, “What are you doing?” He pauses, smiles, looks heavenward and answers, “I'm building a cathedral to the greater glory of God.” 6

Each of these people has a very different vision of the same work. What vision of policing do you think your recruits or officers have? Do they see themselves as making a living, as professionals who take pride in their work, or are they called to the greater meaning of policing? Do you think your training can influence their vision? If so, how might you inspire them with a higher vision?

You might begin your training with this story and ask the recruits or officers which person they are. You might invite them to share their vision, or ask whether their vision has changed and, if so, what changed it. Then, you might share *your* vision – of your training, of them, of policing. Finally, ask yourself, *what are you doing ?*

American scholar, author and teacher, William Arthur Ward, said,

The mediocre teacher tells.

The good teacher explains.

The superior teacher demonstrates.

The great teacher inspires.

Go build cathedrals.

1Adapted from Taking Center Stage – Masterful Public Speaking Using Acting Skills You Never Knew You Had , Debbie Gottesman and Buzz Mauro, Berkley Books, NY (2001).

2Primal Leadership: Realize the Power of Emotional Intelligence , Daniel Goleman, Annie McKee, Richard E. Boyatzis, Harvard Business School Press (2002).

3Adapted from Taking Center Stage at 21.

4Adapted from Taking Center Stage at 114-15.

5Adapted from Taking Center Stage at 106,108.

6The author first discovered this frequently published and told story in Stories Trainers Tell: 55 Ready-to-Use Stories to Make Training Stick , Mary B. Wacker and Lori L. Silverman.

Described by Caliber Press as “ the indisputable master of enter~ *train* ~ment,” Val Van Brocklin is an internationally acclaimed speaker and noted author. She combines a dynamic presentation style with over 10 years experience as a prosecutor where her trial work received national media attention on *ABC'S PRIMETIME LIVE* , the *Discovery Channel's Justice Files* , in *USA Today* , *The National Enquirer* and *REDBOOK* . Visit her website: www.valvanbrocklin.com.

GRAB 'EM AT THE START AND THEY WILL FOLLOW

Tips for Inspirational Training Openers

By
Valerie Van Brocklin

You're ready to begin training. You look at the sea of faces – some interested, some bored, some hostile, some veiled. What you say in the next few minutes can make or break all the work you put into this moment. It can tweak and pique your listeners' interest; engage their hearts as well as their minds in what's to come – or irretrievably lose them.

Set a Hook That Lands Them

Symbols are powerful heart and mind grabbers. Think of our flag, of your badge. I begin some of my trainings, by handing out a clear marble. I advise participants to “not lose their marble” because they have to have it at the end of the training. Only then will I share with them its meaning -- the most important part of the training. At the end, I explain:

The arena in which you practice policing requires more courage than ever before. It demands dedication, perseverance and a steadfast spirit. When the demands get to you, when you feel you may be stumbling, look into the marble. It's not just a marble -- it's a crystal ball. When you look into it you'll see a reflection of yourself. And when you see yourself, you'll find all the “courage” and “spirit” you need. I know this. Because you folks have taught me more about the meaning of those words than any other experience it's been my privilege to have.

Think of a symbol for your training -- a compass, light, diamond, heart, flame, forge, anvil, feather, polished rock, knot, kite, balloon, wind, water. If you can't find a “toy” version of the symbol, have it printed up on a roll of stickers or cards you can pass out while sharing with officers its significance.

Worried your symbol will seem cheesy? I was. But I've had too many officers connect with the marble. At an academy where I regularly train, a marked patrol car stopped me walking to a quick lunch. The officer leaned out and asked, “*Do you have any more marbles? I lost mine.*”

I'd taught him as a recruit the year before. He met me later at the airport and I replaced his marble from the spares I always carry. At the end of another training in another state, a man waited until everyone else had left and then quietly said, “*You don't know who I am.*” I admitted I didn't. He explained, “*Two years ago, I attended a training you did. I'm working a shaken baby case right now. The baby probably won't live and it's the toughest case I've ever worked. Your marble has helped get me through it. I just wanted you to know that.*” It isn't the marble. It's touching officers' hearts with a symbol that makes them *feel* the difference they can make in people's lives.

Tell a Story

Consider this opening:

I'm here to talk about the importance of proper handcuffing. I'll go through the steps, share some examples of handcuffing gone wrong, and finish by having us practice on each other. You should care because your lives are at stake.

It gives a basic overview, but a creative element is missing. This opening *tells* us we should care, but it doesn't *inspire* us to care.

Instead, start with a story of an officer who didn't go home to his family at the end of a shift, or a defendant who escaped and victimized another citizen – because of handcuffing errors. Just as important, tell your audience what such tragedies mean to you and why you train to prevent them. Challenge the officers to team up with you in a lasting tribute to the officer that didn't make it, to the victim we failed to protect. Then give a brief overview of your instruction. 1

Ask the Right Questions

Inspirational trainers don't try to give all the answers, but they do ask the right questions. A question draws listeners into the training and makes them part of it. Training on police and prosecution ethics, I sometimes begin with the question,

Is virtue in the eye of the beholder? Does the "right" thing depend on circumstances, on whose ox is being gored -- or is it found in principles that do not vary?

I then get a show of hands for which answer participants subscribe to and ask them why. I follow with a story:

Not so long ago, when Xerox machines were a new and wondrous invention, two officers were interviewing a suspect and getting nowhere. They got an idea. They told the suspect that the department's Xerox machine was a lie detector. They put a colander on the suspect's head and wired it to the copier machine. Unbeknownst to the suspect, under the machine's lid one of the officer's placed a slip of paper that read, "He's lying!" Every time the suspect answered a question, the other officer would press the "copy" button and out popped, "He's lying!" Shaken, the suspect told all. 2

Then another question: *Good investigation strategy or unethical use of deception?*

Nation-wide, there's disagreement amongst ethical officers and an energetic discussion is off and running -- leading to court decisions on such conduct, whether legal equals ethical, and, if not, which should be officers' guiding light. All starting with a question that engaged learners.

Start with a Startling Statistic

Grab attention with a startling statistic that relates to your topic. For example, if you train on a topic regarding officers' physical, mental or emotional fitness, you might open with:

“Keeping the wall bare” is a laudable mission. But studies show more officers take their own lives than are killed by the bad guys. In 1995, NYPD lost one officer in the line of duty -- seven committed suicide. That same year, the FBI lost one agent in the line of duty -- five took their own lives. There is no wall for these officers. But training in (your topic) may help reduce their numbers.” 3

Let's Talk about ME

We all love to hear about ourselves. Begin by addressing the audience's specific situation and you'll grab their attention. A number of years ago I was privileged to address the National Organization of Black Women in Law Enforcement about women in policing. As I looked out and experienced for the first time in my life what it was like to be the only white person in a room, I thought, *“What on earth do I think I can tell these women about being a minority in anything?”*

I changed my opening on the spot to,

I don't know what it's like to be you! You folks know that. I just want you to know that I know it. This is the first time in my life I've been the only person with my skin color in a room full of people. You women experience this every day of your life. That's right -- I don't know what it's like to be you!

About that time I heard an *“Amen, sister!”* Another voice called out, *“Say what you came to say. We're listening.”* I proceeded, *“But we all know what it's like to be women in a non-traditional profession,”* and completed a presentation that was well and warmly received.

If you're training recruits, let them know you remember what it's like to be them, or acknowledge their situation by joking it's taken years of therapy for you to forget. If you're presenting to a group that's more experienced and wiser, pay homage to their contributions. Then find common ground from which all of you still care about the topic.

Grab ‘Em With a Challenge and Quote

Challenge the officers to open their minds and hearts to the material you'll be presenting. Then offer the quote,

“Minds [and hearts] are like parachutes, they work best when open.” 4

Have the audience set their own challenge, then support that with a quote. As an instructor at a DPS academy, I begin every academy by asking each of the recruits to tell, in one word, what they think is the single most important quality to being a great

cop. One by one they offer their words: *Integrity, Compassion, Courage, Fairness, Persistence, Dedication, Service*. I have a recruit write the words on the board. When the list is done, I tell them that in all the years I've been training, recruits never list things like being the best academically or on the range, able to run the fastest 3 miles or do the most push ups or sit ups. Instead, recruits always set the same sterling standards for themselves and their fellow officers. I let them know they are in good company. The once top cop of New York City, Teddy Roosevelt, said of warriors like them,

It is not the critic who counts, not the person who points out how the strong man stumbled, or where the doer of deeds could have done better. The credit belongs to those who are actually in the arena; whose faces are marred by dust and sweat and blood; who strive valiantly; who err and come short again and again...who know the great enthusiasms, the great devotions, and spend themselves in a worthy cause; who at least know in the end the triumph of high achievement; and who, at the worst if they fail, at least fail while daring greatly, so that their place shall never be with those cold and timid souls who know neither victory nor defeat.

I conclude this opening by challenging them to never forget the standards they just set for themselves in the arena they've chosen to enter.

Graduating classes have elected to put the qualities they composed or the Roosevelt quote at the center of their class banner. I just laid down the challenge. They picked up the gauntlet. They did it from a sense of connection with the training, the academy, and each other.

Pull Those Ripcords

Trying new things can be scary – a bit like volunteering for a dangerous mission. Speaking of dangerous missions, have you ever heard of the Nepalese Gurkhas? They're soldiers from the mountains of Nepal. During World War I, Gurkhas fought on the fronts of Europe and Asia, becoming known as "the bravest of the brave." The London RADIO TIMES has reported,

Among many legends about the Nepalese Gurkhas of the British Army is the story of a paratroop regiment in World War II. The regiment leader asked for volunteers for a dangerous drop behind enemy lines. About half the Gurkhas promptly stepped forward. As the leader went on to provide details of the mission, a surprised voice piped up from the back: "You mean we can use parachutes?" Every remaining Gurkha stepped forward.

Opening your heart and mind to new training ideas takes courage, but think of the Gurkhas. Take stock of your personality and your training objectives in deciding how to grab your audience's attention – but don't be afraid to jump outside your comfort zone now and then. Virgil said,

“Look with favor on bold beginnings.”

C'mon, let me see you pull those ripcords!

Reawakening the Spirit of Policing

By
Valerie Van Brocklin

A radical element is infiltrating the United States Armed Forces and corporate America. It threatens to rock the status quo and change business-as-usual into business-extraordinary. Law enforcement should issue an APB for this infiltrator. What is it? Spirit.

The military is revolutionizing its recruitment by sounding a reveille to the spirit of potential recruits. And corporate America is turning to spirited leadership to produce high performance results. There are important lessons here for policing – lessons in recruitment, training and job performance.

Enlisting the Higher Self

In recent years the armed services, trying to enlist an all-volunteer military, have been unable to meet their recruitment quotas with people who meet minimum standards. The causes may be varied, but the most significant factor cited was the economy. With unemployment low and the economy growing, the military has not been able to compete with the private sector for qualified personnel – even when touting such incentives as paid college tuition, career training and advancement, and signing bonuses of \$6,000.

Sound familiar? Across the nation, law enforcement has echoed these refrains, “We can't compete with the private sector,” and “We have funded positions we can't fill.” In a murmuring undercurrent, police training staff confide concerns that they will be forced to lower standards to address the problem.

It remains to be seen whether the economy will continue to exert such a singular influence on military or law enforcement recruiting. Or whether, as some assert, Generations X and Y are looking for different satisfactions and rewards from their jobs than were the Baby Boomers and Veterans who entered policing. Regardless, there is a lesson for policing in recent changes to military recruiting.

The United States Marines Corps had a unique response to the recruitment challenge. Instead of lowering its standards, it raised them. The Marines said, in effect, “We don't pay any more than the other branches of the armed forces, we don't offer any more incentives, and we are harder to get into and harder to remain in. But join us, because we expect and demand more of you.” The results? Since raising its standards, the Marine Corps is the only branch of the military that has consistently met or exceeded recruitment quotas with qualified personnel.

This is counterintuitive only to those who do not believe in the questing, heroic spirit of people. But if you do believe in people's heroic potential – and you must, if you are to instill in them a vision of that belief – it makes perfect sense. The Marines understand something corporate America is beginning to grasp and law enforcement needs to comprehend. People are drawn to big, heroic adventures more passionately than they are to small tasks. Asking people for small things makes them feel small. That's the fundamental flaw in “dumbing down.” A leader who understands people's heroic spirit understands that calling them to grand, seemingly impossible challenges signals a belief in their ability to meet those challenges. It enlarges people's spirit and strength and it gives meaning to the work being done.

The success of the Marines has not been lost on the other branches of the military. The United States Air Force began an ad campaign that calls to recruits' higher selves. One television advertisement shows happy children listening to their mother sing a lullaby. As she sings, “Guardian angels will attend thee all through the night,” the screen changes to an F-117 stealth fighter soaring across a night sky. The ad ends with the Air Force's new slogan on a dark screen, “No One Comes Close,” and then, “Join Us.” General Michael E. Ryan, the Air Force chief of staff, explains, “These ads reflect the intangible rewards of pride, honor, and the *higher calling* of serving our nation (emphasis added).”

Vice Admiral Patricia Tracey, deputy assistant secretary of defense for military personnel policy, notes, “All of the services have shifted advertising from tangible benefits to intangibles. The Marines offered a very powerful example of how well that can work.”¹

Like the military, law enforcement cannot compete with the private sector when it comes to tangibles such as pay, benefits, flex time, entrepreneurial opportunities or profit sharing. It shouldn't try. When it does, it misses its strongest selling point. Studs Terkel, one of the greatest oral historians of our time and a Pulitzer Prize-winning author of numerous best sellers chronicling working lives, observed, “Most of us have jobs that are too small for our spirit.”

This is often true of the private sector. Nothing could be further from the truth for policing, which has much in common with the intangible rewards of military service. Opinion surveys reveal “potential recruits highly value the humanitarian and peacekeeping missions that are a large part of military life now.”² Police officers are the peacekeepers here at home. Their mission can be just as highly valued if, like the military, law enforcement believes in the spirits of potential recruits and appeals to their higher selves.

Picture the following recruitment advertisement: The theme song from the 1980s television show *Hill Street Blues* accompanies images of police officers in their humanitarian, peacekeeping mission: engaging in search-and-rescue and reuniting families; talking to school children; carrying the torch in a Special Olympics fundraising run; teaching bicycle safety; helping the elderly; and strapping on their body armor at

home, as their kids watch them get ready for work. The advertisement ends with a new law enforcement recruitment slogan: *POLICING – A Job as Big as Your Spirit*.

Or imagine an advertisement that begins in silence with an opening screen that simply reads, “*Time isn’t money. It’s everything. How will you spend your life?*” The advertisement progresses with the same music and images previously described and closes with the slogan: *POLICING – A Cure for the Common Career*.

The call to a higher self, devoted to serving and protecting others, is working for the military. It’s time policing sounded its own spirited reveille.

The Power of Belief

It’s not just the military that has recognized the bottom-line wisdom of appealing to people’s spirits. So, too, has corporate America. Plug the search terms “spirit spirited spiritual leadership work” into an Internet search engine or your local college library’s online catalog, and you will discover a plethora of books by top management consultants. In *Reawakening the Spirit in Work: The Power of Dharmic Management*, “Jack Hawley, president of a management consulting firm writes,

“The key questions for today’s managers and leaders are no longer issues of task and structure, but are questions of spirit.” 3

Hawley submits that “all leadership is spiritual” because the leader seeks to liberate the best in people and the best is always linked to the spirit.

Corporate America is turning to a new leadership that engages people’s spirits and the power of belief to produce incomparable results. *Belief* -- it’s akin to faith and spirit. It sounds exotic and abstract. Yet medical science has established the indisputable power of belief to produce concrete results. And social science has established that belief and spirit are part of any high-performing organization.

How does belief factor into high-performing individuals and organizations? It is the energy that produces results. Nobel laureate Dr. Roger W. Sperry of Cal Tech, who mapped the right and left brain specialties, noted,

“[A]s a brain scientist I consider belief to be the force which above any other shapes the course of human affairs (emphasis in original).” 4

Harvard researcher and physician Dr. Herbert Benson has studied and documented a “faith factor” in medicine.⁵ According to his research, belief brings healing benefits in 75% of all illnesses. Many physicians agree. These benefits include:

- Reduced headaches
- Relief from angina pains

- Lower blood pressure
- Easing of backaches
- Relief from insomnia
- Lower cholesterol
- Enhanced cancer therapy

Furthermore, Dr. Benson discovered that belief itself is healthy. When people believe in something, regardless of what, they are healthier. In Benson's words,

“Believe in something good, if you can. Or even better, believe in something better than anything you can fathom. Because for us mortals, this is very profound medicine.”

This is not about religion. Law enforcement has compelling secular beliefs on which we all can agree – beliefs in qualities like integrity, loyalty, courage, fairness and compassion. Establishing a working connection between these beliefs and any agency's health and fitness program provides a powerful tool for improving the health and well being of officers. Moreover, these same scientific principles of belief apply to other areas of work performance.

For more than a quarter of a century, Professor Peter Vaill has profoundly influenced what is studied and practiced in the field of leadership and organizational development.⁶ According to Vaill's research and case studies, high performing organizations consistently refer to the “spirit” that people in those organizations feel. Research establishes that a “spiritual dimension” is always involved in situations of great achievement and in high-achieving environments.⁷

Researcher Albert King has reported on controlled experiments in the power of management's expectations and beliefs.⁸ In one such experiment, the president of a large company changed the work procedures at four of the company's numerous plants. The president told the managers of plants A and C that he expected the new procedures to raise productivity but not morale. (Morale was measured by such indices as absenteeism, turnover and grievances.) He told the managers of plants B and D that he expected the new procedures to raise morale but to have no effect on productivity.

The results? In plants A and C, productivity shot up while morale remained the same. Conversely, in plants B and D, productivity was unchanged but morale increased significantly. What caused the different results? The only difference was the belief the president communicated. Police leaders and trainers can give officers the power of belief simply by communicating their belief in the officers. Let's look at a training and job performance example.

At an international law enforcement training conference, a presenter described a firearm training program that gave all the female participants grip-strengthening exercises, before any assessment had occurred. The presenter then asked the audience what belief this communicated to those women. Clearly, the audience responded, it told them they lacked the requisite strength to succeed at the firearm tasks.

What was not so clear was how a firearm instructor should address the situation of recruits and officers who would benefit from such exercises (or how any trainer or leader should address any situation in which an officer needs additional help or effort to perform successfully). Applying the principles of the power of belief and the proven effects of leaders' beliefs on employees suggests an answer to this remaining question.

First, the instructor should assess all participants and avoid making assumptions about their abilities. Then, the instructor should tell any officer who might benefit from grip-strengthening exercises that the instructor has seen something special in that officer, that the instructor believes the officer has the drive and capability – the heart – to go beyond standard training demands and do whatever it takes to master the skills needed for the path of service the officer has chosen. The instructor then gives the officer the exercises and reiterates that the instructor believes the officer will master the skills the officer needs -- because the profession and the community need the officer. Finally, throughout the training, the instructor supports, motivates, guides and inspires the officer with his or her continued belief.

Management consultant Jack Hawley observes,

*“Respiriting is reacquiring a belief in one's self and one's company.”*⁹

The spirited leader then communicates that belief to inspire officers to reach their extraordinary potential.

How Spirited is Your Leadership

How would you honestly rate your expectations of the officers you lead? Do you believe they can meet and even exceed your highest expectations? What actions of yours communicate your beliefs and expectations about your officers? Does your behavior say, *“I'm here looking for people doing the right things,”* or does it say, *“I'm here checking up on you and looking for problems?”* What behaviors of yours reflect your beliefs about and expectations of officers you consider low performers? High performers? Might your beliefs be influencing the performance of some of these officers?¹⁰ What are you doing to feed and fire the spirit of your officers? How would the officers you lead answer these questions about you?

Spirit, like charity, begins at home – in your heart. How is your spirit? What about your work feeds and fires your spirit? What about your work depletes your spirit? What spirited gift do you give to policing?

The Japanese developed a management secret that helped make them a contender in the global economy -- reverence. Reverence for employees, customers, the product and the mission.¹¹ After informing a class of police supervisors attending an eight-week management program about this secret, I asked how many of them felt revered by their department. Only a handful raised their hands. When asked how many believed their officers felt revered by them, there were fewer hands still.

Do you feel revered by your department? If your officers were asked if they felt revered by you, what would they say? How do you show reverence for your officers, for your customers – the public? Do the customers in your community feel revered by you and your officers?

Heroes in Blue

Police officers are our communities' peacekeeping warriors. Warriors have always had a mythic stature in our society. Why? Because they dedicate their lives to the greatest spirit of all – love. Police officers know that each and every shift they may be called upon to show the greatest love of all and make the ultimate sacrifice.

More than 17,000 law enforcement officers have demonstrated such love. It is right to remember, to pay tribute, and to call upon the spirit of fallen officers to inspire us. But, as the widow of Sergeant Christopher Eney said,

*“It is not how these officers died that made them heroes,
it is how they lived.”*

It is this spirit of life and love that policing should call to in its recruitment. It is this spirit the profession should bring to its training and life's work. It is not a new spirit. It has been with policing from its beginning. We simply need to reawaken it and come home to its power once again.

TRUTH OR CONSEQUENCES: TRAINING POLICE TO LIE

By
Valerie Van Brocklin

Police lie. It's a regular part of their job. They lie to suspects and others in hopes of obtaining evidence. These investigative lies cover a wide range of deception -- a range that can get murky. Some investigative lies are legal, some are not, and some generate significant disagreement amongst courts, the public, and even officers themselves.

There are serious consequences here. Officers can

- Be sanctioned by the courts
- Have to defend against a lawsuit

- Be disciplined in the job
- Lose the public confidence
- Have evidence suppressed, a case dismissed and a criminal freed.

Are we properly preparing officers for the potentially career and case-ending decisions they face in this arena? Hardly. Read on to begin to change that. Proper training in this complex arena is critical.

Not All Lies Are Created Equal

Effective interrogation of a suspect nearly always involves a lie – expressed or implied. That lie is that it's in a suspect's best interest to talk to police and confess without an attorney present. It's not. A completely truthful officer would tell suspects this. A completely truthful officer would also find confessions extremely rare.¹ And confessions, as Martha Stewart would say, are a good thing. Just ask the Supreme Court -- "*Admissions of guilt are more than merely 'desirable,' they are essential to society's compelling interest in finding, convicting and punishing those who violate the law.*" Schneekloth v. Bustamonte, 412 U.S. 218, 225 (1973).

But just as important, "*The police must obey the law while enforcing the law.*" Spano v. New York, 360 U.S. 315, 320 (1959). So, what's the law when it comes to police lying to suspects to get confessions? Courts agree due process requires that confessions be voluntary. That means they can't be coerced. And courts agree coercion can be psychological as well as physical. Finally, courts across the land pretty much agree they'll decide whether the confession was voluntary or coerced based on a "totality of the circumstances." Those circumstances can include such things as:

- Police conduct – *what* officers say and do and *how* they say and do it.
- The environment – are police questioning the suspect in a 6' X 8' windowless, stuffy room with Spartan furnishings where they stand between him and the only exit?
- The suspect's age and mental status.
- The length of the interrogation and whether police offer refreshment, bathroom or other breaks.
- Etc. – *anything else* that bears on the coercive nature, or not, of the interrogation.

One Person's Lie May Be Another's Coercion

Now that we have the basics on the law, we should all be able to agree on what deception is legal and what isn't, right? Let's see. You work the following case and we'll compare results.

Seventeen-year-old Deborah Margolin was brutally murdered. According to her brothers, she was sitting on the porch of her rural home when a stranger drove up and told her a calf was loose at the bottom of the driveway. Deborah went to get the animal – and never returned. Later the same day, her father found her mutilated body face down in a creek.

When you and other officers arrive, Deborah's brothers describe the stranger and his vehicle. You recall that Miller lives nearby, and he and his car match the descriptions. Miller has been previously convicted of a sex offense and arrested for statutory rape.

That night, you and another officer question Miller at his job. He agrees to accompany you to the station for further questioning. He's taken into an interrogation room and read his rights, which he waives. The interrogation is taped, so its circumstances are not in dispute. (This is an excellent reason to tape suspect interrogations.)

It's clear that you, the interviewing detective, make no threats and engage in no physical coercion. On the contrary, you assume a friendly, understanding manner (itself deceptive, *que no?*) and speak in a soft tone of voice.

You also give Miller certain information, *some of which is false*. You initially tell Miller Deborah is still alive. Later you say she has just died. In fact, she was found dead many hours earlier. Throughout the interview, you emphasize that whoever committed such a crime has mental problems and is desperately in need of psychological treatment. You tell Miller you believe he committed the crime and then you present yourself as a friend who wants to help if he'll just unburden himself. You state several times that Miller is not a criminal who should be punished but a sick individual who should receive help. One hour into the interview Miller confesses, then collapses, and is taken to the hospital.

This is a real case – Miller v. Fenton, 796 F.2d 598 (3rd Cir. 1986). Do you think the brutal murder and the investigation were getting any media attention and public interest?

Before trial, Miller moved to suppress his confession on the grounds the detective's method of interrogation constituted psychological manipulation of such magnitude that it rendered his confession involuntary. The trial court denied the defense motion and Miller was convicted at a trial in which his confession was admitted.

End of story, justice prevails, right? Not quite. Miller appealed his conviction, arguing the same thing. And the 3-judge appellate court? They *unanimously reversed* the conviction. Based on the same facts, they rule the detective engaged in deceptive coercion that “*shocked the conscience*” and violated due process. End of story?

Not yet. The state supreme court reinstated the conviction -- but only by the hair's breadth of a 4:3 split decision. After that, Miller took his appeal through federal district court and the United States Supreme Court, and had his conviction affirmed on procedural grounds with neither federal court addressing whether the police conduct was unlawfully deceptive.

The moral of this agonizingly long story? Courts are judges, judges are lawyers – and “you can't get two lawyers to agree to kill a rat in a bathtub.”² This is a complex arena officers must enter every day. An arena that even judges on the same court, looking at the same facts and applying the same law – with the benefit of briefs, the arguments of counsel and the assistance of law clerks -- disagree on.

And what are the possible consequences for officers if they get it “wrong” (that is, a court later disagrees with them) in the crucible of a high profile investigation of a horrific crime?

- The confession may be suppressed, along with any “fruits of the poisonous tree.”
- The case may be dismissed if there is insufficient evidence without the suppressed evidence.
- The officer and, by extension, the entire department may face public condemnation and the censure of the court in a written opinion. (Recall that the 3-judge appellate court in Miller wrote that the police deception “shocked the conscience.”)
- If the case is high profile and politically hot enough, officers may face job discipline over their use of deception, even if they cleared it with the local prosecutor ahead of time. (Just ask the FBI agents who questioned Richard Jewel in the Atlanta Olympics bombing case.)

Courts Agree to Disagree

To delve further into the arena in which officers find themselves, let's look at a few other court rulings. In State v. Cayward, 552 So. 2d 971 (Fla. App. 2 Dist. 1989), police interviewed a 19-year-old suspect in the rape and murder of his 5-year-old niece. Prior to the interview, police checked with the local prosecutor who said it was lawful for them to falsely tell the suspect they'd had the victim's underwear scientifically tested and the results showed semen stains on it from him -- *and* to show him a false lab report of the results. The suspect came to the station voluntarily, waived his Miranda rights, and consistently denied any involvement during two hours of interview.

Police then told him about the test results and showed him two made up reports – one on a lab form and one on a police department form. The suspect confessed. We all know that isn't the end of the story. The Florida appellate court suppressed the confession. The court held the verbal lie was lawful but false physical reports of the lie violated due process. Notably, the court seemed much more concerned that such reports could inadvertently make their way into court records and be mistakenly viewed as true than with the coercive effect of the reports on the defendant.

End of story on showing false documents to suspects? Not by a long shot. Remember judges are lawyers and ..., well, you know.

In Arthur v. Commonwealth , 480 S.E. 2d 749 (Va. 1997), the Virginia Court of Appeals held that police showing a suspect "dummy" reports indicating his fingerprints and hair were found at the crime scene did *not* violate due process. The court addressed the Cayward court's concern by noting the police kept the false documents in a separate file from the actual investigative and lab reports.

In Sheriff, Washoe Co. v. Bessey, 914 P. 2d 618 (Nev. 1996), the Nevada Supreme Court criticized Cayward's distinction between a verbal lie by police and one "embodied in a piece of paper" and concluded there was no real difference. The court upheld police creating a "falsified lab report" showing a defendant had committed a sexual assault against a minor, stating, "[T]here was nothing about the fabricated document presented in this case which would have produced a false confession." The Nevada court seems to say that due process is violated only if the police deception would coerce an innocent person into confessing.

And in People v. Henry , 518 N.Y.S.2d 44 (N.Y. App. Div. 1987), the court upheld a confession obtained after police confronted the defendant with fake polygraph test results indicating he had lied to police. Moreover, in State v. Whittington, 809 A. 2d 721 (Md. App. 2002), police placed an invisible powder on a pen they gave to the suspect so when they later conducted a fake gunpowder residue test, it appeared to her she still had gunpowder on her hand. The court found this deception did not violate due process.

Still other courts have sided with the Cayward decision and reversed convictions based upon confessions obtained after the police presented fabricated evidence to the defendant. In State v. Patton, 362 N.J. Super. 16 (App. Div.) (2003), an officer, posing as an eyewitness, was "interviewed" on an audiotape that was later played to the defendant who, despite his early denials of involvement, confessed upon hearing the tape. Both the confession *and the false tape* were admitted at trial. The subsequent conviction was reversed on appeal.

If Things Weren't Complicated Enough

If courts not being able to agree to kill a rat in a bathtub didn't make life complicated enough, can lying as a regular part of the job affect officers? I've asked officers that question nation-wide. My favorite answer came from a Wisconsin officer, who replied, "*Yeah, hopefully I've gotten better at it.*" As to the ethical and legal use of investigative lies, hopefully officers do become more skilled. But do you know officers who have been affected in other ways by the lying they do? How? Here's what some experts say about the potential impact of police lying:

"As the police officer becomes more comfortable with lies and their moral justification, he or she is more apt to be casual with both." Sissela Bok, Lying: Moral Choice in Public and Private Life, NY: Pantheon Books (1978).

"Psychological barriers wear down; lies seem more necessary, less reprehensible; the ability to make moral distinctions can coarsen ..." Mollen Commission Report on Police Corruption and Anti-Corruption Practices of NYPD (1994).

We Must Ask

With all that is at stake for individual officers, departments, and the public in the use of investigative lies to apprehend dangerous criminals, with the courts not even agreeing what police conduct is lawful in this area, are we properly preparing officers to lie lawfully? Are we properly preparing them for the psychological slippery slope that lying as a regular part of the job can place them on? How many departments provide adequate, if any, training in this high stakes area of police work? How many departments or agencies have any guiding policies or procedures?

What We Can Do

First and foremost, we have to train officers in the ethical and lawful use of police deception. We have to train them on Supreme Court case law and the controlling cases and laws of their jurisdiction. This article barely scratches that surface. Despite the grim picture of courts disagreeing, there are basic agreements and parameters amongst courts within officers' jurisdictions that can provide guidance and these cases can form the basis of scenarios for training.

Next, we must provide officers scenario-based training in the use of such deception. These scenarios must:

- Develop officers' knowledge and mastery of the circumstances courts look at to determine whether police deception violates due process.
- Lead officers to devise lawful deceptions and to apply them non-coercively in various combined circumstances.
- Increasingly raise the stakes, make officers aware of the potentially corrosive effect of regularly lying, and give them specific strategies for protecting against such corrosive effect.

This training need is greatest for veteran officers, who are most likely to use deception in investigations and are most subject to its cumulative effect.

Third, the profession should address whether to develop policies and procedures for officers' use of deception. Policing has seen the need for such guidelines in the use of force and high-speed pursuits. The stakes for officers, departments and the public can be just as high in this arena. Such procedures might consider:

- Should investigative lies be used only if other means of gathering evidence have been unsuccessful or the officer can articulate that such means would be futile?
- Should officers have to obtain approval or a second opinion before using deception?
- Should the procedures be the same for deception used with a suspect as a witness?
- Should officers have to complete training before using deception?
- If taping of suspect interviews is not already required, should it be whenever deception is used?

If policies and procedures are adopted, they must be broad enough to provide officers with lawful flexibility and discretion in fighting crime but specific enough to ensure that if they are followed, officers can expect the full support of their departments. In a recent web cast on this topic, officers across the nation were asked,

If you were investigating a serious, high profile case and you made an ethically and legally tough decision to use an investigative lie that the media and public had a strong negative reaction to afterwards -- do you believe your department's leadership would support you?

Nearly two out of three – or 64% of respondents -- believed their departments would not support them. 3

Which leads to a final thing the profession must do – support officers in this complex arena. Oscar Wilde said, “*The truth is rarely pure and never simple.*” If an officer has followed procedures, or in their absence has made a

tough but ethical decision, and the media, the public or a court later disagree on its legality, departments should support the officer. Remember, courts don't even agree on this stuff and they have attorneys and law clerks briefing it for them before they have to decide. We can acknowledge the court's or public's opinion, we can respect the disagreement -- and still support the officer's decision. That support must include training officers *before* they are confronted with these complex decisions and their high stakes consequences.