POLICE OFFICER INVOLVED SHOOTINGS
"SHOOT DON'T SHOOT"

ALBERT RODRIGUEZ, *Austin*
Commander, Training Academy
Texas Department of Public Safety

State Bar of Texas
25TH ANNUAL
SUING & DEFENDING GOVERNMENTAL ENTITIES COURSE
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Austin

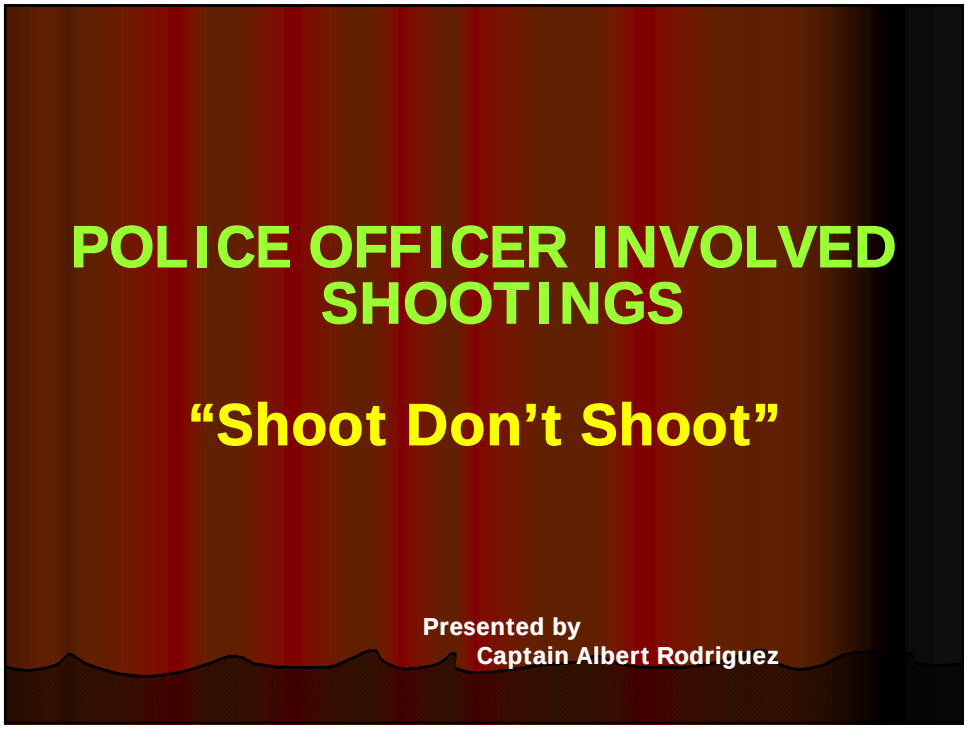
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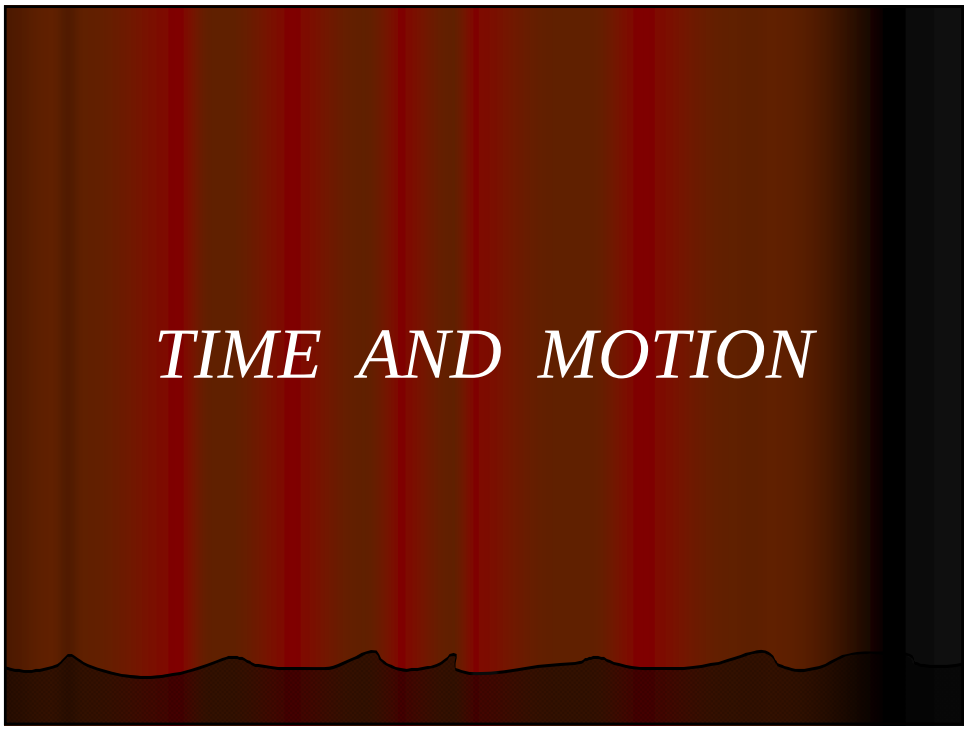
Albert Rodriguez

- Attended Texas A&I University in Kingsville, Texas and graduated with a Bachelor Degree in Education
- Coached and taught at Jefferson High School in San Antonio from 1975-1977
- Started law enforcement career with the Texas Department of Public Safety DPS in 1977
- Retired from DPS in 2009 with the rank of Commander in the position of Director of Training
- In January 2010 was employed by the Texas Alcoholic Beverage Commission as a Lieutenant for the Office of Professional Responsibility conducting internal affairs investigations
- Holds Advanced, Instructors', and Masters' certifications from the TCLESOE
- Attended the 147th FBI National Academy in Quantico, Virginia and has attended over 6,000 hours of various law enforcement seminars and schools throughout the United States
- Has instructed throughout the United States, Canada, and Mexico
- He served has instructed in numerous conferences to include an International Homicide Conference in Vancouver, Canada
- Was selected as the Texas law enforcement use of force expert to serve on a national committee at Washington State University
- Has investigated and/or served as an expert in over 250 police officer involved shootings
- He continues to instruct police officers, investigators including the Texas Rangers on the concepts of investigating police officer involved shootings
- Presently holds the rank of Captain as the Director of Training for the TABC

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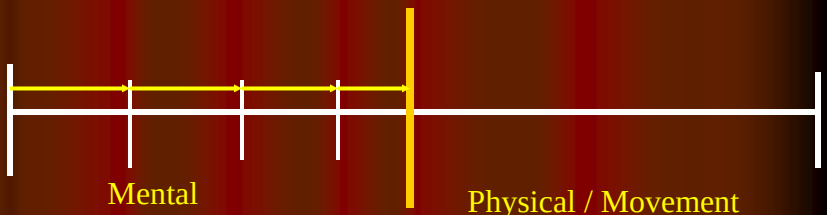
POWERPOINT PRESENTATION –
Police Officer Involved Shootings "Shoot Don't Shoot"..... 1


POLICE OFFICER INVOLVED SHOOTINGS
"Shoot Don't Shoot"
Presented by
Captain Albert Rodriguez


TIME AND MOTION

TROOPER BELL VIDEO

Response Time



Mental

Physical / Movement

Components

Perception
Analysis and Evaluation
Formulation of Plan
Memory Motor Response

RESPONSE REACTION TIME = MEMORY MOTOR RESPONSE – TO FIRE A HANDGUN

- The time it takes for the nerve impulses to get from the cerebral cortex of the brain, to the flexor muscles of the forearms and cause them to contract—which pulls the tendons that flex the trigger finger.

MEMORY MOTOR RESPONSE

- TIME IT TAKES AN OFFICER TO FIRE A DRAWN HANDGUN IN RESPONSE TO AN AUDITORY SIGNAL
- TIMED WITH PRACTICAL APPLIED COMPUTER TECHNOLOGY (PACT) TIMER
- FINGER OUTSIDE TRIGGER GUARD = **.635** SEC. – AVERAGE TIME
- FINGER INSIDE TRIGGER GUARD = **.368** SEC. AVERAGE TIME

DECISION TIME IN FIRING A HANDGUN-TRIGGER FINGER INDEXED

- **INDIVIDUALS WERE PRESENTED WITH 2 TYPES OF SCENARIOS:**
  - OVERALL DECISION TIME TOTAL = ***.553 SEC. - perception, evaluation, formulation of plan***
  - THE STUDY INDICATED THAT THE TIME NECESSARY FOR OFFICERS TO IDENTIFY A THREAT AND **DECIDE** TO FIRE **INCREASES** WITH THE COMPLEXITY OF THE THREAT.

DECISION RESPONSE-REACTION TIME

- ✓ PERCEPTION
- ✓ EVALUATION
- ✓ FORMULATION OF PLAN
- ✓ MEMORY MOTOR RESPONSE

✓ DECISION TIME .553 SEC. **+** OUTSIDE TRIGGER GUARD REACTION-RESPONSE TIME .635 SEC. **=** ***1.18 SEC.***

✓ DECISCION RESPONSE-REACTION TIME .553 **+** INSIDE TRIGGER GUARD REACTION-RESPONSE TIME .368 ***= .921 SEC.***

INTERVIEWING OFFICERS AND/OR IMMEDIATE POST INCIDENT WALK THROUGHS

Casing/Shot Path not consistent with Officer's version



Plaintiff's Version Part I



Plaintiff's Version



Defense Probability



Measuring Motion

Timed with a Forensic Video Enhancement System

ACTIONS

- RAISING HANDGUN FROM THE SIDE OF LEG TO SHOOTING POSITION AND CONTRACTING INDEX (TRIGGER FINGER)









RAISING HANDGUN FROM THE SIDE OF LEG TO SHOOTING POSITION AND CONTRACTING INDEX/TRIGGER FINGER)

- **Avg. time: .502 sec.**
- **Versus outside Trig. .635-** M.M.R. ONLY

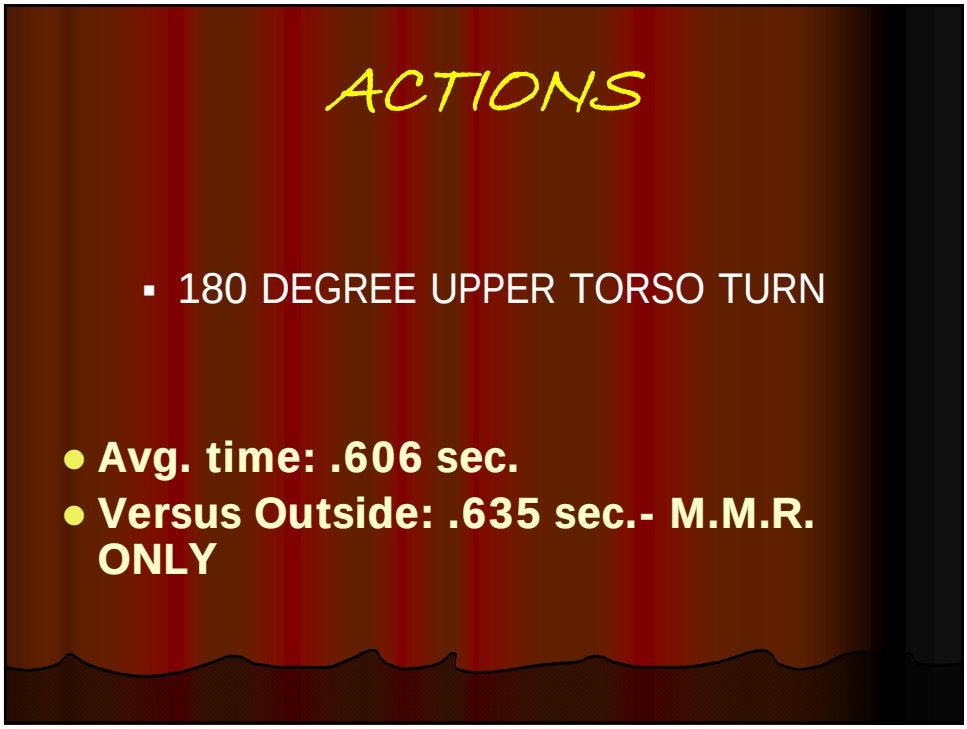
ACTIONS

- 180 DEGREE UPPER TORSO TURN





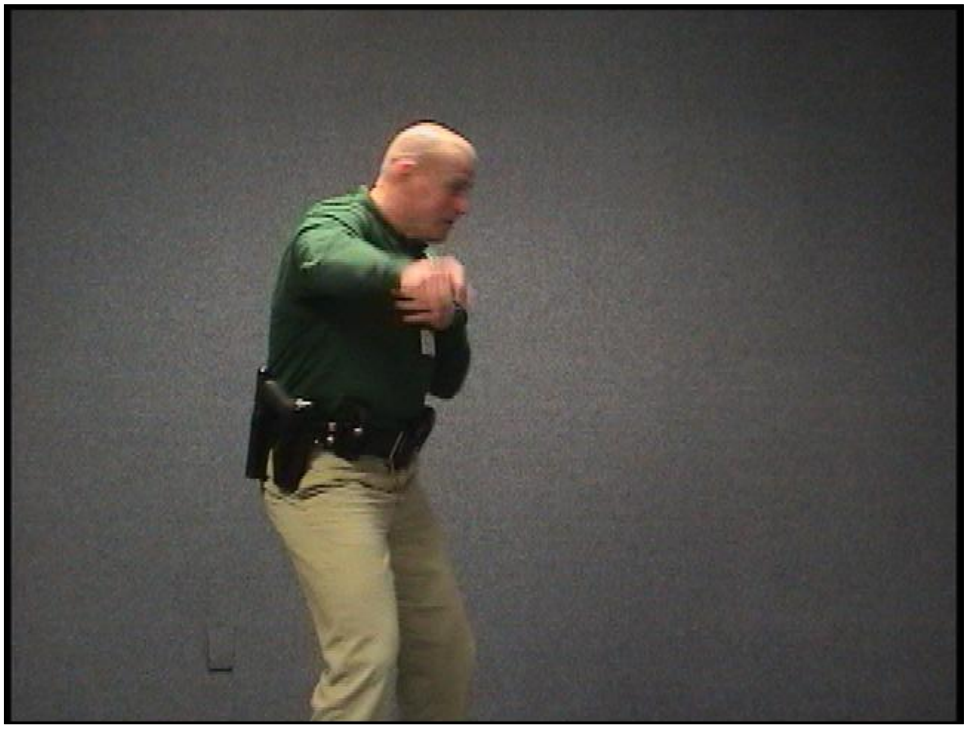



ACTIONS
▪ 180 DEGREE UPPER TORSO TURN
● Avg. time: .606 sec.
● Versus Outside: .635 sec.- M.M.R. ONLY

ACTIONS

- FROM A SHOOTING POSITION T0 A 180 DEGREE +/- UPPER TORSO TURN









ACTIONS

- FROM A SHOOTING POSITION T0 A 180 DEGREE +/- UPPER TORSO TURN

- **Avg. time .572 sec.**
- **Outside: .635 sec.**

CONCEPT

ALL ACTION IS CREATED TWICE

ONCE IN THE MIND !!!!

and then when the thought is ACTED OUT!

To Start Shooting requires time and so does the REACTION to STOP SHOOTING

MEASUREMENT OF SHOTS FIRED

- PACT TIMER
- SEMI-AUTO PISTOL

- SUBSEQUENT SHOTS FIRED AS QUICKLY AS POSSIBLE
- MEASURED AFTER FIRST SHOT; EXCLUDES INITIAL REACTION TIME
- .22 SEC./SHOT

- IN AN ACTUAL INCIDENT THIS ACTION MIGHT BE FASTER

RESPONSE TIME AT THE END OF A SHOT SERIES

- TIME IT TAKES FOR AN INDIVIDUAL TO PROCESS A VISUAL STIMULI AND MAKE A MENTAL DECISION TO STOP SHOOTING A HANDGUN (semi-auto)
  - PERCEPTION
  - EVALUATION
  - FORMULATION OF PLAN
  - MEMORY MOTOR RESPONSE

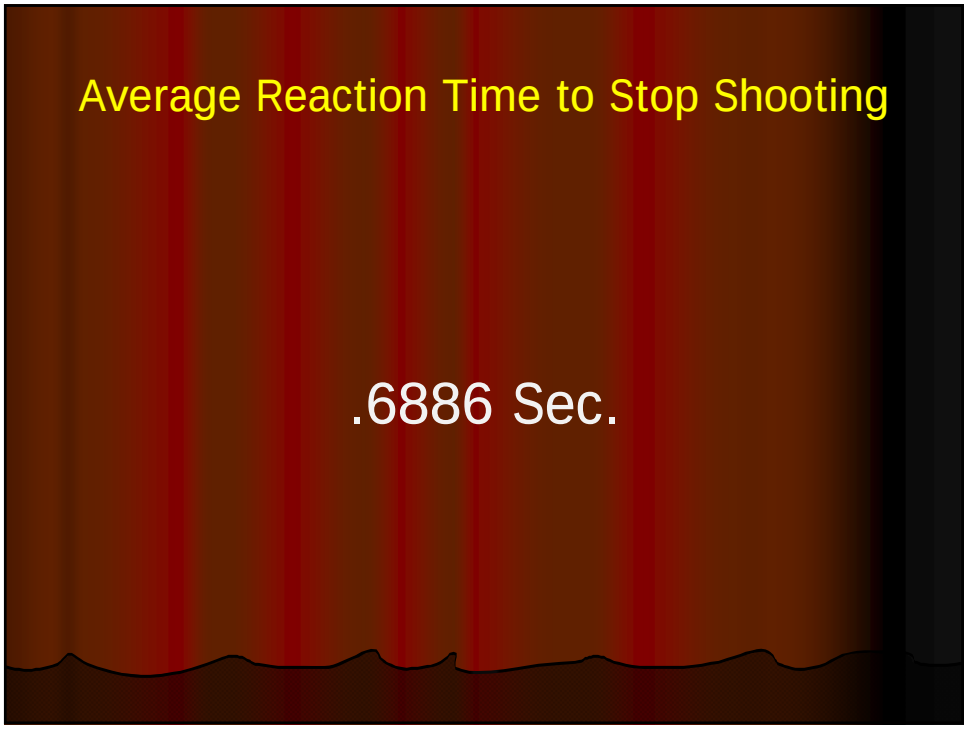


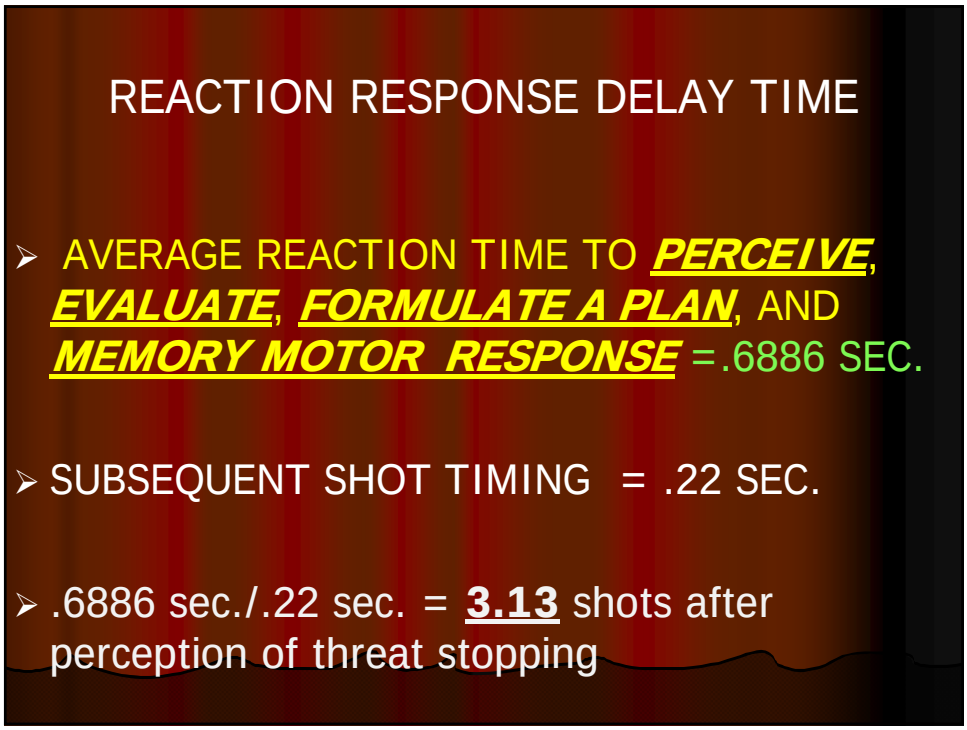

241min
SP
0:06:08:00


241min
SP
0:06:08:01


241min
SP
0:06:08:02


241min
SP
0:06:08:04


Average Reaction Time to Stop Shooting
.6886 Sec.


REACTION RESPONSE DELAY TIME
AVERAGE REACTION TIME TO PERCEIVE, EVALUATE, FORMULATE A PLAN, AND MEMORY MOTOR RESPONSE =.6886 SEC.
SUBSEQUENT SHOT TIMING = .22 SEC.
.6886 sec./.22 sec. = 3.13 shots after perception of threat stopping

REACTION RESPONSE DELAY TIME

- NOT UNCOMMON TO HAVE SHOTS FIRED IMMEDIATELY AFTER THE THREAT STOPS
- .6886 = 3.13 SHOTS IN A STERILE AND NON-THREATENING ENVIRONMENT (testing environment)

Time for a Person to Fall to the Ground

*The movement from standing to prone/supine could be done either because of the physiological incapacitation or simply as a defensive reaction or tactical maneuver (to reduce one's target size)

Rapid Collapse

- Immediate drop; “dropping like a sack of potatoes”
- Usually associated with significant disruption of central nervous system or sudden loss of consciousness
- 1.1 Seconds = 5 SHOTS

“Crumple”

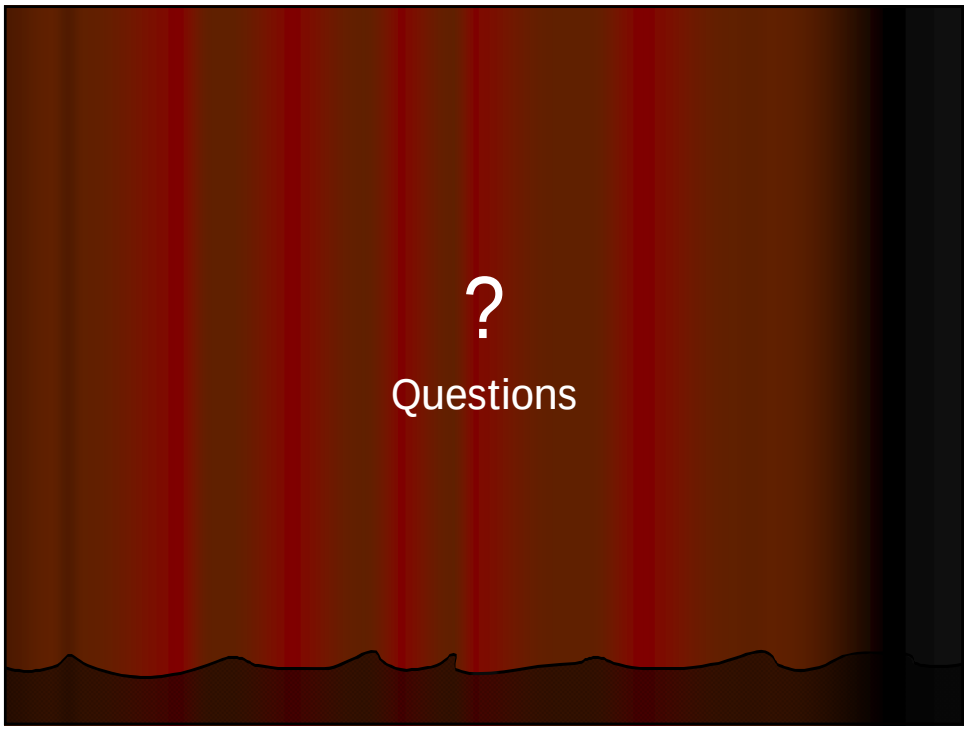
- Relatively slow; characterized by flexing of knee joints (buckling at the knees) until the knees make contact with the ground
- Torso subsequently falling forward or down until the body is essentially flat on the ground.
- Result of slow loss of consciousness, skeletal control, or conscious decision to go to the ground

Rapid Collapse or Crumple

Cannot be distinguished from a deliberate tactical maneuver






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Questions