Recommendation xx: MPD should examine whether it would be beneficial to include the M-PULSE Inventory as a pre-employment screening instrument. [CRT 16]

Police departments routinely screen recruits with psychological tests, in an attempt to screen out candidates who are likely to engage in problematic behaviors as police officers. In police departments, a small number of individuals are generally responsible for a very disproportionate share of the problems. But detecting candidates who pose an elevated risk is very difficult. Commonly used tests have low predictive power, missing most problematic candidates. The measures used lack consistency and standardization. Most commonly, the psychological testing instruments employed are not specifically designed for law enforcement officers, and to assess law enforcement liabilities. Rather, most tests used are simply designed to detect psychopathology. The most commonly used test is the MMPI-2.

This recommendation, which came to the Committee from the Community Response Team, suggests that a potentially better method would be an instrument constructed on empirically measured links between responses to test questions and subsequent problematic officer behavior. This is the basic approach behind the M-PULSE Inventory, a newer evaluation tool (first released in 2008). The Matrix Predictive Uniform Law Enforcement Inventory (M-PULSE) is a self-report, actuarial instrument used to predict law enforcement officer job performance and liability risk, as well as assist law enforcement agencies in selecting qualified candidates. It is the only law-enforcement-officer-screening instrument based on actuarial modeling. Actuarial measures assess for vulnerabilities and the potential for financial loss through mathematical modeling – in this case, actuarially predicting performance of law enforcement candidates across several domains. It is specifically designed for screening law enforcement officer candidates, unlike generalist psychological testing tools such as the MMPI-2

M-PULSE consists of a 455-item inventory that provides information scoring the candidate on 18 liability scales (for risk in specific areas such as potential for termination, motor vehicle accidents, procedural and conduct mistakes, criminal conduct, lawsuit potential, discharge of weapon, excessive force, etc.) as well as four scales assessing personality characteristics and attitudes that could negatively influence law enforcement work, and two validity scales to assess the degree to which the examinee responded in an open and honest fashion. Research has shown the M-PULSE to be highly accurate in predicting future misconduct. It has also been directly compared to metrics based on the MMPI-2 in several studies and was found to be more accurate in predicting the liabilities (risk for future problems) it measures. Officers who committed acts corresponding to the liabilities generally did not score any differently on the MMPI-2 than officers who did not. While the testing on M-PULSE is thus very promising, it should be noted that M-PULSE has been subjected to less research than various other instruments used in law enforcement officer screening (such as the MMPI-2), since it's a newer instrument.

Note that the proposed recommendation is simply to examine whether inclusion of this test would be beneficial during assessment of candidates. It does not impose use of the M-PULSE, leaving that decision up to MPD and the PFC. MPD has no objection to exploring this and notes there would likely be a cost to adding this to the hiring process, and that any change to the process requires PFC involvement.

Recommendation xx: All of Fyfe's Principles should be incorporated into MPD's "Response to Persons with Altered State of Mind" SOP. [CRT 18]

The frequency of officer-involved shootings can be reduced by implementing appropriate tactical policy for dealing with people in an altered mental state. This is important, since the vast majority of MPD officer-involved shootings involve people suffering from mental illness or chemical intoxication (apparently true of 12 of the last 13 officer-involved shootings). Consequently, in 2017, the Common Council, *via* the President's Work Group report, ordered the Chief of Police "to issue a SOP that explicitly details the goals, tactics, policies, and procedures to deal with an EDP [emotionally disturbed person] (including those who are intoxicated)." One of the key items the President's Work Group reviewed, and asked that MPD consider incorporating in this SOP, was Fyfe's Principles for police interaction with people in an altered mental state. Given relatively limited use of Fyfe's Principles in the resulting SOP, the Community Response Team then asked that the Ad Hoc Committee adopt this recommendation to incorporate all of Fyfe's Principles.

James Fyfe, the originator of Fyfe's Principles, was an NYPD officer and professor of criminal justice, who served as NYPD's Deputy Commissioner for Training. He introduced many beneficial changes in training and policy at NYPD, leading to large reductions in officer-involved shootings. Fyfe noted that the vast majority of situations that end violently begin to go awry in the first 30 or 40 seconds after police arrive, and, consequently, he argued that it is much more important to raise the level of expertise of first responders than to train a special team. Fyfe's publication, "Policing the Emotionally Disturbed," (2000) introduced seven key principles for minimizing officer involved shootings of people in an altered mental state. Fyfe noted:

> The dangers and unpredictability of police encounters with EDPs are significant, but they can be reduced greatly by adherence to a few simple principles…. These principles, which can be taught and absorbed in no more than a couple of days, considerably increase the chances of resolving EDP confrontations without bloodshed…. Because the techniques and strategies for resolving EDP situations are relatively simple, all police patrol officers, who are almost invariably the first police responders to such situations, should be trained in them and held accountable for following them.

The rules formulated by James Fyfe for how police should deal with resistant people in an altered mental state (including those who might be armed) fit well with recommendations from Normal Accident Theory (a theory, with considerable empirical support, of factors underlying risk of disasters). Under Normal Accident Theory, the risk of accidents is tied to 1. the interactive complexity of a system (more parts or more people interacting = higher risk) and 2. the degree of coupling in the system (tight coupling, with little capacity to accommodate things going wrong = higher risk). Police scholars have successfully applied this framework to gain insight into means of avoiding officer-involved shootings.

Here are Fyfe's rules, stated in relation to Normal Accident Theory (with the latter explicated in brackets):

> 1. *Officers should keep a safe distance away from EDPs (emotionally disturbed persons) and otherwise avoid putting themselves in harm's way when handling EDPs.* [More distance = looser coupling, better able to accommodate errors/unexpected actions]

2. *Officers should avoid unnecessary and provocative displays or threats of force.*

3. *An officer should try to avoid confronting an EDP while alone and should always make sure that back-up assistance is called so that the EDP can be contained at the same time that bystanders are cleared away.* [Clearing bystanders reduces complexity of the system, though backup officers increase complexity.]

4. *One officer (the talker) should be designated to talk to the EDP, and everybody else on the scene should "shut up and listen."* [Reduction in complexity.]

5. *Officers should make sure that the talker is in charge of the scene and that nobody takes unplanned action unless life is in immediate danger.* [Reduction in complexity. Retain the benefit of backup officers while ameliorating the additional risk created by having more officers present.]

6. *Officers should make sure that the talker does not threaten the EDP, but instead makes it plain that the police want to help him or her and that the way to accomplish this is for the EDP to put down any weapons and to come with the police for help.*

7. *Officers should take as much time as necessary to talk EDPs into custody, even if this runs into hours or days.* [Allowing as much time as needed = more slack/less pressure/looser coupling.]

The President's Work Group report explicitly articulated these seven principles and requested that MPD consider incorporating them into the SOP. The "Response to Persons with Altered State of Mind" SOP that MPD issued in response to the Council order was a major positive step and did incorporate some of Fyfe's Principles, but most were not incorporated, or were incorporated only in a very vague sense. For example, principle 2 was not included (note that attempts to intimidate people into complying can be very counterproductive when dealing with people in an altered mental state). Principle 3 was not included (the SOP only states "Request additional personnel if indicated"). Principles 4 and 5 were not fully incorporated – the closest the SOP comes to this is to say: "Have only one officer communicate with the person at a time." Under the MPD policy, multiple officers can be talking to the person, just not at the same time. Sequential statements from multiple officers can still be confusing or agitating to someone in an altered state. And the policy does not suggest that the talker should be in charge of the scene or prohibit other officers from taking unplanned action.

MPD states, in the context of this recommendation, that it is not opposed to reviewing SOPs and "evaluating whether additional clarification or language modification is appropriate." The Ad Hoc Committee endorses fully incorporating all of Fyfe's Principles, given the established capacity of these rules to reduce the risk of adverse outcomes.