

Getting Back on Script: An Investigation into the Use of Scripts to Reduce Police Violence

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Dedication

This thesis is dedicated to those who lost their lives in tragedies that could and should have been avoided.

Abstract

This study addresses the problem of violence in the United States perpetrated by police through the study of the communicative concept of “scripts.” It serves to examine the reasons why the United States has such a strong narrative of violence in their law enforcement and attempt to address these origins with scripts. Further, it will investigate the use of scripts in other organizations and examine the use of scripts already employed by law enforcement organizations to determine where the problem lies. Finally, after gathering knowledge of the psychological values of behavioral scripts, will attempt to draft a script with key concepts deemed necessary to reduce violence. The following proposal will explain the importance of such a study and explain the steps necessary to accomplish it.

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Introduction

A definitive problem exists within law enforcement in the United States. As of 2019, civilian casualties at the hands of the police occur at a rate of 33.5 people for every one million citizens. This rate is over three times higher than the country with the next highest fatality ratio, Canada, which has a rate of 9.8 people for every million (Jones et al., 2020). In the year 2020 alone, the police killed 897 people as of October 28, 2020 (Mapping Police Violence, 2020). This rate of violence, and its exception among other developed countries, provokes inquiry of possible solutions. To this goal, Communication Studies offers several promising routes of research including (but not limited to): conflict resolution, intercultural communication, relational violence, and the study of personal scripts.

The purpose of this thesis aims to specifically explore the idea of writing and editing scripts utilized by law enforcement in the state of California with intent to decrease violence experienced by its citizens. Should said scripts be implemented and prove effective on a state level this thesis could also have implications on a national scale. There have been many police reform attempts made, but none have been adequate in reducing the number of violent encounters between law enforcement and citizens. The utilization of new or improved scripts could lead to the desired results.

Literature Review

Preliminary research conducted, aimed to answer basic questions regarding the thesis: Why is violence in the United States prevalent? Have attempts been made to fix the problem, and, if so, what was their level of effectiveness? Have scripts ever been utilized successfully in police reform? In what other areas of note have scripts been utilized? These questions led to several articles that can give general knowledge to lay the groundwork of possible solutions.

Alexi Jones's and Wendy Sawyer's article "Not Just 'A Few Bad Apples'" provides statistical evidence that the United States has a problem with police violence in comparison to other first-world countries. A current and peer-reviewed article, the authors assert that the violence enacted by police is the result of systemic problems rooted in the organization. The statistical evidence provided is adjusted for accurate comparison dealing with rates of violence committed rather than the total amount of cases. This information is essential for helping define the core issue that the thesis aims to address and provides other articles for reference to support the research done.

Lending further clarification to the background of police violence, Samuel Sinyangwe provides a detailed map of police violence in the United States that is up to date through October 28, 2020. This map, and the written article attached, give detailed breakdowns of the events including dates, race, geography, nature of violence, type of force, police agency, and the officer charged. The article also provides information that generates a possible explanation for the police brutality rates in the United States. According to the website, from the years 2013-2020 only 1.7 percent of police killings have resulted in criminal charges levied against officers. This factor may contribute to why previous police reforms have not been effective in the reduction of violence. Without fear of punishment, the only factor left is the police officer's moral conscience and sense of preparedness, which are not necessarily consistent.

Another question must be asked: What police reforms have already been attempted? Sam Levin's article "'It's Not about Bad Apples': How U.S. Police Reforms Have Failed to Stop Brutality and Violence" explores this exact question. In the article, Levin lists several initiatives that have been taken to reform various police departments and deter violence. Among these initiatives, he mentions the following tactics: "banned chokeholds," "de-escalation training," "shooting at moving vehicles," "bias training," and "body cameras" (2020). Despite all of these

reforms Levin says that they “...did not stop police from killing Eric Garner, Charleena Lyles, or Ryan Twyman” (Levin, 2020). He maintains the position that the only solution to the violence perpetrated by officers (specifically toward people of color) is to defund the police. This fix poses another factor for police brutality: personal biases. Levin suggests that a disproportionate relationship exists between people of color being the victims of police violence, another component that this thesis aims to address using scripts.

With an understanding of the problem and a general knowledge of the factors that contribute to it, one can begin looking at the proposed solution: the utilization of scripts. According to James J. Messina in his chapter on “Responding to old behavioral scripts”, an important element of behavioral script definition is as “a pattern of expected or anticipated behavior that others have ascribed to or designated a person as having” (Messina, 2022). It is understood that people utilize all manners of scripts for various social situations that dictate how they behave—even subconsciously. Another component of scripts is that they are “...internalized through actions or interactions and they require situation to externalize the concepts in the mind” (Meng, 2008). The subjective social and cultural nature of scripts, and the understanding that everyone uses them, is important to understanding how writing and rewriting scripts can be utilized in the police to reduce violence. This application will require specific psychological research to develop scripts that will help an officer overcome personal biases and become an effective police person.

Understanding how personal scripts operate is significant but contemplating the effect of mandated scripts is equally important. Organizations often have scripts that are given to their members to ensure that they do their job effectively and in a way that is pleasing to the organization. Police departments are no exceptions to this rule. Although they are not labeled as

“scripts” in the following source, they can be classified as such based on the understanding of the nature of scripts. There are laws, varying by state, that give a rough description of the scripts used in arrest procedure. These outlines are extremely vague and leave much room for interpretation especially where use of force is concerned (“Resources,” 2019). One can begin to surmise that the problem is not—necessarily—a lack of scripts but a lack of quality within the actual scripts being utilized. In the same article, the author lists an example of the scenarios in which force is allowed: ““totality of the circumstances" when: “defending against imminent threat of death or serious bodily injury”, “apprehending fleeing persons for felony” “involving threatened or actual death or serious bodily injury” (“Resources,” 2019). These descriptions are vague, leaving much up to the officer’s judgment of the officer, and questionable circumstances to require lethal force. How these situations are handled would be up to the personal script of the police officer and their perception of the situation based on their personal biases.

How, then, can scripts affect change within the police force when scripts are already involved? Three scripts need to be implemented or changed: scripts around institutional procedure, scripts involving punishment for procedure broken, and personal scripts of the officers. While the organizational scripts can be rewritten to be more detailed, one can conclude that personal scripts influence how one enacts the organizational scripts and functions within them. Craig A. Anderson researches the specific the relation between personal scripts and intentions in the article “Imagination and Expectation: The Effect of Imagining Behavioral Scripts on Personal Intentions.” His experiments found strong evidence to support the theory that the consistently inhabiting behavioral scripts can shape the inclination toward a certain target behavior. This approach could have dramatic implications when applied to the police (viz., the target behavior for this thesis would be non-violence).

To better draft a sample script for law enforcement one must consider scripts that have been used in other organizations or areas of study. One example drawn from is a de-escalation script written by psychologist Krystal Pope PhD for mental health professionals to deal with unstable patients. In this script she defines de-escalation, lists characteristics agitated patients, and techniques to for mental health providers to calm said patients. Such techniques include, but are not limited to self-identification, “active listening”, and using “small words” (Pope, 2014). Though not every step of the script will be directly applicable to those used in law enforcement, the methodologies employed can offer a variety of techniques to explore.

Background

Why California?

It has already been stated that the United States, as a nation, has a problem regarding its police-related fatalities. Addressing this issue on a national level, though, presents a range of variables that would take a great deal of time and resources to effectively reconcile. For this reason, this study focuses on a single state within the nation to begin deciphering the complexities of a hypothetical solution with a smaller sample. The state chosen as the setting for this proposed solution is the State of California. California was chosen for the following reasons: population diversity, population density, and current statistics presenting opportunity for growth. Each of these reasons would make the State an ideal testing ground should the content of this thesis be adopted for experimentation.

The first favorable factor of the state is the population amount. California’s population is the largest in the United States, at over thirty-nine million as of July 2021 (Johnson et al., 2022). California’s population poses a uniquely versatile environment that allows for interesting implications in researching communication theory in application to scripts. However, it should

be noted that this also will be a confounding variable when considering states of other population sizes.

The second favorable component of the state is California's ethnic diversity. The Public Policy Institute of California says that "No race or ethnic group constitutes a majority of California's population: 39% of state residents are Latino, 35% are white, 15% are Asian American or Pacific Islander, 5% are Black, 4% are multiracial, and fewer than 1% are Native American or Alaska Natives, according to the 2020 Census." (Johnson et al., 2022). Ethnic diversity is an important factor to consider in any conversation concerning policework, considering that one of the chief criticisms of police in cases like those of George Floyd or Brianna Taylor is the claim that such cases were handled poorly due to racial bias. As such, any effective method of police reform should aim to create equitable treatment regardless of factors such as race, gender, religion, etc. Essentially, reform of any sort should aim to remove biased behavior from police behavior to ensure justice is the sole motivation for any and all action, especially when regarding use of force. California's population diversity provides a variety of variables to account for that can have impact on the nation at large.

The final factor that makes California a suitable host for experimental implementation of newly proposed scripts is its opportunity for growth and necessity for improvement. According to *Police Use of Force and Misconduct in California*, "About 195 people die each year from interactions with California law enforcement." (Premkumar et al., 2021). This accounts for about one tenth of the national average of police-related fatalities. Furthermore, in California's fatality rate, like the United States itself, is indicative its necessity for the adoption of a new policing methodology.

California Police Background and Statistics

In order to devise scripts for law enforcement in California, one must have an understanding of the procedures and requirements already in place by the state organization. According to the California Academy website (a government page dedicated to questions and research concerning California police) the requirements. The description on the website describes a variety of subjects with which a perspective peace officer would have to become versed in, asserting that the program should take about six months in duration to complete (*The Academy*). Subjects covered included: “Criminal Law, Patrol Procedures, Cultural Diversity, Investigative Procedures, Report Writing, Defensive Tactics, Firearms, Leadership, Ethics, Community Policing, Police Vehicle Operations, Traffic Enforcement, Accident Investigation, Handling Emotional Situations and First Aid/CPR” (*The Academy*). For this thesis, the subjects that were focused on in reference to interactive scripts specifically are the requirements concerning “Cultural Diversity,” “Ethics,” “Community Policing,” and “Handling Emotional Situations.”

Further, the webpage revealed the prerequisites to simply apply to the academy, and the “minimum standards” to maintain employment. The prerequisites for Academy admission were straightforward (primarily being a check list of various tests and schedules to pass), but the minimum standards of employment were fairly, arguably too, simple. When discussing personal scripts, it is important to understand the kinds of personal scripts people carry with them when coming into their place of work. As such, if one aims to devise scripts for training purposes, it is plausible that the implementation success rate would be increased by ensuring that candidates vetted for the position would adhere to requirements that would yield a higher probability of their personal scripts being compatible beforehand. This is not to say that citizens applying to the

program need to be perfectly prepared peace-officers before applying but noting during the interview process a candidate's comprehension/adaptability to new scripts could be helpful in ensuring effective police officers (see appendix 1A).

It is important to note that the makeup of police organizations in the United States are predominantly white (Data USA, 2019) and male (Lofstrom & Martin, 2021); this researcher found no evidence to suggest California is an exception to this rule. While this does not necessarily have to be a problem in and of itself, it does mean that officers need to take extra care when attending to their personal scripts. There are a range of tensions that face officers when they are interacting with citizens, and it is their responsibility to manage them at a level of professionalism that functions to prevent violence.

Key Takeaways

When considering California's policing situation, some factors stand out immediately. The first issue of note is California's population. Due to the diversity and size of California's population, scripts drafted must take special care to address a variety of biases. Interpersonal, intercultural, and conflict resolution communicative theories offer the background necessary to effectively begin addressing the scripts devised to counteract these biases. Californian police are left with a difficult task with the sheer size of California's residency. This task is only made more difficult by the abundance of stereotypes and mistrust fostered by culture. To change this narrative, this context must be kept in mind by the officers and those who train them.

The second issue is that of the requirements expected of officers. These requirements do not necessarily filter out those who do not have a strong understanding of effective communication. As such, they must begin with the basics, and should script-based training be implemented, that those training them are expert instructors. If officers are to become the

effective communicators they ought to be, their training must take them above and beyond these basics, however.

The final issue is the training period. The academy website denoted a roughly six-month training period after prerequisites and employment standards are satisfied. This amount of time is extremely truncated and is not enough time to adequately learn how to interact with citizens of the community. “On-the-job” learning cannot be the primary methodology with which officers learn their roles and responsibilities. As such, one recommendation going forward is simply to extend the training period for incoming officers. Perspective officers must be allowed proper time to examine their personal scripts and subsequent time spent reprogramming any schema necessary. For mistakes to be avoided, especially ones that result in injury and/or fatality, proper protocol needs to be ingrained in behavior rather than simply cognitively understood.

Scripts

Defining Terminology

The term “script” is a relatively simplistic, base concept in the Communication disciplines. Perhaps the most commonly held understanding of the term by those unfamiliar with the subject, though, would be those utilized in the theatre. While not the precise definition of the concept utilized in this study, it does give a beneficial image. For the purposes of this study, the definition of scripts will be derived from Julia Wood’s *Communication Mosaics* textbook: “One of the four cognitive schemata, scripts define expected or appropriate sequences of action in particular settings” (2017). Essentially, scripts are a set of actions that a person consciously or unconsciously plans to function within various scenarios.

Whether or not a person is cognitively aware of their presence, scripts are an ingrained, systematic method of communication that people develop in multiple contexts and facets of their

life to make sense of experiences in their plethora of experiences. This type of mental structure is called a “schema,” which is further addressed by Wood in the chapter. The proposed explanation as to why there is a disproportionate level of violence exhibited by police in the United States is due to a lack of proper preparation regarding this cognitive schema. In fact, one could go so far as to say that, rather than conditioning the cognitive schema to pursue the least violent option, many police officers are provided with a subtextual script that employs violence as the chief option in far too many scenarios.

This notion of competing scripts begs the question: what scripts do police officers currently utilize? This question, while poignant, requires clarification. Scripts, per Wood’s definition, is something inherently personal that the individual brings with them into a variety of scenarios. While this is a solid definition of scripts it is important to know how they work. “The selection and retrieval of scripts is influenced by the interpretation of social cues; the activation of associated content, such as normative beliefs; the prevailing affective state or level of arousal; and the extent to which the script is rehearsed” (Gilbert et al., 2013). This understanding prompts one to consider a secondary definitional utilization that stems from the scripts provided by an organization. Organizational scripts are meant to, in a sense, remove the sense of agency in one’s personal scripts so that one’s behavior reflects the values and beliefs of the organization. More simply, organizations provide scripts to their members to ensure that they bear their image in a flattering way. Therefore, when discussing the subject of scripts, one can differentiate by the two by the terms *personal* and *professional* scripts (the former referring to scripts developed and used in everyday life, and the latter being adopted scripts when one is performing a vocational function). While these two concepts do not always coincide it is understood that, when representing the organization, one is to defer to the script provided by their organization. A

precedented ramification for deviation from this implicative contract—depending on its severity—is termination of an individual’s belonging to said organization.

The apparent failure in police performance stems from a lack of clarity and accountability regarding these script classifications. The following subsection will serve to elaborate on the ways in which personal scripts have been allowed to supersede organizational scripts—due to their lack of definition and enforcement—resulting in the unacceptable results currently reflected in the statistics facing California and the United States.

Applying Terminology

When addressing the relationship scripts to police-related fatalities in the United States, one must understand the roles of personal and professional scripts in the setting. Personal scripts are extremely difficult to quantify or to generalize about. These scripts are highly individual and vary from person to person depending on their experience. Studies showed that “[o]fficers varied their use of de-escalation based on the situation and appear to be influenced by both citizen demeanor and characteristics. Officers evaluate situations on a case-by-case basis and use different verbal tools that they believe are more suitable with certain people” (Todak & James, 2018). If scripts are to be effective, they need to remain consistent regardless of scenario to ensure accusations of bias cannot be levied.

However, there are general characteristics in personal scripts that law enforcement ought to keep in mind when assessing and drafting professional scripts for candidates to follow. This primarily concerns harmful stereotypes one might carry with them. Now it bears mention that stereotype is one of the cognitive schemata that Wood addressed in her text concerning scripts. Stereotype is present in every individual, but some (e.g., racism, sexism, homophobia, etc.) must be mitigated.

In their interviews, Steve Kyte and Elisha Coleman (see appendices 1A and 1B, respectively) both mentioned one of their key criticisms of law enforcement being flaws in the hiring process. Both Kyte and Coleman expressed belief in the notion that violence, in some candidates, is a behavior rooted in their personal scripts. Kyte went so far as to suggest that training, for these individuals, would not ever be an effective solution. While this hypothesis could prove valid, and certainly warrants further investigation, there is no conclusive evidence supporting its claim.

When thinking about scripts and what actions they will reflect, one should ask themselves what the goal of their script is in the interaction they are planning for. Though of obvious note in this context, it is worth stating that the ultimate goal is to end in a nonviolent resolution, procuring the physical safety and well-being of both the citizen and the officer in the interaction. If this proves impossible, the next hope would be a nonlethal resolution, allowing for minimal bodily harm to both parties. Providing all options become exhausted, lethal force may be permitted but only when there is no other choice. Such a scenario would be categorized by the officer having to choose between their life, or the life of a third party, over an aggressor who has already committed to a path of violence. Studies have found that mental preparation via visualization can help someone effectively accomplish real world tasks (Collins, 2018). Further, institution of psychologically informed reform techniques has seen significant statistical results in violence decline (Abrams, 2020).

It is at this point where one can begin analyzing scenarios and devising where the breakdown in the communication occurs and adapting scripts in such a way that they compensate. When drafting scripts for police-work, one must consider the variety of factors that may come into play in a plethora of scenarios. It is important to note that officers, and the

citizens they police, carry with them their own personal contexts, personal biases, conflict scripts, and other ideocracies that can confuse an already difficult situation. To this end, professional police scripts should aim to address three key factors: 1.) personal biases the officer may have; 2.) enforcement the ideology of verbal resolution before physical resort; and 3.) an emphasis on exhaustion of all nonharmful options before resorting to lethal force.

Communication Elements in Professional Scripts

To address these factors, scripts should pull from a variety of sources and theories to provide a well-rounded approach. Communication as a discipline has a variety of subjects that address these factors. Officers should be well-versed in elements of intercultural communication, interpersonal communication, and their corresponding theories.

Interpersonal Communication.

Interpersonal communication provides helpful clarifying terminology that should be covered when learning new professional scripts. From a theory standpoint, one should have a grasp of Haptic Communication: “Communicating non-verbally involves visual cues (visual acuity), gestures (body language), paralanguage (intonation, pitch, speaking speed), oulesics (study of eye movement), chronemics (study of role of time in communication), haptics (communication through touch) and proxemics (study the use of space in communication)” (*Communication Studies*, 2020) The importance of nonverbal communication cannot be overstated. This is an element not explicitly outlined in policing scripts that must be addressed in new drafted scripts. It should be spelled out in great deal detail actions, tones, and body language that should be practiced, as well as avoided. Such examples should include avoiding aggressive tones, limiting movement that would indicate weapon utilization, and maintaining proper distance. The fewer of these elements that are left up to the imagination and

discretion of the officer by being specifically outlined in professional scripts, the less opportunity will be provided for errors to be made.

Another element of nonverbal communication would be the understanding of denotative v connotative meanings. “Denotation refers to a word's definition, while connotation refers to the emotions associated with the word” (Lawton, 2011). It is important to understand that words do not always carry the same meaning, despite their definitions, to different people. Police officers need to take care to use simple words with little diversity in their connotative meanings. This would keep in line with Pope’s de-escalation tactics.

Intercultural Communication

The ethnic diversity in California indicates a necessity for a working knowledge of intercultural communication. While this is covered in the basic training of the California law enforcement system, addressing it in scripts will help mitigate prejudiced behavior by police officers. In California, over the last nine years, the racial breakdown of police-related fatalities reveals an uneven breakdown in deaths, showing that Black people (viz., a minority population) being over three times more likely to be killed by police than the majority white population (“Mapping Police Violence,” 2022). In theory, this variance can be attributed to personal scripts informed by ethnic contexts. In fact, studies have shown that white people exhibit higher levels of discomfort with black people than they do with members of their own race (Ambady et al., 2009), and that relationships between law enforcement and those they govern tend to experience stress when the police-force is majority white (Levin & Thomas, 1997).

This research is further corroborated by research done by Lucas Mentch’s investigation into the racial disparity in police shooting. Mentch (2020) concludes: “Furthermore, by examining the resampling distributions in their entirety, we can see for example that not only is

the proportion of Black victims ‘significantly’ different from local racial demographics, but that the total number of Black police shooting victims is more than 19 standard deviations larger than expected” (see Table 4 in the Appendix). Perhaps even more surprisingly, incorporating local arrest data shifts this distribution by nearly 17 standard deviations making the observed victim total appear far more in-line” (Mentch, 2020). This level of disparity was also present in arrest rates even after controlling for population (Gase et al., 2016). These trends, if taken alone, seem to suggest that racial bias is a prime factor in policing.

However, though not in opposition to racial bias in policing, some research suggests that there is more nuance to the discussion than simply a matter of white officers unfairly policing black people. Brian L. Withrow argues that “[i]t seems reasonable therefore that individuals that are ‘different’ would attract the attention and/or suspicion of a police officer. Whether or not this is an appropriate response likely depends on whom you ask” (Withrow, 2004). While not explicitly using the terminology accepted in this research, Withrow is hinting that behavior is perceived and categorized through personal scripts influenced by cultural context. Lack of familiarity with these scripts lead to disparities in treatment by law enforcement. Even more specifically, there are arguments made that scripts can be further informed by reaction to a local event that can cause a wider disparity in policing statistics for extended durations (Legewie, 2016). Many variables can confound and affect personal scripts from a cultural standpoint; getting police on a consistent script that accounts for racial/cultural bias can help mitigate this issue.

Discussion

This section deals with how scripts could be an improvement on commonly utilized methods of police reform. Scripts provide several possible benefits in addition to the saving of

human lives, most notably being the cost-saving elimination of equipment purchasing. There have been many attempts made at police reforms, and while none of them have reached an adequate success rate in reducing police-related fatalities, they do not necessarily need to be done away with, rather they need to be used to reinforce the implementation of newer, more effective scripts.

One of the more popular methodologies of police reform utilized in recent history has been the installation of individual cameras on a police officer's person called a "bodycam." The intent of these devices was to promote transparency of the interactions that occurred between a police officer and the citizen with which they were interacting. This reform has positive implication in terms of enhancing accountability (Peeples, 2020), but has been insufficient to adequately reduce the fatality numbers exhibited in the data previously presented. This is because the nature of this reform does not address the problem at the source but seeks to clarify events that already happened. While accountability is a worthwhile and necessary element of police reform, it cannot be the end goal.

As of 2021, California governor Gavin Newsom signed off on "...legislation strengthening policing responsibility and accountability guidelines, raising eligibility standards and banning harmful techniques" ("California," 2021). This legislature, like the implementation of bodycams, is a fine step, but fails to address the problem at the source. Stephanie Pappas, in her article "How to Actually Stop Police Brutality, According to Science," lists five ways to address the issue of police violence: "Track the Problem," "Demilitarize," "Change Police Culture," "Invest in Alternatives," and "Instill Oversight" (2020). Many police reforms (e.g., bodycams, technique banning, equipment changes, etc.) address most of these topics but do not

address the issue of altering police culture defined as “reflect[ing] what that department believes in as an organization” (Principles of Good Policing, 2003).

This element of policing is precisely what rewriting scripts will aim to address. If professional scripts are to ensure that an individual behaves accordingly to a set of values endorsed by an organizational culture, then it is fair to suggest that the culture in California (and in the broader United States) permits and promotes tolerance of violent policing methodologies.

As previously mentioned, police procedures lack clarity necessary to provide a concrete procedure for how a police officer is to behave in a given situation. An officer can be confronted with any number of scenarios that range in the necessity of force, lethal force, or no force at all. Officers are provided with some impressive training resources, like the “De-Escalation strategies and Techniques for California Law Enforcement” (Peace Officers, 2020). This publication offers a variety of well-sourced techniques for peaceable resolution, but—by its own admission—is not a “how-to manual” (Peace Officers, 2020). In fact, it is not even utilized exhaustively in procedural drafting, it is simply a resource for reference.

Even officers highly trained in de-escalation tactics will be faced with scenarios in which peaceable solutions are not attainable but the criteria for these situations and their corresponding responses appear relative. For example, in the article “Policing 101,” it is stated that “[p]olice use physical force to the extent necessary to secure observance of the law or to restore order only when exercise of persuasion, advice, and warning is found to be insufficient” (2015). There are no qualifiers to these terms like “necessary extent,” “force,” or “restoring order.” Further, the level of ability in terms of “persuasion, advice, and warning” is not necessarily uniform to all officers, which could elicit irregular results. Conflict scripts need to be made a uniform and legally mandated concept for there to be any sort of quantifiable observation of result.

Recommendations and Limitations

This thesis has functioned purely in the abstract, theorizing based off communication theories and examining literature and policy implementations related to the subject matter. As such next steps should include three elements: police interview, field studies, and legal research.

First, due to the volatility of police-related discussion following the wake of George Floyd's death (viz., when research concerning this thesis began) securing participation from police officers was a task that proved understandably difficult. Police reform was, and is, a sensitive topic for many and as such were reluctant to share. However, obtaining police opinion on this subject would be vital to ensure its validity, and any research going forward should include such testimony.

Second, field studies need to be conducted after test scripts have been drafted and peer reviewed. This would be the first tangible step to bring the principles of this study out of the abstract. If any actual change is to come of this work, the principles must be implemented and quantified to examine the results. From that point adjustments can be made on the grounds of practicality. This would allow for more content to be generated around the subject and the most effective version of the subject to be discerned.

Finally, research into the legal implementation of this study would have to be more thoroughly researched. There is already legal language around police misconduct (Addressing Police Misconduct, 2020), and how legal reform via government intervention ("What role," 2020), but tangible steps to proposing such a topic in a legal context was only touched on briefly in this research by an interview conducted with Andrew Nosrati (appendix 1d) in which he stated that it would require sharpening the idea and pitching it—from a local government perspective—at a city council meeting. Other interviews, specifically the one conducted with Ellison (who is

cited in appendix 1c), expressed concern that reception of the idea may be dictated by region and subsequent geo-political biases. As such, the progression currently recommended would be implementation and observation at a local scale and should the work prove effective, work up to the state level. Beyond these beginning stages, should the work continue at a favorable rate, advocates could then explore national implications.

Conclusions

In the modern day and age, the statistics reflecting police-related violence and fatalities are unacceptable. Advancements in technology, while beneficial, have proven not to be a cure-all to the issues plaguing law enforcement. However, utilization of well-researched socio-behavioral methodology found in Communication Studies and devoting time to under-researched subjects of a similar kind, may succeed where technology and previous reforms have failed. This thesis has served in the purely abstract, hypothesizing based on theory that has been provided by the field of Communication Studies, and consequently should be viewed as the precursor to a larger experimental study. Next steps would include experimental implementations of drafted scripts and observation of their effectiveness. This intervention would require more in-depth collaboration with law enforcement and organizations that have effective scripting structures that could serve as an effective template to model after.

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Appendices

Appendix 1: Interviews

1a.) Steve Kyte

Tyler Kyte 15:00

So, a large portion of this, really all of it is, is mostly to do with the police and communication between police and citizens in California. And so, it's kind of cool. You use that as an example of, in your time as city manager, what were your relationships with the police department here? Like what how did you have to deal with them on a fairly regular basis.

Steven Kyte 15:28

We organized ourselves rather than being as much of an organizational pyramid, our management team was very close, both in terms of our working relationship and our compensation. The difference between the chief executive compensation and the police chief compensation was only like 3%. And when you put in some of these other benefits, you probably made more than I do. But but we functioned as a, as a lateral team, on on most things, and everybody's input was welcomed on things because there are sometimes where you're so focused on what it is that your project is that that you have blinders, and you don't see opportunities that somebody else can see. So that relationship at the top was a daily I would spend probably a third of my day working with either all together or in smaller groups of those five executives, all working on projects at the time doing the future work, trying to get ready for something, we knew it was going to happen, whatever it was water issues or wastewater or usually it involved trying to deal with state regulators. And, and then a lot of times, trying to come up with more effective ways for growing community activity leads where, you know, we needed more parks, planning issues. And then that the chief was able to respond in real time and communicating with with his people. What was what was going on everywhere else in the organization, because he wasn't shielded from that he was part of. So there was a lot of that. And it wasn't all everybody singing Kumbaya, he was, you know, there were labor relations issues within the police department that are and and fire that are that are always there. And some of its, it seems like it's kind of an institutional fight. I don't know. Anybody who was ever in my career, who felt totally comfortable with the labor relations part. That connection to both public safety. They were very demanding. They did a lot of really important stuff. And they were kind of like a badge and the community. were wonderful. So rewarded. Lots of extra people and created a lot of tension. We got through that.

Tyler Kyte 19:25

Yeah. So um, you know, recently the police department has been facing a lot of scrutiny in the wake of George Floyd, Briana Taylor. Do you feel that in recent years the police department has experienced more scrutiny or were they do you feel experiencing decent scrutiny when they when you were involved with city issues?

Steven Kyte 19:52

We had some issues, but most of our issues were were more internal rather than in The connection between officers in the field and the other community. But we've done some things that that really mattered to. One of them had to do with where I was supposed to be the smart.

We have achieved police chaplaincy program, which not only helps provide care for officers. Yeah. Because of what they see what they have to go through can make a person very jaded, very good. And it's important that they have that counseling and emotional help available quickly. So we have a number of police chaplains that are provided not by the city, but rather as a nonprofit. Oh, okay. And, and they, they are governed by a board that meets fairly regularly, as all nonprofits have to. And they that that group, also then does a lot of the interface with people who are subjected to tragic incidents. So when we have people on scene, when bad things are going down, who were there both for the officer and for? Put the person who, who has been injured, or in some cases shot or Yeah. And I think that that model really helps a lot. And a lot of a lot more communities are now starting to go to that. It's not so much the spread of religion into government, as it is using the things that that that the chaplains can do best in terms of assisting people who were in crisis. Yeah. And that I think, has been a very effective piece. And that same group has been sponsoring programs that provide character coaches, in schools. And some of the kids who were growing up hurting, emotionally. Get support? Yeah. So that's helpful.

Tyler Kyte 23:11

So you mentioned that it's handled by a nonprofit organization versus directly by the city. Do you feel that that's more effective than if it were handled by the city? Or does the religious aspect of it need to be handled separately? Because

Steven Kyte 23:23

my opinion is that it needs to be separate, just because of the church and state. But we have, yeah, that that model, using a nonprofit is the best way to make it work.

Tyler Kyte 23:46

Okay. So that, that was awesome. You actually answered like four questions with one little blurb there. So one of the issues that we've been talking about is that the United States in general for our law enforcement, we have a much higher fatality rate than the closest other country being Canada, we by per capita, we almost have three times the rate of police violence. And you've mentioned counseling, like on the job counseling, immediate access to that kind of psychiatric care. Do you think that the psychiatric issue would be one of the largest issues facing police officers or No, I?

Steven Kyte 24:31

I think I think the training in California that officers go through is superb. Okay. I think that sometimes the selection process that brings somebody to a particular organization can be pretty flawed.

Tyler Kyte 24:52

Can you speak more to that?

Steven Kyte 24:53

I spent a lot of time when I was an assistant manager and HR director in Fairfield, working specifically on the critical skills, knowledge and abilities that the officer needed to be successful. And spent a lot of time working with the cream of the crop and the department trying to whittle down what really makes the difference between somebody that you wish hadn't come to work

there, and somebody who you would have by your side, whenever and be proud of the work they did for the community, in the country. And, you know, I have seen evidence, some of these things that keeps showing up in the newspaper about officers who have repeatedly done some pretty dumb thing. Could have been foretold the screen process, point of hire, as well as reinforced with department training. Things, on the other hand, goes, not very well noticed a lot of times that, that, especially with police. I mean, we we know how dangerous firefighting, things can collapse and everything else. You know, that that's pretty obvious. What people don't know, as much about is how split second police work is, when you're in crisis. I had the opportunity to sit on the board of directors for a self insurance program 50 cities at that time, how big it is out in central California, and all going together to lower our our, our risk costs, insuring against risk. And one of the big things was, you know, what happens when a police officer is confronted with an emergency situation? And the, when we say split second, that's exactly what we're talking. Yeah. Because if a guy's charging at you, even with a knife, even if it's not a gun, if he's charging at you, and he's inside five feet, before you can pull your weapon, you're, you're nailed. And so we developed all of these training materials to help people understand, alright, when is it appropriate to use lethal force? When is not. And to get them already used to thinking in those terms, because we wanted to save them, as well as as make sure that they weren't unnecessarily using lethal force against somebody that didn't deserve it. It's different than what some of these localities across the country have been dealing with, where you have officers who have been attracted to the field, because they like control. And, and when they tell you something, they want immediate response. And, and it makes them angry. They don't get it. And that part of the training piece is missing. But I think the biggest reason why is it causing the problem is because people who have propensities for that weren't screened out. The point of selection. Anyway, I don't know if I'm being clear about that. I just, I think a lot of the problems that we're having aren't just that, that departments aren't well trained, because I think they are. The problem is that they have people within them that that never should have been police officers. And it is a very demanding and dangerous job. Some of the worst situations that they get into our domestic disputes and the only thing that that they can and rely on is the fact that before that incident is closed, both the warring parties that they're working with, will consider the officer to be the worst is the only thing that brings the other two together. Is there dislike of his role? Yeah. And, or hurt. And it's, it's been really interesting. Watching a lot of that developed through the years that you'll have officers tell you when when somebody has a weapon pointed out to you, it's one thing that when you don't know what's coming, because you're they're trying to settle things down, because you've got this disturbing the peace kind of thing. Next thing, you know, it becomes violent. And a lot of bad things happen. Anyway, training is one thing, but even more important than that is pre selection.

Tyler Kyte 31:06

Yeah, the the screening process. So that's really interesting. So I've had a lot of a lot of people that I've interviewed so far, have been really focused on reforms and those kinds of concepts, whereas your seems like you're hitting on, it's not even the reform aspect of when they're already in the field, it needs to be before they're even hired, they need to be screened better. That's really interesting. That's a really objects for that more.

Steven Kyte 31:40

Well, let me just give you a little bit more background. Yeah, absolutely. Part of what would my challenge was in Fairfield was brought on by the fact that, that all cities and counties were were being challenged on the employment testing, that they were putting people through for different different jobs. And and the results of that test was, was showing big difference with minority hires, and, and other kinds of distinctions that people would make within the potential employment and trying to make your workforce look like the community at large. And so we had to do this anyway. I mean, we had to refine the tools that we're using for selection. But as we got further into it, we realized that even when we had numbers that match the community, it was even more important to make sure that the people who did get hired had the right propensity, knowing not just skill sets, but the the right sense of values of describe this. Not if you if you're after somebody in another field, for example, you're you're looking at an athlete and you like the fact that they have lightning reflexes. That's really important. Except if they're doing the wrong thing. Yeah. And so there's something else that you got to look for, you know, that drives that you got to make sure that that, that people are receptive to the the philosophical foundation of the role that they're providing, okay, they're, they're not they're not there to be in charge. They're there to keep the peace. They're there to for a lot of other reasons, too. And, and keeping an order in society. Again, sometimes make people like little Hitler's, you know, they, they want to order something and have everybody you say sitting idle. And, and it's hard to find that and I think the agencies that are trying are still working on that part of the puzzle. that. First they thought the problem was that it was just because it was a written exam. They're saying, Yeah, but you can't be a police officer if you can't read. Right. So then they started to look at other things. And anyway, I'm repeating myself now. But my my sense is that, that it starts with the selection process, and then the training helps with the technical issues of how you do that. But if you've got somebody who's don't have it here, and here, you're gonna help Trump?

Tyler Kyte 35:43

Yeah. Yeah, that's great. So I mean, give you a little explanation of what I'm proposing with this thesis and see what your thoughts on thoughts on Mr. So the point, so as you know, I'm a Communications major. And one of the questions that I asked when I started writing in this thesis was how can I use my major to better impact the world around me and in the wake of Briana Taylor and George Floyd, one of the things I began to wonder was, how can communications impact the relationship between police officers, and the people there's supposed to be protecting as you hit on before their chief role should be to protect and serve to keep order. And so one of the concepts and communication are called scripts, everyone uses scripts, a predetermined kind of mode of communication, when you talk from in different kinds of settings. So I have predetermined scripts for when I talk to family for when I talk to somebody at work, different modes of operation that I used to communicate. And so one of the concepts that I began to explore was how can we use organizational scripts scripts used by corporations and organizations when they have for their employees like a code of conduct, and then personal scripts for police officers in order to improve the communication between them. And citizens, one of the things scripts would be to filter out would be racist behavior or sexist behaviors, and try to filter out those preconceived notions people might have going into the field, like you mentioned earlier of these situations, these split second decisions, inhabiting the the quote unquote, role of a good police officer in order to make those split second decisions, better knowing when appropriately to use lethal force versus non lethal force. And one of the questions about that is, is implementing these scripts into the training period of like having harsh penalties

for deviation from the scripts of when they are and aren't allowed to do certain things? And so one of the questions is of as somebody who was involved with legislature in the politics of that, do you think people would react? And how do you think people would react to such a concept? Do you think that they think they're already doing a good job of these scripts and trainings in the training period? You mentioned that you think that the training period and or the training in California is pretty good for police officers? So do you think that they're doing a good job of that already, if of doing communication between law enforcement and citizens? Is that something they're already tackling fairly well or not? So well,

Steven Kyte 38:31

no, there's there's always more that can be done in that arena. I think that California uses the system, police academies to do the basic training for police officers kind of like what the military's get when they go to boot camp. But what we're really talking about here that has led to some of these real conflict situations, you've got people who have become either never were really suited for that role or have become separated from the real, the real role they ought to be providing, just because of either experience. They become jaded because of what they've been through. Or they born prejudices. Any number of things that have gotten them separated from their ideal role. And, and sometimes you don't know how bad that is, until you see some idiot with his knee on someone's neck and enjoying it. You know? That's the kind of thing that I'm saying you know, you You've got to have a better job of screening.

Tyler Kyte 40:08

Yeah, that guy shouldn't have been hired in the first place.

Steven Kyte 40:10

Yeah, that's right. Now fortunately, most of the, of the officers who go through the real emotional, life changing events in their job, that that can create really strong reactions that show up later get promoted. Before they, they reached the busking point where they do something we would all consider to be really don't. And that's not to degrade them at all, it's just saying, you know, it's kind of like a magnet, and how many pins and needles do you gather on that magnet, you know, before you could stalk the I guess it's a blessing, you know, they get to move into a level where they have less contact with the public. And, and so that the ones that you really have to focus on are the newbies. And, and to make sure that you haven't missed the time when you need to be moving somebody to something more distant, even if they didn't get promoted. And that, that's, that's not an easy job. I mean, you talk about, you're talking about a police chief who's got to be a psychiatrist, just a psychologist, yeah, he's got to be able to diagnose and treat some of this stuff or have such have a staff that has those capabilities that they can, you know, stay on top of it. But things will happen, they will see enough grime and war, that, that after a while, you know, they become different. And you can't blame them for I mean, none of the rest of us would want to have to see the blood and guts and killed children and everything else that they go through. And so when then someone doesn't obey an order that they give it see a guy flip out. And I don't care how much training you send somebody to if you're not aware of, of the relationship between the service some of these people have and, and their incoming capability to, to handle that without going bonkers. And all these other things are going to be helpful, but they're not. So, problem.

Tyler Kyte 43:35

Kind of putting band aids on.

Steven Kyte 43:36

Yeah. Yeah. So, I you know, I think your you know, what you're talking about is, is really important. But I'm trying to think how you would have applied that to the situation that we've all looked at.

1.b) Elisha Coleman Interview

Tyler Kyte 02:28

Wow, that was great. Thank you. Awesome. So in your opinion, moving right along, man, what are the greatest challenges in your opinion that law enforcement face in performing their job?

Elisha Coleman 02:45

Lack of training, the lack of time spent in understanding the human psyche and why humans behave the way they do under certain circumstances. I think if you're going to be policing people, you need to understand people. And you know, spending majority of your times, training with firearms and tasers and batons is not teaching you to understand people was teaching you to control people to hurt people. You know, if you want to engage with the public in any way, shape, or form to keep everyone safe, you need to be able to interact with everyone in a manner that's going to suit them. So, in order to do that, you need to understand people, in general human, empathize with them. You can't really teach that to everybody. So, I think, you know, maybe we should be a little more selective about who we allow into these spaces and into these occupations and maybe be a little more attentive to the training that they're receiving, making sure that it's focused in the right areas and not, you know, to focus on the vital aspects of the job, but more on the human aspects of the job. Helping people after crime is prevented is essential. You know, like I said, that's not really what the police are here for these days. You know, we say they're here for Crime Prevention. But we still don't know exactly what that is. The crimes keep happening.

Tyler Kyte 03:57

Yeah, absolutely. Can you describe for me what you think that the training or the training period for police officers is in California? What do they do? What did they focus on?

Elisha Coleman 04:10

Um, I personally haven't taken too much time into looking exactly as to what training for an officer in California is I know, it's relatively short, I want to say within the span of six months to a year, you can become an officer in the state of California. Surprisingly enough, I do am aware that the police officer training commission in the state of California is one of the more progressive in the nation when it comes to effective training. So I think California should very much be, you know, the example to look at for what policing should look like. And we're very, very far from that. You know, like I said, we're considered at one of the more progressive police training programs in the state, but we still see our people get beat in the streets on a peaceful protest everyday. Awesome.

Tyler Kyte 04:54

Okay, this is a question that I've gotten a lot of mixed reviews on What is the greatest strength that you think California demonstrates in terms of their law enforcement? The greatest

Elisha Coleman 05:05

strength? I don't know if our California, it's hard to say of law enforcement has strength at all. Like I said, it kind of routes back to you know, what a society we deem police officers are supposed to do. They're supposed to prevent crime. But like I said, we we've established that

they only show up after the crime has already happened. So, in that case, you have no strength, you have no power, you don't do your job. Because at the end of the day, your job really isn't crime prevention and suppression of people that are committing the crime. You're there to suppress it. oppress. And that is your essential function. Because you're only there after the fact after people think more cops means safe Republic. That's not the case. It's not

Tyler Kyte 22:08

How do you feel about if such a policy were to be implemented, and saying that the whole thing is garbage is an option I've had? No, I think,

Elisha Coleman 24:46

also what you're talking about is more like you said, a script is a social construct something that we've all kind of inherently agreed to that we all follow, right? We have that. Called laws. They just don't follow. There is no follow up. cuz they know they can not follow up and not be held accountable. Yeah. But I definitely do understand, you know, having a very, very definitive this, this this, that that doesn't need to be a thing Goddamnit like I said, McDonald's has a very specific way they make a big night. Yeah. Right. Lettuce, sauce, lettuce, meat cheese been, you know, it's a process and if you don't do it right, they send you home and you don't have a job anymore. You know? And that's nice. Like I said, it's nice. The same, the same accountability? Absolutely. And, you know, like I said, I think since you, you know, on the topic of, you know, scripts, you know, like you said, you know, everybody has a certain way that you speak when you're calling your grandma versus Talking to your pastor or talking to your boss, or just your best friend, you buddy, you know, you have stuff you wouldn't say. I think, you know, you know, as people, I think it's a pretty simple concept to understand it. Everybody can relate to that. Right? Yeah. So I think it would be nice to understand somebody else's script. From a white officer pulling off on a black teenager? Me, me, this is me being said teenager at one point. How was that kid probably going to react? What's his script? What is he probably? What's the notion that's been put in his head right now he's probably terrified. You need people that can understand how that level of empathy. And like I said, it's not hard to do, because we call sweet and most people can understand that concept of having a certain way that you interact with certain people. So why do you expect him not to get scared? Why would you expect him not to run? Yeah, and I understand there's a flip side, you can be running shoes, really, you know, it's, you know, like, again, that's the job you signed up for it. That's the things you agreed to do. You know,

Tyler Kyte 26:52

you got to hire

Elisha Coleman 26:52

the right people. Just what it really is boiled down to more or less is having the right people and I brought this up amongst my fellow activist community and, you know, leftist people, if you will, and you know, people that are fighting for the social justice movement. And I've always done this out there. What if we were cops? What if the 10,000 people that marched through downtown LA became LAPD? Would y'all see the common being on people? I know, I wouldn't go to being on here. I've got to try to do my job to keep our community safe, because that's where we got the marching for right. So what have we know? And I know, it sounds like a far fetched idea. But it did take a massive level of organization and infiltration. But I mean, like it

did a lot of areas, because that's not an organization that wants people like us in their space. But what if we took over that space? That's what they do when they shut down I protest, they take over our space. Why don't we take over their space? You got somebody got to be the change you want to see in the world. Right? Yeah. I want to see the police change. Does that mean I should probably go don't a badge. I mean, at the end of the day, if you don't want some, they do some writing. You can do it yourself. And it's funny because people hear that and be like, oh, like, I've been called my race trader for things like that, or just, you know, all kinds of hurtful things from my comrades and my peers. And I don't take it to heart. I'm just like, I'm just saying, like, at the end of the day, bro. Bias you to sweep my kitchen. That floor is still dirty. 345 times later. I love you. But damn, and I'll do my damn so like, you can't do it. Right. I'll do it for you. You know, and it's something we've all we all want the floor to be clean. Mess.

1.c) Jamie Ellison

So, in your own words, could you describe what the function and goal of policing should be? So in a perfect world, What should their function be?

01:38

I think in a perfect world, right now, police have to wait too much. And they're not trained for it, you know, police academy is like seven months. And in that time, they don't learn to you know, proper mental health training techniques, proper de escalation techniques, and just, you know, just in general how to treat people who may not be neurotypical. And so I think, in that aspect, or more perfect world, our police officers, maybe would accompany people who are without guns, who are more or more knowledgeable on the subject. I know, here, I wanted to eventually, you know, within the next four or five years, I want to create like a program where we have like, a social worker, and as psychologist, and then they would sort of be volunteers. And they would, it

would be a requirement for them to have their masters or doctorate. And then we'll have like a team of people trained on deal of the escalation tactics, and, you know, if necessary, they can call the police and sort of give them a better background as to what's happening, you know, you don't have to enter the house unless the person called allows them to so it'd be sort of like a hotline number. And since Turlock is So, you know, small and residential, I think it would be a good place to sort of test it out.

02:58

Yeah. Oh, yeah, absolutely. Um, testing grounds are something that I feel like often goes overlooked. Yeah, kinds of things. That'd be a really interesting idea. I really, yeah, that's really cool. Let me know how that,

03:10

yeah, no, it's like, cuz I was like, at least three to five people for, you know, very well trained in de escalation tactics, and not just psychologically, but physically as well, because I know, there's a lot of, there's a lot of people who's, who want police officers to have martial arts trainings, not necessarily like, you know, punching and stuff like that, but grappling like, you know, wrestling, Brazilian Jiu Jitsu, and all of that type of stuff, because it's, it's very helpful, and it sort of helps the officer not rely on their guns. Yeah. And I think in another ideal world, our police officers would not get guns until they're more of a senior level. And like, they would have to, you know, accompany those with senior levels for more dangerous calls where they would have a gun, but, you know, they would take less dangerous calls. And, you know, unfortunately, police officers do get killed in and sucks but like, that's, that's the reality of the job. And, and, yeah, and, you know, they that, that is sort of the ultimate sacrifice, and I think in the world that we live in now, today, and people are sort of hard for people to just, you know, feel bad for it now. And I think, if, you know, we got, you know, I want to say got back because it was never, but you know, if we sort of work together and like sort of like come together and with the police officers and say, Hey, we don't want you guys to have such a hard job. But we also don't want you guys to sort of, you know, feel pressured all the time because I think like, you know, it is unfortunately like it sucks to always be told you suck. It does take a psychological toll. And it sort of makes you like, play the bad guy role. So it's very hard for you know, people to say Hey, good job to police officers. That's why I always tried to be I was always trying to be very, you know, cordial to the Turlock Police Department. I never said anything bad or negative about them. I was like I did not to be 15. But yeah, I think in, in an ideal world, we wouldn't have to call the police so much, because there would be more mental health services as well to even prevent the that to get to that level. Yeah, and just better, better homeless services in general. So they don't have to get those calls as well, because that's when a lot of the not you know, killings happen. But a lot of the assaults, they'll happen in the homeless camps and stuff like that. And, you know, they're lucky if they get caught on video there. But unfortunately, some of the times people are just in the homeless camps are just constantly getting messed up by police officers, and they can't really do anything about it. But that was a long answer. But

05:43

that's great. Yes. Again, as much as you want to say, these things is completely up to you. I'm very free flowing kind of interview style. So like, we'll get to important stuff as we get to it sounds good. So in your opinion, so you just describe what you think the function of police

should be in California, and you can limit that to the valley, if you want or the entire state how well do you feel like on a scale of like one to 10? Do you feel like police have been living up to that function?

06:10

I think, you know, some police departments do take a little bit more precaution, into their, you know, the conduct of their officers. And that's why, you know, greatly appreciated TP because they were, they would always be transparent. And I knew that they I know that they over policed the west side of Turlock, a little bit too much. But, you know, for the most part, you know, TP has hasn't really been, you know, like some of these other police departments. And I think that, you know, they could be used as a model for other other other police departments in the valley, because if you'd like sort of look at the difference between police departments in the bigger cities, and the police departments in the smaller towns of smaller residential local towns, like Turlock it says there's a huge difference. And sort of like, not necessarily training, but just how their Police Department operates in general and sort of operates in a more like, human way. And then like the repercussions for their officers are. Thank you. Yes, thank you. But, yeah, thank you so much. I will post. That's awesome. I know. But yeah, so you know, here, in especially in California, since we're more progressive. In the bigger cities, the policing model looks different there than cities like here. And I think like, it can't be a model that can be followed everywhere, because it's just, it's way different. In the bigger cities. It's almost like their, their, their police departments are more progressive, which is like, backwards, but like also not. But yeah, honestly, I think this for some departments, like especially the local ones, they do a great job of, you know, really bringing community policing back. But you know, but I think certain departments like Ceres and adesto, they've been like, they've had a lot of corrupt cops in there. So I think, you know, they, they have a little bit of ways to go to, to gain the community's trust.

08:19

That's fair. So that was awesome. You actually answered like three questions in one day. That was awesome. Okay, so this is a kind of, again, weird question. But the so the BLM Movement has criticized perceived systemic racism in law enforcement for a long time now. So again, this might feel like an obvious answer. What are your thoughts on how prevalent systemic racism is in the police in California?

08:49

Over the past year, I've learned a lot more about, you know, just how the police operate. From certain departments like the LS sheriff's departments, there's a police game called the Death Squad, and they literally have matching tattoos, like go around to lesser communities, and the LA and LA County, and they'll literally kill Black people. And like, their, their initiation into the death squad. There's like, there's gangs and police departments all over and it's like, I don't know, it's just so weird to me. Like, I don't know. Like, it doesn't make sense, I guess. But oh, my gosh, I'm sorry. What was the question?

09:35

So how prevalent Do you feel that systemic racism is in the police departments in California?

09:39

Yeah. Also like, you know, with like, what's going on with me like I was charged with three felonies. I saw some there. No, it's not. You shouldn't compare cases and stuff like that. But I saw something on the to nine times where a guy was charged with misdemeanor misdemeanor, resisting arrest, but I was somehow charged with a felony resisting arrest and this dude, like, literally crashed into a police car. It's like, what? Like, make it make sense. And you know, I was sitting in jail, and I was listening to people getting booked into jail with misdemeanor domestic assault. And I was like, yeah, what's like, what this is so backwards. It was like, like any domestic assault should be a felony, or at least, you know, they shouldn't be zero bail. And it was like the, there's not, there's not enough like, I guess, like equality in the justice system, there's too much leeway, that too much, I guess, too many choices that one individual person gets, like, you know, the DA. And I feel like that should be that shouldn't be specifically on one port one person. And feel like certain, like, certain areas, you know, city council should have more say in what's going on and like, you know, effectively get feedback from their districts, and it should be more of a community type thing, because, you know, like, they feel like the community should say and what keep what they how they feel like safe and how this person makes them feel. And like in you know, some sometimes the punishments are very harsh, and like, I think that like, people should be speaking up about that, like, you know, they should be punished, but not as severely, like, we want our citizens to be, you know, rehabilitated in the right way. So they can be back, get back to being productive members of the society. And I think that's like, what people see like BLM is like, Oh, they want to, like destroy this. I'm like, No, we literally just want to be productive members of society. Like we're all like me, the pastor, I've been looking for a job.

31:19

It's ridiculous. So getting back to the policy, how difficult do you perceive such a policy being to implement? So if I were to draft the script ideology and take it to even like on a local level, like, Amy bootblack like it, and TPD and being like, Hey, this is a new policy, we've been thinking about testing out. How do you how difficult Do you think in your experiences that would be to implement?

31:47

I think, like you said, it depends on the mayor. And it depends on the police chief, because it sucks that those those two people have such power over the city. Like, so I appreciate the fire department in the fire chief so much, because they do they do so much like they even take over the you know, the police stop sometimes and like, you know, for protecting and serving almost they shouldn't have to do all of this. They get they get significantly less praise than the police departments.

1.d) Andrew Nosrati

So in your own words, can you describe the function of police should be in the community?

Andrew Nosrati 00:53

Sure. Ideally, speaking, police are community servants, they're there, they're enforcing the law, minimally, but really there to support the community. As they're like the direct interface with the you get like scared when the police, ideally speaking are there to protect the safety of the general public. Their engagement with the public is I look at we got in our own police. We should intervene and that's been able to take but he served as interim police chief for a little bit. They would they're responding to calls for service and people are calling in periods of duress in my life where they feel like there's imminent risk to their safety. They're there to provide safety and security and comfort to the general public. They beyond that are going to be role models for the public as to, you know, what, what public service looks like how to how to engage with your public how to be how to be a strength, a pillar of support for the public.

Tyler Kyte 02:41

Like the societal impact inflation as well as those. So in your opinion, and you can speak either to Turlock or the Greater California area, how will do you think that our police live up to this idealistic standard?

Andrew Nosrati 02:58

perspective, I mean, every, every person that I've met, that's been recently sworn in and our longtime service, put through like PD, are, I think, very closely reflect that image of what we want in our police officers there. People that are getting into it, because they have a strong desire to be of service to their community. They want to serve and to protect. And, you know, they carry themselves in a way that it's above reproach, and they recognize kind of, I mean, in this climate and during this time, it's such a difficult thing to be a police officer. interlocks culture is one it's generally like very supportive, our police officers, so it's not, you know, like, like an urban community. More like large groups, larger Metropolis kind of cities have a lot more tension between every police officers don't we do but yeah, I think they, they recognize the role. They recognize the importance of trash can

Tyler Kyte 04:30

I make notes I add

Andrew Nosrati 04:36

to the larger climate, it's, I mean, it's, it's hard to say I'm sure that there are there are institutions or cities or municipalities that are that have their institutional issues and that stems from, like the leadership that represents a culture that's been deeply embedded into it. But you know, it's hard to speak to that to No, no, because it's you know, it's just it's hard enough to know exactly like what's what you what you have in your community really up to really going get to know, your, your police chiefs get to know your your officers, you could add it's all the way through and figure out the hiring practices and kind of what are the what are the what is the culture that they're

Tyler Kyte 05:27

trying to promote? Yeah, it's harder when you're not intimately familiar with the workings of that area? Yeah, for sure. Cool. So you mean, you kind of touched on this a little bit, but what challenges right now, do you think law enforcement officer facing and performing their job in performing this role that you described before?

Andrew Nosrati 05:47

Yeah. I mean, I think the big thing is, you know, previously, it was, you know, always welcome to have a police officer arrive at a scene, and the general public would be very welcoming, and, you know, want their presence there to make a situation safer to address what the conflict that was going on. But I think right now, there is concerns on some of the like, you know, more domestic issues that are occurring, non non life threatening, where the presence of a police officer, for certain individuals can further agitate a problem. So, for them, think that they're having to go into situations, recognizing that there is potentially someone at the other end that has animosity towards towards them, despite them arriving. With with the best intentions, immediate, I mean, that's, that's a situation where, like, a general number of the public who's a healthy mind and body, but beyond that, we also, I think the biggest, I mean, probably the most glaring issue that we have, that I've witnessed is that we have individuals that are suffering from serious mental health issues or substance abuse issues. And our police officers are having derived the scenes with individuals that are acting in a way that, like, requires specialized medical or psychiatric care.

Tyler Kyte 07:54

Yeah, for sure. So you've mentioned two, two issues there. One was closer journalists kind of public opinion of the police in their situation than the other, if I can kind of sum up a little bit was situations they're not equipped to handle due to specialized needs being need need to be met. So with these two situations, what in your opinion should be done to mitigate this challenge?

Andrew Nosrati 08:27

So the public opinion thing, that's that's a community relations thing that you it's something that you know, like having the right attitude, right protocols for when you're arriving and engage in writing to a scene or engaging with the public. That's, that's a, that's a big part of it, just, you know, like, you're always carrying yourself as a face as a representative of the, of the police department, and of our of our city. You know, like, you're just want to make sure you got your cops that are carrying themselves the right attitude. And then, but beyond that, it's just like, constant, constant strengthening of the community relations. And I think with a specific focus of working on demographics and areas of our community that are some, you know, most likely to be subjected to poverty and subject to crime. So working with that risk youth from a really early age and teaching them, you know, how to have positive relations with their police officers, officers recognizing, creating a relationship where they recognize that police officers are there to serve and protect them. You know, one of the things that we on the council have been working on the last year or so is to invest in community resources. officers. So, right now one of his things that all most cities have issues with is their finances. And so from a police department standpoint, we're have historically for a long, long period of time been mostly in a reactive state where we're patrolling, but mostly just reacting to calls for service. Going there, filing our paperwork, going to the next one, going to the next one, it doesn't allow for proactive, you know, community relations development, community resource officer, Neighborhood Resource

Officers, one that you would see, the olden days are like, the business owner, you know, the cop walking up and down the street has the business owner on every block knows who their representative police officer is, they're reporting suspicious activities, and they're seeing they're getting to the root of issues and working to develop stronger relationships with community leaders, business owners, and the general public at large. I think that's the kind of thing that really would reshape how people are seeing their, their place rather than just like a faceless vehicle that drives up and down in response to things but it's like, you know, that's Miguel, that's the, you know, like that. I know that I know, these men. Yeah, I know, their character, I know that they've got back. And they've become more and more of someone that can you feel like, you have a person direct personal relationship with Trilux site, the size of the city where that's possible, I think, like really possible at this stage. And then, yeah, more programs specifically focused on the on the youth in the preventative aspects of crime and, you know, should just developing more strong, stronger public relations there, that's for that piece of it. The other side of it with the specialized needs, you know, there's, we've got to create specialized tasks force task forces, and we have already instituted things like a care unit, which is where they work with our county behavioral health services department, to, you know, go to individuals in our community that are, you know, that we know, suffer from mental health issues, and it's fine primarily for the transient homeless population that we see out there that are in duress and working to get get them towards a place where they're going to be more willing to accept the services that are available to them for their needs. That's the thing that right now, it's I think, I think every city above, probably like 40,000, people should have a behavioral specialist on their police department full time. You know, I, I think we should figure out ways to make it. So, you know, either either through the fire department or the police department, we've got through our public safety officials, we have people with specialized care to be clinical clinical therapists, psychologists that really can our like, what, what we have are the tools we have at our disposal, rather than having to, you know, try and get them into an institution that has the need, or has the expertise so they need actually take it to the on the streets. And that's that's an area I think, there's, from a legislative standpoint, the federal government has spoken to, you know, desire to fund behavioral health, support for the public safety, that'd be huge. Because most most cities can't get around to pay for that kind of stuff. It looks like a luxury and even though I think it's very much a necessity,

Tyler Kyte 14:21

yeah, absolutely. No, that's, that's really cool. I haven't actually heard that yet. In my interviews of adding that type of specialization to it, that's really interesting. So the key questions can be a little bit uncomfortable and very broad. So do with it what you will and so in the country at large organizations like BLM may have criticized perceived systemic racism in law enforcement. And there have been other allegations based on sex and sexual orientation about bias within the police's so what are your thoughts? either in again, I'm gay, you can keep Sherlock or California at large. Do you feel that this is a prevalent issue in terms of bias either racials sex or otherwise? Yeah, I'm just gonna kind of what what are your general thoughts on those kinds of allegations?

Andrew Nosrati 15:18

I think I think at large speaking to the subject of bias, I think every person has developed by. And it requires us to be aware of that, and to actively fighting to really, I think that it's, you know, it's prejudice. It's the idea that when we don't, I think that we arrive at every encounter,

generally speaking, we quickly develop kind of an impression of an individual and are, that's that's our natural inclination. I think that there are, there are things that the police do specifically in California to address that, from a training perspective and talking to the police officer would get you more information there. I think it's a but it's something that we can, we can always do more. And really, I think one of the root of a lot of the bias. And my, from my perspective, is based on poverty. It's we have, like, I think more and more of an issues, racial issues, we have, like economic inequality, where you have individuals that are subject to poverty are disproportionately subject to law enforcement, because they're in communities that are disproportionately affected by crime, and, you know, gang related activity, that kind of stuff. So it's just, it's a, it gets very complicated very fast. I do. Yeah, I do think that it exists. And I it's not something that exists within the police department. It's something that exists within every person. With regards to like, BLM, and any, any movement, one of my, one of my issues that I think with with any movement, is the second that it takes, you know, a broad kind of approach to be representative of an institution or whatever, whatever, it starts to lose. Its true. Because it's I mean, I think the reality is, like it's on an individual by individual basis. And these things, absolutely, there are institutional. Yeah, institutional bias, or institutional purchase and that kind of stuff, discrimination and things like that. Problems, whenever you put like a slogan or a saying around it, it starts to dilute loops and misrepresents itself hard. How do you address how do you address it? How do you address it without being? Being too, too broad that you lose the message entirely? So yes, there is there is prejudice, there is bias. I don't think it's specific to the police. I think the police have specifically in California have made concerted efforts to increase the training for that. There's obviously always more

Tyler Kyte 19:13

bullying. I've actually on my summer report, so my grandpa was the city manager after locked for 26 years, Steve Kay. Oh, yeah. And he made it he made a very similar comment that he felt that California because of its diverse background, police have taken extra measures to ensure Yeah, he sang a lot of praises, actually about the training in California. So you're definitely not alone in that opinion. So this next question, we're so the United States has more violent encounters between police and their citizens, but by any other country by a large margin. By going statistically per million people they have 33.6 as of 2019 fatalities, In that excise country was Canada eight. So a bit of a bit of a disparity there. So my question is, because we already talked about is a why is this? Because, like, is this a natural thing just because of our population versus like other things? Or? And what steps if any, should we take to rectify that number?

Andrew Nosrati 20:28

Well, I would guess that America culturally, is a more violent nation, then any other. I go back and forth as to like, which of these things can be addressed with policy and which of them need to be fixed at the at the root of the problem, which is like the culture the individuals. And also like, the way that I think we, based on my limited experience with some of the European nations and how they grew up law enforcement is to them versus what it is for us. For example, and, and her lawn, we've got individuals calling the police on their neighbors for like a barking dog, or, you know, loud music or, you know, like, weeds that are growing. There's, are these are things that I think a more civilized nation, one where there's just better relations between the general for the public or more matures, sophisticated kind of engagement, address those problems amongst one another. Like, it's it shouldn't, I don't think that should ever amount to a thing that gets

escalated to an official. That's, that's really a domestic dispute. That's just really like a petty kind of thing that we're now getting officials that are have far more important things to be addressing. I don't know if that's, that's kind of the I can't imagine that's the expectations in other nations of what their law enforcement should be doing. Yeah, I think that they're probably we're right. We're sending our police officers into scenes that I would imagine other countries what, maybe, maybe in the other countries, they don't make that call for service. I think we got a lot of, you know, if you look at are, you look at the data, this would be an interesting thing to look for country by country. City, trust city of Turlock, like we get the monthly report about calls for service, and, you know, one of the most frequent, the highest volume call is suspicious persons. And, you know, I think that, that, that right there speaks to, you know, just like, we don't have that's, that's the situations, it's like a fear based call. I don't I don't know who that I don't know that person. I need to call somebody that can protect me. I think that we are I have only in my life, I've only called the police officers when there's been a grave immediate risks to my well being. And other than that, I've gone and talked to my neighbor, or tried to address the issue, as I would hope most adults would. And I don't know that that's I don't know that that's the norm. And I can't speak to every culture, but I think that we're very fearful and we don't have as much love or trust of our neighbors as we probably need to. But then again, I might just be looking at other countries from like a tourists perspective and romanticizing it, but I, you know, the way that I I see Americas, so that's, that's the thing that really needs to be addressed. And maybe I you know, for, how would I get rid of that? How would I address that from a Turlock policy? Same way. I would love to go through our municipal code and get rid of every law that is pending. I just don't think we if I If I told the public that we don't have enough money for law enforcement to do proper amounts of law enforcement, then I should get rid of laws that aren't worth their time, so that they can focus on real crime. I don't think we should have an ordinance for dog barking. I don't think we should, we should have enforcement for minor petty things like that. And just let people deal with our problems. Because, at worst, when people deal with our problems, generally, they're just gonna yell at each other. And then deal with that we don't need our police officers getting involved in those situations. And I don't think that's what they that's what they sign up. That's not what they imagined. Just serve and protect. Looks like I think,

Tyler Kyte 25:49

no, right? Yeah, I agree. So this is a this isn't on my list of questions. But it does kind of smirk. So you mentioned like going through Municipal Code, and appealing those laws, how involved in a process would that be? How long would that take to do anything?

Andrew Nosrati 26:05

If it was me? If we could get like your first you got to get agreement that that's the priority. And our council can never agree on anything. In terms of priorities? How many members are on those four council members? And one mayor, so five Neider voting body? Yeah. And I think that, you know, like, if also, we have a very conservative leaning council. So theoretically, like, the true nature of conservatism is like a small, limited involve government should be right up their alley. But I don't I don't know that that is something that they would support. I would, yeah, you would just go. You'd go chapter by chapter. And you break it up, break it down, over, you know, course of a year, every meeting, you take down a section, and you would just say notes be like, Well, I think this is stupid. Do we agree that this is this? This is an outdated, mean, here's the Poco that does not serve us in any way. And then go thumbs up, thumbs up, thumbs up, we got three of

them, strike it from the thing and move on. And that's, that would be that'd be such a beautiful thing. And just as a very minimally invasive, so people could go into their municipal code, open it up and truly understand what is and what isn't. And beyond that, just just deal with your problems on your own kind of,

Tyler Kyte 27:41

Oh, I'm gonna have to, that might be a direct citation. Okay, we're actually moving right along here, I'm really impressed this. So moving into more ticky tacky stuff about police, there have been a lot of recommendations to ensure transit transparency between police and the public. And one of those reforms have been body cams, and car cams and other things like that. How do you feel about these reforms that have been made so far, to police?

Andrew Nosrati 28:18

I mean, the more transparency you can introduce into public governance is the better. I think body cams, super helpful, not just for just, you know, protecting the public, but also police officers, there's a lot of situations where, you know, there's going to be an accusation made against a police officer and having photographic evidence, make sure that the truth is what prevails. So, if you're, you've got officials that are conducting themselves in a way that we as an organization, as a people would expect, then then the body camera and dashcam all that stuff. helps support them. You know, yeah, really. I think that that's a that's an important first step. The city of Turlock just implemented that last year, I think long, long time wish list thing, and I think we finally got the funding necessary to get it in place. So that's definitely a big first step.

Or if they have to be, God forbid, having a list of questions, a list of things that they're supposed to go through in order to ask, or in order to neutralize situation and de escalate. So in your opinion, as a turtle, aka city legislator, do you think such a policy would be effective and or worth exploring? And be completely honest, I've had people say no, I mean,

Andrew Nosrati 33:12

it's I mean, it sounds like additional training sounds like communications related to training and de escalation training. I'm not intimately aware of what kinds of protocols we've got in place for the communication side, and how to handle interactions, or the thought processes around why they are potentially limited as, as they've been, as we categorized it. I'd be open to I'm always open to a debate, I would love to have someone like yourself, make a recommendation to our star with our go to the city council, have a show us an example of what you're referring to talk to our have a conversation with our police chiefs are very accessible. And then also talk to, you know, the union representation and really start to figure out if there are because if it does stand to improve the relations, the community relations between police officers and the public for reduced the amount of violent encounters or legal engagements, that kind of stuff, there would be no reason there's no reason not to include it. I think. Yeah, I'd want to I want to I definitely want to learn more about it. Yeah, absolutely. So but more training is generally always always a good thing. I think. Yeah.

Tyler Kyte 34:57

Um, the as a part of the reason that this was kind of mentally birth was what oftentimes the solutions posed, especially in geo, politically to southeastern states. Usually. They recommend

more equipment, they kind of throw money at the soldiers militarization. Exactly. And so the the goal was to find a cost effective way, because that they're, they're hemorrhaging money into their police departments have a cost effective and humane way of limiting rather than a fear tactic. So,

Andrew Nosrati 35:34

I mean, it's like, we talked about like, both, like behavioral health specialists and social workers as being critical pieces that were missing. So I think this is expanding the social.

Tyler Kyte 35:49

Exactly. And the so if such policy were to be implemented, how would you recommend emphasize like, what should I emphasize going forward? What? How would you recommend that I phrase this, when making such a proposal,

Andrew Nosrati 36:08

you're gonna, you're gonna want to get the support of the police? And find out why they're opposed. If they're opposed to anything, find out why they are. You know, to sharpen your idea. You go to its harshest critic, potentially, yeah. And listen to any counter arguments that they may have to it, and make sure you got yourself a valid defense against it. Because I think in an ideal situation, like the reform itself is coming as like a collaboration between the public and the institution. It's a collaboration between the police officers and the concerned member of the public. So I think you, you reach out, you, literally, this is what you should do, you should reach out to the police union representation and say, Your, your research, student over stand and you you've got a basis about like how to potentially improve public engagement, public relations, police officers, and you're just trying to get like police officers perspective. And then I when you do, you know, do you know what kinds of training that they do from the scripts, like communication script sampling.

2.) Sample Scripts

2A.) Social Worker Script

De-escalation Script

The Script	Additional Information
<i>1. I see you _____.</i>	Identify the behavior that tips you off the student is emotionally escalated.
<i>2. Are you feeling (angry)?</i>	Inquire if you interpret the observed behavior correctly.
<i>3. I can see that you are (angry).</i>	Affirm what the student says.
<i>4. What are you (angry) about?</i>	Inquire why the student is feeling that emotion.
<i>5. So you're (angry) about _____. Is that right?</i>	Restate what you heard to verify your understanding and demonstrate that you are listening.
<i>6. What do you want?</i>	Assist the student in identifying what options are reasonably available.
<i>7. What have you tried?</i>	Guide the student through a process of self-reflection.
<i>8. How well has that worked?</i>	Help the student assess their progress in dealing with the situation.
<i>9. What else are you willing to try?</i>	Provide alternatives if the student is struggling with identifying other ways to deal with the situation- students chooses the next step.
<i>10. Will you let me know how it goes?</i>	Follow up with the student in appropriate amount of time; this will build trust.

DON'T	DO
<ul style="list-style-type: none"> • Force a student to talk • De-escalate in an overly public manner • Tell a student how they are feeling • Get hung up on the flow of script • Be sarcastic • React if you feel attacked by what the student says • Tell a student what to do • Blame a student for the situation • Continue doing or saying anything that seems to escalate the situation • Argue with a student 	<ul style="list-style-type: none"> • Keep a copy of the Verbal De-escalation script where you can easily access it • Practice the verbal de-escalation script • Provide an independent activity for the rest of your students to engage in if a classmate begins to escalate • Get to know your students and know what might lead to or provoke an escalated response • Stay calm when engaging in Verbal De-escalation • A student may need some cool down or processing time during the Verbal De-escalation- provide wait time and check back later

2B.) Legal Procedural Script

PENAL CODE - PEN**PART 2. OF CRIMINAL PROCEDURE [681 - 1620]** (Part 2 enacted 1872.)**TITLE 3. ADDITIONAL PROVISIONS REGARDING CRIMINAL PROCEDURE [777 - 883]** (Heading of Title 3 amended by Stats. 1951, Ch. 1674.)**CHAPTER 5. Arrest, by Whom and How Made [833 - 851.93]** (Chapter 5 enacted 1872.)

836. (a) A peace officer may arrest a person in obedience to a warrant, or, pursuant to the authority granted to him or her by Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, without a warrant, may arrest a person whenever any of the following circumstances occur:

- (1) The officer has probable cause to believe that the person to be arrested has committed a public offense in the officer's presence.
- (2) The person arrested has committed a felony, although not in the officer's presence.
- (3) The officer has probable cause to believe that the person to be arrested has committed a felony, whether or not a felony, in fact, has been committed.

(b) Any time a peace officer is called out on a domestic violence call, it shall be mandatory that the officer make a good faith effort to inform the victim of his or her right to make a citizen's arrest, unless the peace officer makes an arrest for a violation of paragraph (1) of subdivision (e) of Section 243 or 273.5. This information shall include advising the victim how to safely execute the arrest.

(c) (1) When a peace officer is responding to a call alleging a violation of a domestic violence protective or restraining order issued under Section 527.6 of the Code of Civil Procedure, the Family Code, Section 136.2, 646.91, or paragraph (2) of subdivision (a) of Section 1203.097 of this code, Section 213.5 or 15657.03 of the Welfare and Institutions Code, or of a domestic violence protective or restraining order issued by the court of another state, tribe, or territory and the peace officer has probable cause to believe that the person against whom the order is issued has notice of the order and has committed an act in violation of the order, the officer shall, consistent with subdivision (b) of Section 13701, make a lawful arrest of the person without a warrant and take that person into custody whether or not the violation occurred in the presence of the arresting officer. The officer shall, as soon as possible after the arrest, confirm with the appropriate authorities or the Domestic Violence Protection Order Registry maintained pursuant to Section 6380 of the Family Code that a true copy of the protective order has been registered, unless the victim provides the officer with a copy of the protective order.

(2) The person against whom a protective order has been issued shall be deemed to have notice of the order if the victim presents to the officer proof of service of the order, the officer confirms with the appropriate authorities that a true copy of the proof of service is on file, or the person against whom the protective order was issued was present at the protective order hearing or was informed by a peace officer of the contents of the protective order.

(3) In situations where mutual protective orders have been issued under Division 10 (commencing with Section 6200) of the Family Code, liability for arrest under this subdivision applies only to those persons who are reasonably believed to have been the dominant aggressor. In those situations, prior to making an arrest under this subdivision, the peace officer shall make reasonable efforts to identify, and may arrest, the dominant aggressor involved in the incident. The dominant aggressor is the person determined to be the most significant, rather than the first, aggressor. In identifying the dominant aggressor, an officer shall consider (A) the intent of the law to protect victims of domestic violence from continuing abuse, (B) the threats creating fear of physical injury, (C) the history of domestic violence between the persons involved, and (D) whether either person

involved acted in self-defense.

(d) Notwithstanding paragraph (1) of subdivision (a), if a suspect commits an assault or battery upon a current or former spouse, fiancé, fiancée, a current or former cohabitant as defined in Section 6209 of the Family Code, a person with whom the suspect currently is having or has previously had an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243, a person with whom the suspect has parented a child, or is presumed to have parented a child pursuant to the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12 of the Family Code), a child of the suspect, a child whose parentage by the suspect is the subject of an action under the Uniform Parentage Act, a child of a person in one of the above categories, any other person related to the suspect by consanguinity or affinity within the second degree, or any person who is 65 years of age or older and who is related to the suspect by blood or legal guardianship, a peace officer may arrest the suspect without a warrant where both of the following circumstances apply:

(1) The peace officer has probable cause to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed.

(2) The peace officer makes the arrest as soon as probable cause arises to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed.

(e) In addition to the authority to make an arrest without a warrant pursuant to paragraphs (1) and (3) of subdivision (a), a peace officer may, without a warrant, arrest a person for a violation of Section 25400 when all of the following apply:

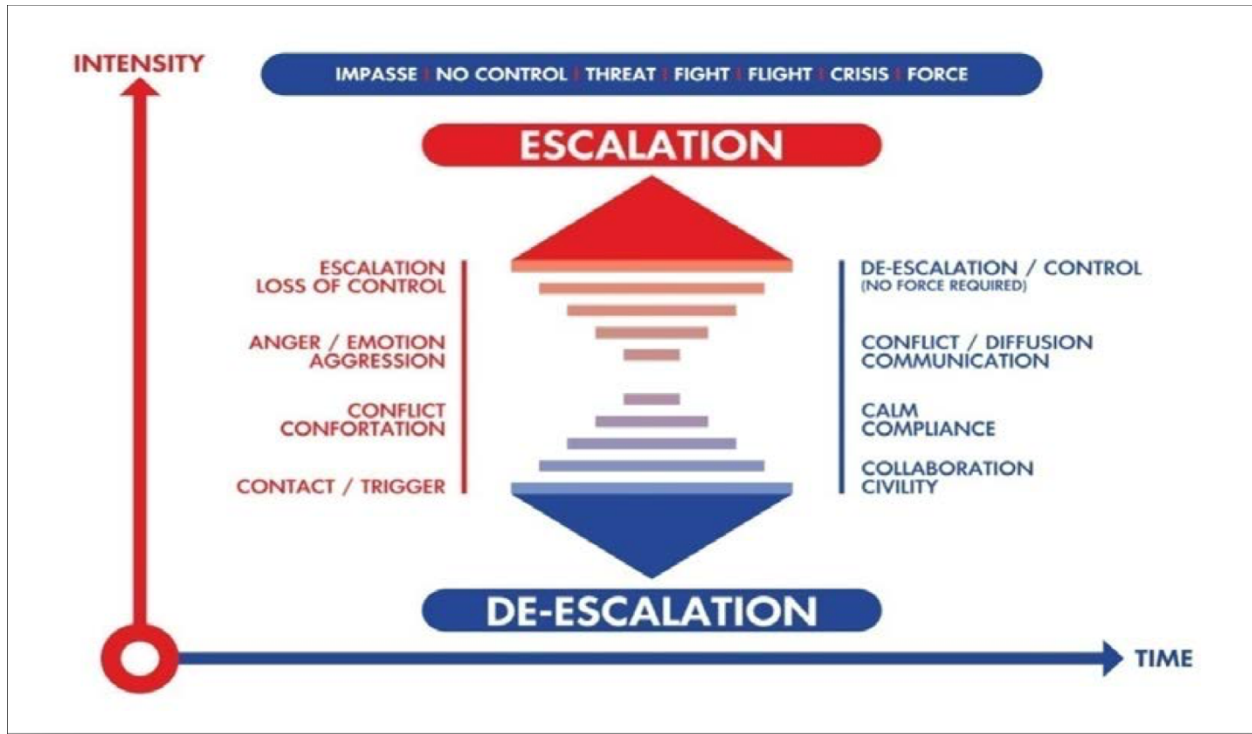
(1) The officer has reasonable cause to believe that the person to be arrested has committed the violation of Section 25400.

(2) The violation of Section 25400 occurred within an airport, as defined in Section 21013 of the Public Utilities Code, in an area to which access is controlled by the inspection of persons and property.

(3) The peace officer makes the arrest as soon as reasonable cause arises to believe that the person to be arrested has committed the violation of Section 25400.

(Amended by Stats. 2012, Ch. 867, Sec. 20. (SB 1144) Effective January 1, 2013.)

2c.) De-Escalation Graph



2 D.) Original Script Rough Draft (drafted for the situation of an agitated traffic stop)

Officer introduction/identification (i.e., friendly nonconfrontational tone, relaxed body posture)

—“Hi, _____ (use name if name is known). I’m _____; how are you today?”

Assess the citizen’s emotional state

—“Are you feeling _____?”

Affirm emotional state (gentle tone)

—“I see/hear/feel you’re feeling _____.”

Offer assistance

—“I’m sorry that this experiencing is eliciting that emotion. Is there anything I can do to help?”

Exit phrases upon unreasonable request

—“Unfortunately, it is not within my power to do that; however I can...”

a.) Offer alternative solutions

b.) Opportunity for protest (e.g., complaint line, supervisor email, etc.)

Assure intention (i.e., attempt to establish a relationship)

— “I’m not here to cause you any trouble; I just want to keep you and the rest of our town/city/area/state safe.

End on Positivity

-I understand that this is a stressful and difficult experience but thank you for partnering with me in it. I hope you have a safe, pleasant rest of your day. If you have any complaints or feedback, I will be happy to review the footage of this interaction to improve performance in future interactions.