The Dork Police: Further Adventures of Flex Cop

MICHAEL GARDNER

Michael Gardner is a twenty-eight-year veteran sergeant of the Cincinnati Police Department, where he served as the department's legal liaison, expert witness for use of force issues, and academy instructor. He and his wife, Debbie, met at the police academy in 1973, where they were both students, but it was an incident the following year that would alter their careers. In 1974, Debbie, despite all her physical and martial arts training, was assaulted with a gun. It was this "dramatic failure," as the couple calls it on their Web site, that led them to rethink their traditional police training and refocus on "visual and verbal persuasion." This tactic, which they felt was most crucial to their survival as officers, was also the most under-emphasized in the police academy, which focused on physical preparedness and weaponry. The assault compelled Debbie to found the Survive Institute in 1981 and Mike to continue working on the police force to conduct real-life research into innovative visual and verbal tactics that focused on self-control and de-escalation. His tactics worked. As Gardner explains in the essay included here, "during my 30 year police career, I never fired my gun." In fact, he reports that he only had to use mace—once.

In 1990 Gardner's approach was formally recognized when he was named Officer of the Year by the Cincinnati Police Department. His ideas about crisis control were not only deployed in Cincinnati's police academy but have been featured in newspapers all over the United States. After serving as the commander of the police academy and retiring from the Warren County Sheriff's Office, he and Debbie co-authored *Raising Kids That Can Protect Themselves* (2004). Gardner continues to work with the Survive Institute and serve as a professional consultant for a number of law enforcement agencies.

WRITING TO DISCOVER: *Have you ever been so profoundly persuaded by language that you changed your belief or position? If so, why and how did this language affect you? What made it extraordinarily convincing? Do you think it would have been equally effective if you had been in mental or emotional distress?*

Everyone in the field knows that the most dangerous part of police work is handling domestic disputes. Roughly one third of the police officer assaults and killings in this country occur during domestic disputes. A cop may go in to arrest the attacker and suddenly the spouse turns on him with the frying pan when she sees he's making an arrest. There's no telling who may be a problem, and people are much more likely to fight to defend their homes against intruders.

A lot of the calls we got on night shift were domestic violence runs. Cops hate making domestic runs because they're so dangerous, but for research purposes my partner and I asked other cops, "Do you mind if we start taking over your domestic runs so we can experiment with defusing hostile situations?" Of course we got no objections.

Traditionally, police officers are limited to only four choices for controlling situations—visual and verbal persuasion, chemical irritant, impact weapon, and deadly force. In training, most emphasis was on weaponry defense, without nearly enough on visual and verbal defense. My partner and I saw the need to stretch our flexibility to hundreds of choices in this uncharted territory.

The traditional approach in police work for a domestic run was to show up at an apartment and bang on the door using a raid-type knock with the police night stick, BAM BAM BAM BAM! I even hate it when the UPS or mail carrier bangs on my door to give me something I *want*, so I tried to imagine how someone already in emotional distress would be angered even more with a raid-type bang on their door. To be less intrusive and confrontational we started showing up and doing the "shave and haircut" knock, a very light "Rap ta-ta tap tap, tap tap." Even if the people inside didn't catch on to the jingle, it was a less invasive knock, and its association with a harmless advertisement was more to relax *us* than the people inside. It kept us at a condition orange—alert, but not the red of alarmed. We would even joke sometimes going into an apartment, "Hey let's be condition purple." What we were really saying was, "Hey let's not get red, because if we go in there red, we're going to have a fight."

The usual question police were trained to ask when entering a home was, "What's the problem here?" Well, if you enter after a loud raid-type knock and ask them, "What's the problem here?" They'll give you a problem, usually several. They may tell you their problems from twenty years ago.

Instead we'd ask something like, "What have you decided to do between the time you called us and the time we got here?" That put them in solution mode. Other times we'd ask people to step out into the hallway so they wouldn't feel the need to defend their turf. We also purposely wore our hats when we approached, so when we did enter their house or apartment we could take them off as a sign of respect.

My partner and I became known to our fellow officers as the Dork Police, because no one knew what crazy thing we were going to do next. They were equally amazed at our success in non-violent control of tense situations. We experimented daily with ways of startling subjects into confusion in order to interrupt their dangerous mental patterns and provide a space for something more positive.

For example, we would sometimes approach potentially dangerous domestic disputes with our jackets purposely buttoned improperly, or with

our caps pulled down so our ears stuck out. Other times we'd say "no" while nodding our heads up and down. Unless the combatants were too intoxicated or high to observe this odd behavior, they stopped, at least temporarily. They couldn't help responding to what they saw. Then it was hard for them to pick up their fight where they had left off.

All we were trying to do was get them to refocus out of their anger and onto something else.

Sometimes we'd walk into a shouting match between a couple, and we'd just run over and switch the channel on the TV set. If one of them said, "Hey, what the hell are you doing?" We'd say cheerfully, "Hey, you're not going to listen to us anyway, so we're going to watch some TV."

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and onto something else. We would do anything to create a change. Once that was accomplished, we'd offer suggestions for where couples could go for longer-term help.

Using humor was particularly useful when performing routine, uncomfortable tasks like patting down or frisking a suspect. While maintaining physical control, we would like to say, "You don't have any hand grenades, swords, or bazookas hidden on you, do you?" Subjects generally laughed it off. Now and then, one would disclose that he had a knife or razor.

When couples were screaming at each other we'd start sniffing and shouting out. "Oh, do you smell gas? Where's your stove? There must be a burner on!" While the fight was temporarily stopped, my partner and I would go to the kitchen and pretend to check the stove for gas leaks. After a few minutes of sniffing the stove and kitchen area, we would advise the people that everything was OK, then ask "What else can we help you with?" The response was amazing. Often they said, "Nothing, officer . . . " If the argument did begin again, all my partner and I had to do was to sniff with a concerned look on our faces. With this pattern interruption, the subjects' personal fighting became secondary to the threat of a gas explosion in their home. They may even start getting an unconscious connection of, *Every time I start getting nasty there's danger, maybe I should try something else.*

Other times, we would enter a residence and be greeted by someone standing in a fighting position and shouting, "You two think you can take me? Come on!" We would mirror his stance, but hold our palms up instead of making fists, saying, "No way. We heard how tough you are. We can't beat you, we'd have to call ten more guys in here." If that statement had any effect, we would follow up with, "Why don't we talk first, then you can kick our butts." On several occasions the potentially violent subject changed his mind. And if he didn't respond to our initial

statement, that signaled us to try something else. Initially it was hard for us to give this kind of "pull" statement when a violent subject "pushed" us verbally. We instinctively wanted to "push" back with an "attack" statement. Yet the patience of our "pull" statement always minimized the force of our arrest.

One time we had a husband and wife close to killing each other. They were shouting countless obscenities at each other, and their hand gestures were disjointed and out of sync with the tone and tempo of their verbal language. I remembered the metaphor of an orchestra conductor—when people talk in rhythm with their gestures it tends to be good venting; letting their anger come out verbally rather than physically. But when their gestures are short, choppy, stab-like motions, disconnected from their language, it is likely that they're about to explode physically. This couple was actually making verbal threats like, "I'm going to kill you, you son of a bitch!" "You're dead, mother-fucker!"

In a flash I said, "In all my years of police work, I've never seen somebody able to express their anger like you can! I appreciate that, because sometimes things really piss me off and I wish I could express my anger like you are!" I was empathizing with them to bring their attention to me and to the importance of what they were feeling, and away from a fight. 15

Another time we came into an argument with the woman yelling and screaming at her husband. I said to her, "I bet you don't talk to the mailman this way, do you?"

"What? Of course not!"

"And I bet you don't talk to your car mechanic that way, do you?"

"No, of course not!"

"Well the reason you talk to your husband like that is obviously because you care a whole lot more about what he says than what the mailman or the mechanic says." 20

"Yeah, well I guess so."

My questions first took her attention away from her emotions and what she was mad about. Then I offered her a new meaning for her outburst—it was because she *cared* about her husband. After about 15-20 minutes of me telling them how frustrated I was at not being able to express my feelings the way they could, they started counseling me. Soon it was apparent by the way they were sitting next to each other and looking at each other that they were eager to be left alone. I think we reframed their anger toward each other to such an extent that they wanted us gone so they could make up!

Once we came into a heated dispute and I said to the man, "Hey, you don't work for the city, do you?"

"NO!"

"That car out there with the lights on, that's not your car, is it?" 25

"NO!"

"You don't want us here, do you?"

"NO!"

"You'll be happy when we leave here, won't you?"

"Fuck yeah!"

This way I matched him and let him express himself. He was in the mood to disagree, so I started with questions all of which let him say "No." Then I shifted to a "Yes" question, leading him to a more positive place and getting his explicit agreement that when we left he'd be happy. It might sound like a small thing, but it made a huge difference. Now we were on the same page and he was more relaxed—no longer disagreeing with everything we said.

We'd also do a thing I called "word salad." I never did it in a disrespectful way, but when people get violent they're behaving worse than childish. Sometimes I'd say, "What you're saying here sounds like a phonological ambiguity to me, so rather than jeopardize any other litigation circumstances why don't you just take a walk and let things cool off?"

They got so confused by the first part of my sentence, they would jump on the first thing that made sense, usually responding. "I'll just take a walk and cool off a bit."

I'd say, "Great, I appreciate that."

Often we would use many of these different tactics one after the other, until we found what worked. By systematically attempting to stop violence by using our appearance or words, we put ourselves in a position where we would be much more justified—both emotionally and legally—if we ended up having to resort to a higher degree of force. Yet in all these experiments on permanent night shift, and during my thirty-year police career, I never fired my gun. I had to use mace on a person only once, simply because the man was so intoxicated I couldn't communicate with him. We had tried many things, but he just wasn't there because of the alcohol. He had a little paring knife that he wouldn't drop. Technically I could have shot him, but I had been relaxed and aware enough to keep a table between us, so I was able to subdue him with the mace. As amazing as these techniques were for defusing violence in the moment, our biggest success was that we stopped getting return calls from the places we visited. Before we started using these techniques, it was common to get calls from the same location two or three times a night. Sometimes my partner and I would spend 15 or 30 minutes out on a call, and we'd get in trouble from our supervisor because he wanted us in and out. If they didn't straighten up right away he wanted us to simply arrest them. But we knew we could save time in the long run by coming to a peaceful resolution.

Probably our most interesting encounter came in June of 1984. My partner and I were patrolling our beat on a Saturday afternoon, when the dispatcher's voice crackled over our radio:

"Car 405, Car 405, respond to 755 East McMillan Street, reference a man with a gun. The only description we have is he's male, black, and his last name is Large. He threatened to kill a person and stated he would kill the police. Car 405."

We replied, "Car 405, OK."

Our sergeant came on the air with, "Car 422, advise Car 405 to wait for my arrival before they approach the address. I'll respond with a taser gun."

Unfortunately for us, my partner and I happened to be on the one- 40
way McMillan Street heading for that very address when the dispatch came out. Other police units were coming over the air advising that they would also respond. Since we were so close already, we parked near the location and advised our dispatcher that we were on the scene. Needless to say, our adrenaline was pumping. We often got calls where the details sounded frightening, but this one was different. We were afraid. As we approached an alley between two buildings, we observed a man in an army coat arguing with a woman. Without thinking, I blurted out, "Anyone here order a *large* pizza?"

The male subject turned and looked at me with a puzzled expression. Even my partner was looking at me funny. I could see the man's hands were empty. He said, "My name is Large..."

With that we knew who he was. We quickly handcuffed him and put him in the back seat of our car. Fortunately, he did not have a gun—something we did not know until after we had him under control. It turned out that he was a walk-away mental patient from the Veteran's Hospital Psychiatric Unit. He had been walking around threatening to kill people, hoping to force the police to kill him. Who knows what might have happened if Mr. Large hadn't been caught off guard. I sincerely believe that on this particular day the flexibility that I'd learned saved the life of a mentally disturbed veteran—and perhaps my life as well.

My partner, himself a Vietnam veteran, was able to chat with Mr. Large on the way to the Veteran's Hospital. Upon our arrival, the hospital staff was shocked that we didn't have to struggle with Mr. Large. I can't thank the people enough who taught me how to use these skills. Even though we may have been justified legally with some tactical force, we could never have lived with ourselves if we had hurt Mr. Large.

Unfortunately, it's very difficult to measure what *doesn't* happen, but I can say confidently that I was involved in hundreds of peaceful resolutions that would have ended up in arrests or fights had we used traditional police procedure. Ever since my eyes were opened to what is possible, I've been studying and researching how police officers everywhere can increase their choices by using visual and verbal persuasion to prevent, or at least minimize, their use of force in violent situations. Believe me, police officers all over this country need new tools for accomplishing their duties. They are hungry for positive education that will enhance their control over themselves and others. No group of professionals needs flexibility more than police officers.

THINKING CRITICALLY ABOUT THE READING

1. From the beginning of the essay, Gardner's focus is on changing his interactions as a police officer from more intrusive to more inquisitive. What are some of the verbal and non-verbal tactics Gardner and his partner change? What do they use instead? Why does the method require "flexibility," as Gardner concludes?
2. What do Gardner's colleagues call him and his partner? Is it a flattering moniker? Despite such a handle, do their tactics work? How successful are they?
3. How do Gardner's tactics rely on "visual and verbal" persuasion (3)? How do some of the visual tactics Gardner describes compare with our typical idea of how a police officer looks or moves?
4. What is a "word salad," and how does it work (32)? Why do you think it's successful? Do you think it could have ever been seen as disrespectful?
5. In what ways does Gardner suggest the pattern of one's language use is connected to or predictive of behavior? How did he and his partner work with the sound or rhythm of language to defuse tense situations?
6. What does Gardner's experience suggest about the power of language, observation, and flexibility in police work?

LANGUAGE IN ACTION

Much of Michael Gardner's approach to conflict resolution has to do with body language. Experiment with your own body language using the concept of "power poses" made popular by a 2012 TED Talk by social scientist Amy Cuddy. Cuddy reports a direct connection between body language and physiological responses in our bodies: when subjects deliberately adopted "power poses"—positions which take up space in the room and give the impression of openness and control—subsequent saliva tests revealed raised testosterone and lowered cortisol levels, two hormones important in risk-taking and stress management. Likewise, subjects who deliberately held "low-power poses"—positions which take up little space and give the impression of being closed and turned inward—actually had lowered levels of testosterone and raised cortisol.

Try out what Cuddy suggests together as a class. (You may want to watch Cuddy's TED Talk, which can be found online, if time permits.) Have each member of the class pick a pose and hold it for two minutes. Did the poses feel particularly unnatural or uncomfortable for anyone, or does the pose seem particularly out of sync with your impression of others in the class? If you had to translate these positions into actual words, what might each one say? What might Gardner say about power poses as related to the unique approaches to conflict resolution he advocates for law enforcement?