This presentation is not intended to be legal advice and attendees should consult with their own legal advisors. Instead it is training intended to critically and constructively review incidents and the decision-making process.

The use of video and photos of actual cases is only intended to enhance the training value of the content—not to discredit or criticize officers or agencies. Fact patterns cited are from press sources and/or from the relevant case law and have not been independently verified.

Assess video from two perspectives:
- Member Organization/Human Resources
  - Is video helpful in determining the source of the root cause of the issue: People, Policy, Training, Supervision or Discipline?
  - Is video valid evidence of the need for training or discipline of staff by your member?
  - Is there a role for the pool to play in risk management to mitigate future third-party claims?
- Technical
  - Is video valid evidence in a claim or lawsuit faced by your member?
We will use sample videos to drill down to the:

- Role of human performance factors in video evaluation
- Impact of hindsight bias on decision makers
- Examine technical factors, such as compression and the perspective/angle of video
- Discuss the value of forensic experts in video assessment
- Consider how videos from various incidents can be useful as training tools

INCIDENT OCCURS → RESULT

Need to make SENSE of what led to the RESULT

Without Video:
- Bias(es)
- Expectations
- Incomplete information
- "Knowledge"

SCIENCE – HUMAN PERFORMANCE FACTORS
Understanding humans enough to know you do not fully understand humans

HINDSIGHT BIAS IS INSIDIOUS!

WAIT! Is there VIDEO???
That will explain EVERYTHING!
Uh, well...

With Video:
- Bias(es)
- Expectations
- Incomplete information
- "Knowledge"

TECHNOLOGY: Understanding videos enough to know you do not fully understand video

The Trouble with Video:
Organizational or Individual Issues
Video clip from Bosch, an Amazon Prime original series, Episode 1

Member Organization/Human Resource Questions
Does this video portray an/a:
- Isolated incident with this individual?
- Isolated incident within this member's police department?
- Individual failure or organizational failure?
- Need to "cut" losses on claim/lawsuit?
- Need to mitigate/prevent situation in future?

Assessing the Video

Video: Conclusive Evidence?
Member Organization Questions
Does this video portray a/an:
• Unjustified assault by the officer?
• Unjustified assault by the teacher?
• Do we need more information?

Technical Questions
Do these videos accurately depict what was going within the field of the recording?

Assessing the Video

Did the teacher strike the student?

The Trouble with Video: Technical
Video versus Human Eye
• Placement on body
• Frames per minute
• Low light
• Global focus versus specific attention
• Eye = pursuit tracking
• 3D or distances not accurately capture
• Perspective

The Trouble with Video: Technical

• Index versus Predictive frames
• Original DVR source and file type is the best source for quality of video
• Compression = “lossy”
• AVI, MP4 etc. are all “packages”
• Interlaced video – errors result
• Deinterlacing - not necessary for progressive video

The trouble with video: Did you really see what you thought you saw?

Edited from: https://www.youtube.com/watch?v=zfZFFLDPigs
That's been obvious in prior video of the shooting, but it hits you over the head in the clip released this week by {suspects}' attorneys, who used a marvelous technique called "zooming in" to give us a better view of what happened.

In the video, {suspect} is obviously running from {officer}. {Suspect} falls and again starts to run when he is shot from behind. That fact is as clear as an Arizona sunrise, and to believe otherwise is to doubt your lying eyes.

*Quote from a newspaper columnist after the press conference was held*

She noted that when {District Attorney} played surveillance video of the {Suspect} shooting at a news conference following the grand jury's decision, reporters were told the camera system had issues, including a deceiving aspect ratio, and that because of the angle of the camera, the exact location of the shooting was not captured.

"They said, 'Who you going to believe — us, or your lying eyes?' Basically, they pulled a high-tech (con job [my interpretation]),"

*Quote from a prominent defense attorney discussing the D.A. press conference*

The Process of Thinking: Resources & Training
The Process of Thinking: Resources

22

Thinking, Fast and Slow by Daniel Kahneman

- **System 1** is fast, intuitive, emotional, automatic and heuristic-based. Officers will rely on this when responding to rapidly unfolding, stressful situations.
  - May not have all information needed
  - Rely on experience, training and what is known about the situation – “WYSIATI”
- **System 2** is slower, deliberate and requires effort and attention
  - Available with discretionary time

23

"Amygdala Hijack"

24
Using Video for Training – Risk Reduction:

- Partnership with PERMA
- Providing classes to increase officer safety and reduce on-the-job injuries

Humans Under Stress:

Humans Under Stress:

Humans Under Stress:
Bosch pulled his weapon and fired ... Why?

"Amygdala Hijack"

Memories are not like video recordings and are not a complete record of the event, instead they are records of a person's experience during an event.

Memories are almost always going to be incomplete and inability of a person to recall all details should not be used as an indicator of accuracy.

During a high stress event, a person's focus will remain on the threat or cause of the stress.
“Because of memory distortions, dissociation, and automatic reactions to stimuli during high arousal states, it is well documented in the trauma literature that people in extreme stress situations can engage in behavior that appears to be a purposeful reaction to sudden threats but which they have no memory for… It should never be assumed that the witnesses and participants of any event, including officers, are automatically lying if their memories of an event do not coincide the physical evidence or other witness accounts.”


Today we talked about:
- How to assess video, including:
  - Questions to ask about the member organization and individual staff person
  - Questions to ask about the technical components of the video
  - Why a forensic video can be important
  - Reasons video may not show the full story
  - Using videos from incidents for training purposes

- Video may help to decide whether how to handle a pending incident, but it may also help prevent similar future issues. Even a video of poor quality may help reveal training issues
- Understanding the realities of human performance, reactions, perceptions and memory can help to better understand available information – use SME’s when appropriate
For More Information/Resources

www.lexipol.com/webinars/
  • Various webinars on contemporary issues

www.lexipol.com/todays-tip/
  • Gordon Graham on critical public safety issues

https://www.lexipol.com/author/chief-michael-ranalli/
  • Articles on contemporary public safety issues

Questions?
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