

SAVE OUR COPS

Preventing police killings

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On 20 May 2003, a national summit on police killings was held at the SAPS academy in Pretoria – the culmination of a series of provincial meetings on the same topic. Although the national meeting did not achieve its objective – the collaborative drafting of a national action plan – the provincial meetings produced a number of excellent recommendations that deserve to be taken seriously. This article discusses the reasons for the high number of police killings in South Africa and makes suggestions for dealing with the problem.

While being a cop is a dangerous profession anywhere in the world, the number of police killed annually varies substantially between countries. In Canada, an average of three police members were killed annually between 1961 and 2002. In contrast, an average of 79 police were killed in the line of duty each year between 1979 and 1998 in the United States. The US death toll declined throughout that period, however, and by 1998, the rate was about ten on-duty police murders per 100,000 cops, not much more than the seven murders per 100,000 citizens in the general population.

The South African situation is somewhat more dire. In 1994, 265 police members were murdered. That is about 223 murders per 100,000 sworn police, but this number includes deaths both on and off duty. The body count stayed above 200 until recently. It dropped to 176 in the 2000/1 financial year, and then to 136 in 2001/2. Thus, the most recent total is about half what it was at the end of apartheid.

The halving of police murders over seven years would appear to be a remarkable achievement in improving member safety. However, the murder rate for all South African citizens has declined almost 30% since 1994, and the number of sworn police declined 12% between 1996 and 2002. Even looking at last year's favourable figures and

focusing on on-duty deaths, a working police member is still five times more likely to be killed in South Africa than in the United States.

Why do they die?

Why is it so dangerous to be employed by the SAPS? There are several possible explanations, all of which are likely to have some validity.

A violent society

With a murder rate of 48 per 100,000 in 2001/2, the average South African citizen is nearly five times more likely to be killed than the average American police member. Comparing the police on-duty murder rate to the murder rate in the general population for both South Africa and America shows that the relative increase in risk incurred by enlisting is less in this country than in the US. But the ratio of field-deployed cops to the total police service is probably smaller in South Africa than in the US, because the SAPS has a higher share of command staff. To do a fair comparison, the risks of field-deployed staff would need to be compared, and there are no comparable figures for this.

Dealing with all the violent crime encountered on South Africa's streets is clearly a risky business, and thus it is remarkable that the average SAPS member is more likely to be killed while off duty than on duty. Again, comparative data is lacking, but the

2002 figures released at the national summit suggest that 65% of police murder victims are killed while off duty. Commissioner Selebi argued that 60% of off-duty casualties were members who “put themselves on duty” by responding to crimes in progress. If this is true, the value of the interventions made by off-duty police needs to be weighed against the staggering costs.

Robbery

Are the police targeted for their guns?

Commissioner Selebi argues convincingly that since only 20-25% of the victims had their guns taken, this cannot be the primary reason people are attacking police members. Earlier SAPS research also suggested a 26% figure for robbery-related motives. But in interviews with 478 police members who survived attacks, discussed by Professor Conradie at the summit, 58% said they thought the motive for the attack was robbery, and 46% said the object of this robbery was their firearm.

Even if the commissioner is right, the fact that a fifth to a quarter of all police murders are attempted robberies is alarming. In other countries the police would be considered a rather hard target to attack for the purpose of firearms acquisition, and the risks of such an attack would more than outweigh the benefits of acquiring a weapon that most likely is worth less than a good car stereo.

Inexperience

Inexperience may be a factor, because, according to research presented by Commissioner Groenewald at the national summit, 15% of the dead in 2002 were constables. Constables made up only 7% of the workforce at the beginning of 2002, but this share is increasing due the recent recruitment drive. If being new to the job increases the risk of being killed, then the rate of deaths is set to increase.

The other 85% of the casualties were however members of higher ranks, members who should have had some street experience. This experience was clearly not enough to save their lives. Only 66% of the dead were assigned to uniformed duties, which suggests that the hazards encountered are not specific to normal operational policing, especially as most of the deaths occurred off duty.

Confusion

At the national summit Commissioner Selebi made the bold assertion that police were being killed because they did not understand the standard on use of force. To back up this claim, he cited SAPS research suggesting that in 60% of police killings the police member did not offer any resistance.

There are, of course, a number of circumstances under which little resistance would be expected, the common element being that the member was surprised. It is highly unlikely that a police member would take a bullet out of respect for regulations if given the chance to return fire, but delays in reaction time due to confusion may be a serious issue. Members may not be drawing their weapons in time under circumstances that merit the use of deadly force.

In addition, there is clearly a lack of basic tactical knowledge among members. Field observation by the ISS in a range of station areas has demonstrated that some members do not understand the basics of member safety. Lack of knowledge about how to do a vehicular stop and approach, how to do a safe pat-down, and when and how to use handcuffs, all pose risks to members in the field.

What should be done?

Whatever the extent and reasons for police deaths, every effort must be made to minimise these tragedies. The provincial summits produced a number of excellent recommendations, some of which are included and expanded below.

Training on use of force

The use of force standard as defined in the 1998 amendment to Section 49 of the Criminal Procedure Act could not be simpler. Unlike the past standard, where the police had to think about the charge to be brought before shooting at a suspect, the new principle is crystal clear: where a suspect poses a serious risk to the lives of the member or anyone else, shoot to kill.

Unfortunately, the delay in the promulgation of this legislation has muddied the waters. Now an intervening Constitutional Court decision has provided a third standard, somewhere between the

old and the new. As the commissioner suggests, the resulting confusion and the lack of training may pose a real risk to lives.

The solution is simple, but daunting. The law duly passed by parliament must be enacted, and every single member of the service who carries a gun needs to be retrained on the new standard. Use of force must be instinctive, and this means repetitive drills on the range, and combat courses designed to simulate real life situations.

It is a massive task, and ammunition is not cheap. But this is the cost of living in a democratic society with a sane standard for lethal force. It is not enough to send out written memos with pay slips notifying staff that the most basic principles of how they do their jobs have changed.

Training on tactics

Aside from use of force, the basics of police deportment need to be taught and drilled. Members who do not know how to search or handcuff a suspect safely are a hazard to themselves and everyone else. Since these principles are taught at the training academy, field members obviously need continual refreshers. Rather than carting members off to the academy each year, it would make more sense to train a crew of roaming trainers, who travel the country providing in-service training.

The ideal time and place for such training is the parade at the start of the shift. These parades should be a time for information exchange, a briefing of the oncoming staff by those finishing their shift. Hot lists of vehicles and persons should be circulated, the day's work discussed, weapons and uniforms inspected, and some form of training given.

Field observation indicates that this potential is under-realised. In some stations, parades are little more than chaotic exchanges of vehicle keys and operational lists. Structure and discipline must be re-established, and in-service training is a good place to start.

In addition, members must also be required to re-

qualify to use a firearm on at least a semi-annual basis, as is the case in most other armed departments around the world. Presently it would appear that some members have been carrying firearms that they last fired in the academy. The SAPS must issue ammunition for target practice and encourage members to improve their gun skills.

Non-lethal options

Members must have a force option between those situations they can handle with their bare hands, and those that require wielding deadly force. Internationally, police carry batons of some sort as well as at least one other non-lethal option, usually pepper spray. If members have no intermediate weapons, they may feel compelled to disproportionately escalate the level of violence – albeit unwittingly.

In the United States, the 'one plus one' rule is applied for proportionate use of force, meaning that the police are always entitled to the superior weapon. If they only have two – their hands and their guns, there can be little finesse in handling violence. This poses a risk not only to the police, but to the public as well.

Some stations have some of these tools, but they are not issued because of lack of training. Again, roving, in-service trainers can drill troops in the use of tonfa-style nightsticks and other intermediate force options.

Vests

Many of the vests issued to SAPS members are out of date. Those with the AK-47 shell-stopping ceramic plates had their place during the years of guerrilla war, but today these weapons are rarely used by criminals, besides in cash-in-transit robberies. The weight and bulkiness of the old vests are disincentives to use.

The use of these heavy vests needs to be reviewed. While they may have some application in specialised units, every effort should be made to make the standard issue vests attractive to members. Once this has been done, the vest should become part of the uniform required for duty.

Shorten shifts

Many uniformed members work 12-hour shifts, four days a week. This allows for four-day weekends, popular with members who have to travel long distances to see their families. But 12-hour shifts are absurd from a member safety perspective.

Police work on the street requires the maintenance of a heightened state of awareness. This state is essential for safety, and is impossible for most people to maintain for 12 hours. Field observation suggests that many members adapt by working only eight or fewer hours out of the 12. This may as well be made official.

Shortening shifts will not address the transport issue, however. Members who live far from their work sites will legitimately feel aggrieved at such a change. The solution is to allow members, whenever possible, to work in the station area where they live, an idea that has some resonance with the thinking behind the drive for sector policing.

In addition, the use of public transport exposes members to a kind of vulnerability that many station commanders have tried to avoid by providing an informal taxi service using official vehicles at the change of shift. Once again, this might as well become official practice.

Off duty

Many of the suggestions above apply primarily to conduct while on duty, but the majority of police murders occur when the member is off duty. Providing protection to staff out of uniform is difficult, but is perhaps best achieved by a code of conduct that reminds them that a police career is a 24-hour vocation.

This code should dictate when and how it is appropriate to intervene in a criminal situation without the protection of a uniform and back-up. It should prohibit the carrying of a firearm in a liquor establishment. It should specify the acceptable ways of carrying a gun off-duty. And it should contain sanctions for those who violate these rules.

Conclusion

All evidence indicates that there is no single reason why police members are killed in the numbers they are in this country. Addressing the problem will mean taking action on a range of issues, and continuous monitoring to ensure that new trends are quickly detected and addressed. Most important is that the issue is taken seriously, and, gratefully, it seems that police murders are finally being given the attention they deserve.