



LOS ANGELES COUNTY  
**Office of Independent Review**

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April 14, 2010

George Hofstetter  
Secretary, ALADS  
2 Cupania Circle  
Monterey Park, CA 91755

**RE: April 2010 Dispatcher Article**

Dear Secretary Hofstetter:

In the April 2010 article of the Dispatcher you take issue with comments made by me to reporters following a news conference in which new training materials and policies dealing with tactical decision making were presented by the Sheriff. You seemed particularly perturbed by my suggestions that the media educates the public on its expectations of police performance as well as that police officers' performance may also be influenced by the media. It can hardly be argued, except perhaps by you, that all of us are to some degree influenced by the media; academic studies have repeatedly and consistently proven that precept. Please see for example, Bendura, Albert, "Social Cognitive Theory of Mass Communication", Mediapsychology, p. 282, 2001 and sources cited therein.

Consistent with my remarks at the press conference, in conversations with the general public, we have observed repeatedly how perceptions gained from television and movies have caused the community to acquire illusory views about police officer performance. For example, when the topic of officer-involved shootings has arisen, people ask why officers, when faced with an armed suspect don't simply shoot the gun out of the suspect's hand similar to how they have seen "officers" perform on television. Similarly, people wonder why real police officers end up "shooting to kill" instead of simply shooting the suspect in the leg or winging the suspect in the arm. I cannot count the hours that we have spent educating the public that it is unrealistic to foist those illusory depictions and resulting expectations on real police officers in the field. Perhaps you too, have experienced the need to re-educate the public; if it hasn't happened to you, I suggest you ask your peers if they have had such an experience.

Because peace officers are people too, the Department has recognized, unlike you, that its deputies are not immune from the influence of the media. For that reason, deputies that you represent as an ALADS Board member have created training tools to remind fellow deputies of that fact. I would suggest you review an excellent training video created by deputies entitled "Assaults by Moving Vehicles"; it is available on the Department's Intranet. That video was created in part to instruct deputies that shooting a firearm at vehicles does not stop vehicles. The training video opens with movie scenes in which officers shoot at vehicles, including the incomparable "Dirty Harry"; in one scene a vehicle goes up in flames after only one shot. After the movies clips roll to a close, the deputy instructor appears on camera and begins the training as follows:

"Movies. They are great entertainment. But do they influence how we react as peace officers and how we do our job? **Movies influence us more than we know.** The movie industry uses stunt drivers, blanks, and special effects to sensationalize the action. We overlook this and think that a car will be incapacitated when we fire at a moving vehicle. Let's take a look at what really happens when you fire at a moving vehicle."

The video then shifts to a real scene in which 120 rounds are fired by real deputies at a moving vehicle yet the vehicle continues to move forward to bring home the point about the illusion caused by movies and how they might influence deputy behavior to think that a bullet can stop a car.

You might also want to talk to deputies who have provided firearms training to their colleagues over the years. I have. And what they have told me is that they have had to retrain deputies who come in gripping the gun in unorthodox ways that reduce their accuracy. What these trainers have told me is that these new grips have often been adopted by deputies from what they have seen movie cops do. In a similar vein, a deputy involved in a shooting affirmed that he fired his weapon "gangster style", meaning his gun was canted at a near horizontal angle when he shot. What I relate about policing does not come from what I think or believe, rather it comes from what real deputies have related about their experiences and what I have learned from the Department's investigations into these matters.

By the way, you are spot on with your reference that attorneys are also influenced by what they see on television. I cannot tell you how many times as an experienced prosecutor I had to "untrain" a new attorney who thought he or she should conduct themselves in the courtroom like Denny Crane or Ally McBeal or whatever fictional lawyer was cluttering up the air waves at the time.

With regard to the "gunslinger" mentality comment, that too comes from my countless conversations with real peace officers. I have personally been acquainted with peace officers

both inside and outside the Department who have referred to themselves and others as having a “gunslinger mentality” at one time or another. Whether, in fact, this connotation is more brag than fact, it cannot be denied that the “mentality” has been articulated and I am confident that if you think about it, that you too over the long years of service you have provided have heard peers at one time or another make the same references in your presence. And most importantly, to remind you of what I did not say, I did not say that all deputies or even a significant percentage of deputies have such a mentality today. I simply said that, in response to the reporter’s question about a “gunslinger mentality” that, ideally, a progressive police agency would want to get away from any such mentality that may linger, a concept with which I am sure you would agree.

With regard to the “second guessing” you say the OIR engages in, such review processes are not our doing but rather a function of your own Department. I am proud of the way in which your Department focuses critically on every deputy-involved shooting, so that the involved deputies and all other field deputies can benefit from that critical review; I have been privileged to be able to be a part of that process. In my estimation, the training, the policies, and the briefings that have come out of that review process have most likely saved deputies’ lives. I continue to admire those hard working deputies who use their skills and expertise to closely scrutinize each incident so that the Department’s deputies will be armed with both their firearms and new found knowledge the next time they go into the field.

I write not to convince you to alter your views of my comments; I write simply to provide the source from which they have originated; members of your own Department and investigations conducted by your own Department. You are an elected representative of deputies for whom I have the utmost respect. However, notwithstanding your wishes, I will continue to relate what I learn from them, what I am told by them, and what the Department’s investigations have revealed; that is precisely what I did in response to questions asked at the press conference and will continue to do in my service to the County of Los Angeles. I humbly suggest that you may want to seek similar knowledge from your membership as you carry out your duties.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Gennaco", with a long horizontal flourish extending to the right.

Michael Gennaco  
Chief Attorney  
Office of Independent Review

cc: Steve Remige, ALADS President  
Floyd R. Hayhurst, ALADS Vice-President  
Leroy D. Baca, Sheriff  
Larry L. Waldie, Undersheriff  
Paul Tanaka, Assistant Sheriff