

# The importance of a functioning early warning system

The Bethlehem Gadfly George Floyd killing September 29, 2020

 *Latest in a series of posts responding to the George Floyd murder* 

Gadfly keeping in front of us worse case scenarios. This case **just settled** for \$20m. Not about race this time. But violence. It's a cautionary tale of not only the need for early warning systems to flag troubled officers but effective functioning of them: "Those involved with the case said the hefty settlement was driven largely by the unprecedented details of the shooting, previously reported by *The Washington Post*, including red flags the department missed related to Owen's history of using force and claims seeking workers' compensation for psychological difficulties."

The officer here was required to take "judgment enhancement shooting training." Gadfly would like to see the syllabus for that.

Click through to the article below to see a disturbing video of a previous arrest by this officer.

*selections from Steve Thompson, "After red flags, a fatal police shooting." Washington Post, September 8, 2020.*

Months before Cpl. Michael A. Owen Jr. fatally shot a man in handcuffs, the Prince George's County Police Department's early-warning system flagged him as an officer who might be headed for trouble.

Owen triggered the system by using force twice in quick succession last summer. But his supervisors weren't formally notified until January. And they had not taken action by Jan. 27, when Owen killed William Green in the front seat of his police cruiser, sparking outrage in Maryland that was amplified by the national reaction to the death of George Floyd in Minneapolis police custody.

With law enforcement agencies across the country under pressure to improve officer training and oversight, Owen's case is a cautionary tale of

missed opportunities, the limits of early-warning systems and the danger of relying on police officers to report for themselves when they are stressed or struggling.

Owen's supervisors were unaware he had sought workers' compensation for psychological difficulties stemming from a fatal shooting early in his career, department officials say, even though Owen was supposed to notify them. Over the next decade, Owen used force against civilians at least nine times, according to a Washington Post examination of his career. Twice last year, videos taken as Owen was arresting people show him with his hands on their necks. Criminal charges against some of the people Owen arrested over the years were dropped because he didn't show up in court.

Department officials say Owen, who was fired after the Green shooting, has not been found at fault in any of the cases identified by The Post.

Owen's lawyer, Thomas Mooney, said he has not examined previous uses of force by Owen closely enough to comment on specific instances. But he said such interactions can be routine.

"Being a police officer is a tough job, and they deal with people who act erratically and unusually and aggressively all the time," Mooney said. "So he finds himself the subject of an investigation because somebody's complaining — that's every police officer in the county that's on the streets."

Experts agree that for an officer to accumulate use-of-force encounters, and even complaints, over the years does not necessarily indicate bad behavior. But they say an officer's repeated failure to appear in court can be a sign of trouble.

They also say the sluggish pace of the early-warning system is a significant problem that jeopardizes both officers and civilians on the streets.

It is not publicly known how many other times Owen used force, because the Prince George's police department does not disclose the reports that such incidents generate. The Post's review relied primarily on searching

for arrests by Owen in court records. One incident occurred less than a month before Green was killed. Again, the civilian was in handcuffs.

Nearly a year earlier, Owen wrapped his hands around a man's neck during an altercation that followed a traffic stop. Jonathan Harris, 27, was driving a car with no tags. He was on probation, records show, after pleading guilty to theft and second-degree assault in a 2014 case.

Video of the Jan. 3, 2019, arrest, taken by Harris and obtained by The Post, shows officers pulling Harris out of his car and Owen pinning Harris to the pavement, his hands around Harris's neck.

The incidents that triggered the department's "early identification system" happened last summer.

On July 13, 2019, Owen was dispatched to a Temple Hills home where Devonne Gaillard Jr., 29, was arguing with his girlfriend.

"He wanted to talk to me, and I didn't want to talk to him no more, so I walked away," Gaillard said. "When I turned my back, he grabbed me and slammed me on my neck."

On July 31, officers pursued a man on a suspected stolen motorcycle, who crashed and fled. Owen found him, and there was a brief struggle, according to a police report. Owen had drawn his gun. As he tried to re-holster it, he accidentally fired. No one was hit.

It took the early-warning system, which relied on information being compiled by hand and entered into a database, months to create the flag, police officials say.

Owen's supervisors weren't notified until January. Their deadline to meet with Owen and decide whether counseling, training or other actions were warranted was Feb. 29 — a month after Owen shot Green.

After firing his gun in July 2019, Owen was required to complete "judgment enhancement shooting training" and meet with a department psychologist, all of which happened within a week, department officials say.