

# “All society’s failures fall on the shoulders of law enforcement”

The Bethlehem Gadfly George Floyd killing October 23, 2020

 Latest in a series of posts in the wake of the George Floyd murder 

*“All society’s failures fall on the shoulders of law enforcement,”  
president of the National Sheriffs’ Association*

*“Why not slow down and think? Why go straight to violence?”  
Sister of person killed in police encounter*

Gadfly’s been sitting on this article for a week now. It’s really bothered him. And he hasn’t been able to hit “delete” and move on.

Followers know that Gadfly has been impatient with what seems to him a lack of urgency to respond to the kind of local self-analysis called for in the wake of the international uproar over the murder of George Floyd.

There is a City Council Committee of the Whole meeting October 29 6pm. Topic: “Interaction of the Police Department/Health Bureau/Recreation/Department of Community and Economic Development.”

No details have been provided. A reliable source tells Gadfly that the meeting was requested by the Administration but as of Wednesday Council had received no other information or documents.

October 29 will be over 5 months past Floyd’s death. An eternity in this fast-paced world. Enough time for several other noteworthy tragedies to have happened in the meantime.

So come to this article. It’s long. But you ought to read it all. Not just my selections.

What’s grabbed Gadfly?

First, that police departments our size (154 officers, maybe now 153) are more likely, much more likely to be involved in killings involving the mentally ill. The larger departments can afford more training. So we

should take note. As Gadfly has said before, we have never had an explanation of what kind of training our officers get in, say, de-escalation techniques. We may be fine. We may be excellent. We just don't know. We should know.

But, next, there are several very sad stories here. Stories that are exactly the kind that we should be doing all in our power to prevent. There are several such stories in the article, so, again, Gadfly asks that you read the entire article not just his selections.

But think about Stacy Kenny. The officer thought it was “weird” that Kenny pulled to the side of the road on her own. She had not done anything wrong. Kenny's parents had the forethought to alert the local police that she was schizophrenic and might be off her meds. That was no avail. She was on the phone with 911 during the incident. The officer who beat and killed her headed the de-escalation training in his department, had significant training himself, and used none of it. The police department ruled that he did no wrong, acted according to protocol. The department got sued and paid a record-breaking settlement out of the pockets of local tax-payers. The department acknowledged failings. The officer got an award from the police association.

Goddam.

Gadfly cannot see why more people cannot see past the admittedly vexing and misleading term “defunding,” drop their defensiveness, and see that there is a basic problem here that somehow has to be addressed. And quickly. And now.

Gadfly hopes that the October 29 meeting will show the City — finally — doing just that.

And in the words of the president of the sheriff's association — that “All society's failures fall on the shoulders of law enforcement” — Gadfly hears Councilman Reynolds urging us to set our minds through the Community Engagement Initiative on attacking systemic racism — in fact, systemic injustice on all people — on the local level.

Gadfly, as usual, invites responses, especially those in a problem-recognizing and problem-solving mode. We need the best heads we have focused on this issue.

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[Selections from Kimberly Kindy, Julie Tate, Jennifer Jenkins, “Fatal police shootings of mentally ill people are 39 percent more likely to take place in small and midsized areas.” Washington Post, October 17, 2020.](#)

The 2019 death [of Stacy Kenny] in Springfield, Ore., was one of 1,324 fatal shootings by police over the past six years that involved someone police said was in the throes of a mental health crisis — about a quarter of all fatal police shootings during that period, according to a Washington Post database.

Although the number of these fatalities has declined, these confrontations remain a deadly and vexing issue, especially in small and midsize metropolitan areas. A Post analysis shows fatal police shootings of those who are mentally ill are more likely to take place in areas with populations of fewer than 1 million, like Springfield, which is part of a metropolitan area of about 382,000.

The Post reviewed the number of mentally ill people killed by police over the past six years and compared it with the overall number of people living in the area to determine the per capita rate. Such shootings are 39 percent more likely in small and medium-size areas than in large metropolitan areas or rural areas.

The issue arose at a nationally televised town hall meeting Thursday night when Democratic presidential nominee Joe Biden said it was “really, really important” that psychologists and social workers join police on calls involving mentally ill people “to de-escalate the circumstance, to deal with talking them down.” The day before, the Los Angeles City Council voted to create [an unarmed crisis response team](#) to handle nonviolent calls, including those prompted by mental health, substance abuse and suicide threats.

The police encounter with Kenny began after she pulled to the side of the road of her own volition, which an officer thought was “weird,” so he

pulled behind her to investigate. . . . The Kenny family received a \$4.55 million settlement in July from the city of Springfield — the largest lawsuit settlement involving police in Oregon’s history. The officers were not criminally charged. The department cleared the officers of any wrongdoing, saying they [did not violate any laws](#) or department policies. The city acknowledged that it needed to improve training and oversight.

For police, encounters with mentally ill people can be especially challenging because their behavior is often frantic and unpredictable. They can be in a state of psychosis, making it impossible for them to follow regular police commands. The encounters also can be dangerous, The Post database shows, because in most cases the mentally ill person is armed with a gun or knife.

Yet some departments, mostly in larger metropolitan areas, have made progress. Larger police departments with bigger budgets have moved more quickly to embrace training in de-escalation skills. Those departments are also more likely to dedicate resources to refresher training and to work as a team with local mental health professionals, experts said.

The specialized training doesn’t guarantee success. Springfield Sgt. Richard A. Lewis, who broke Kenny’s passenger-side window, punched her repeatedly and then shot her five times, was in charge of Crisis Intervention Team training at that police department.

During a deposition for the lawsuit, Lewis said he saw that Kenny was unarmed and was buckled into her car. The other officer, who first encountered Kenny and smashed her driver’s side window, had received 40 hours of the special training.

The police department said Kenny used her car as a weapon when she fled the scene with an officer inside. Her family says she used it to flee a brutal beating that ultimately involved four officers. The officer’s union did not respond to requests for comment.

In addition to the payment to the Kenny family, the city also agreed to revamp its use-of-force policy, help finance a review of the officers’ actions, and beef up its internal review process after the use of excessive

or fatal force. The department has changed some of its training, particularly with how it handles traffic stops.

“In hindsight, we are asking officers to slow it down. As opposed to smashing out the window and trying to pull someone out of a car, let’s look at this situation as best we can. Gather information,” said Lt. George Crolley, who oversees the patrol division of the department. “Maybe this isn’t a wanted felon trying to commit a crime, maybe this is someone in crisis and in need of help.”

The Post database shows that the mentally ill people who died by police gunfire since 2015 were largely White, accounting for 58 percent of the deaths, with Blacks at 16 percent and Latinos at 13 percent.

Ron Bruno, a 25-year police veteran and executive director of the nonprofit Crisis Intervention Team International, said it is a mistake for departments to have only one small team on call with specialized skills.

“There should be quick access to CIT officers on every shift,” Bruno said. “That means training between 20 to 30 percent of your department. If you are a small department where you only have one officer patrolling at a time, they all need to be trained.”

In the case of Kenny, her parents believed the Springfield Police Department was small enough, with its 45 officers, to look out for their mentally ill child.

They met with police officials a year before Kenny’s death, alerting them to her diagnosis of schizophrenia and told them Kenny had stopped taking medication.

“We told them he might behave oddly, but that he was never violent or dangerous,” said Kenny’s mother, Barbara, who uses male pronouns for her child. However, the officers did not call for a background check when they encountered Kenny, records show.

After the officers were cleared by the department and prosecutors, Sgt. Lewis, who shot and killed Kenny, received a Purple Heart commendation from the Oregon Police Officers Association for the

injuries he received during the encounter — abrasions and a broken wrist — which required that his actions did not result from “poor judgment.”