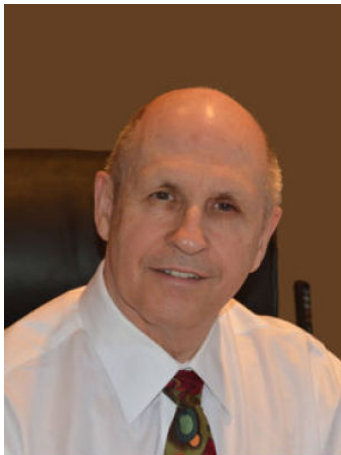


Expert in deadly force training criticized for record on police shootings

5 hours ago • By Nico Savidge | Wisconsin State Journal

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Bill Lewinski

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More than 90 officers from law enforcement departments in 13 states are in Madison this week for training in high-stress situations such as officer-involved shootings.

The Dane County Sheriff's Office and others pushed for the Minnesota-based Force Science Institute to bring the training to Madison, in part because of a recent string of officer-involved shootings.

But the center's founder, Bill Lewinski, has emerged as a controversial figure on the topic of deadly force, derided by critics who say he sides too frequently with police and is called upon to testify in defense of officers in questionable shootings.

Michael Haddad, an attorney in Oakland, California, said Lewinski has developed a reputation among police departments as someone who will defend an officer "regardless of how egregious the shooting is."

And a police oversight board in Canada said in 2012 it would stop consulting with Lewinski after his analysis helped clear a Vancouver officer in a controversial shooting, according to CBC News.

Eight of the attendees at this week's training came from the Dane County Sheriff's Office, while the Madison Police Department sent three detectives.

Those officers are part of teams picked by their departments to investigate future officer-involved shootings.

Sheriff Dave Mahoney said he sought out the Force Science Institute because of the research it has done, not because of Lewinski's work in courtrooms.

"My decision would not be based upon testimony," Mahoney

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said. "It's based upon (Lewinski's) recognition in the field we're seeking training in."

Lewinski counters that he doesn't testify about whether a particular use of force is justified, but rather provides scientific evidence that illuminates the biological and physiological factors at play in high-stress incidents.

"I could see where people think I'm biased, but on the other hand (the Force Science Institute is) presenting research that is well grounded," Lewinski said. "We bring in a variety of researchers to help provide the latest science, as it has relevance to a use of force or a critical incident."

Saving 'lives, reputations'

Lewinski has a doctorate in psychology from [Union Institute and University](#), a distance learning university in Cincinnati. He founded the Force Science Institute at Minnesota State-Mankato, where he was a professor, in 2004.

The institute has since moved off campus and is no longer affiliated with the university, Lewinski said, and he is now a professor emeritus.

This week's training is one of many the institute offers to law enforcement in the United States and abroad. The institute also puts out an online newsletter and publishes studies on high-stress encounters.

The training, being held at Madison Area Technical College's School of Human and Protective Services, centers on the "dynamics of a human being under stress," Lewinski told officers Monday morning during a portion of the event that was open to the news media.

Classes touch on the neuroscience behind how officers process what they're seeing and how they react to it in high-stress situations, as well as how investigators can best interview officers involved in those incidents to get a full sense of what happened, among other topics.

Officers who complete the training will be certified in "Force Science Analysis" by the institute.

But while the Force Science Institute positions itself as a research and training organization, Michael Scott, director of the Center for Problem-Oriented Policing and a clinical professor at UW-Madison, pointed out that [the institute's website](#) also portrays it as a group that defends officers.

[One page](#) of the website reads, "Force Science: We save lives and reputations."

That suggests the institute's mission also includes explaining and justifying police actions in use-of-force situations, Scott said.

Taking that stance, while also advertising itself as an unbiased source for information about the use of force, is "a difficult line to walk," Scott said.

Testimony questioned

Lewinski said research and teaching make up the bulk of the work he does, with less than a third of his time going toward court testimony.

That testimony, given more than 130 times by Lewinski's count, is meant to inform juries and judges on the science underlying how officers act in deadly force situations so they can decide whether force was justified, he said.

But Haddad said Lewinski is more often called in to justify an officer's actions.

Haddad represented the family of an undercover Oakland police officer who was shot and killed in 2001 when two other officers mistook him for a threat.

After the family filed a lawsuit, the city of Oakland hired Lewinski to testify in defense of the officers at a deposition for the case, [according to the San Francisco Chronicle](#).

The city ultimately settled the lawsuit for \$3.5 million in 2006, the Chronicle reported.

Lewinski has also been hired to testify in controversial brutality and deadly force lawsuits in the Twin Cities and Los Angeles, [according to a 2010 profile](#) in the Minneapolis City Pages.

“He’s the guy they go to when they have a really bad, hard-to-defend case, and they have to put on some sort of defense in court,” Haddad said.

British Columbia’s [Office of the Police Complaint Commissioner](#), which provides civilian oversight of complaints brought against police in the province, said it would stop consulting with Lewinski after his work in a [2012 Vancouver police shooting](#) was questioned, CBC news reported.

Although Lewinski concedes his testimony tends to be “much more in line” with the defense of officers accused of improperly using deadly force, he said he is providing scientific evidence in those cases.

“Am I a paid expert? Yes I am. Is that based on solid research? Yes it is,” Lewinski said.

Chief: Research separate

Madison Police Chief Mike Koval said the Force Science Institute has done a great deal of valuable, empirical research on policing and keeping officers safe.

The department referred to the institute’s research on the “reactionary gap” — the time it takes for officers to perceive a threat and respond to it — after a May shooting in which police shot and killed a woman who advanced toward them with a gun pointed at her head.

But while the institute has led a number of training sessions for local officers, Koval noted the department has never retained Lewinski or asked him to testify in a case.

Like Mahoney, Koval said he sent three of his detectives to the training this week for the Force Science Institute’s research on deadly force situations, not its founder’s past testimony.

Two roles can overlap

“You definitely have to sort the science from the role of an advocate,” Koval said.

In his training, however, the two roles sometimes overlap.

As he opened the deadly force training at MATC, Lewinski brought up as a case study the fatal 2009 shooting of 22-year-old Oscar Grant in Oakland, calling it a “misunderstood police shooting.”

Grant was lying face-down on a train platform, with his hands behind his back and another officer’s knee on his neck, when transit police officer Johannes Mehserle shot him in the back. Grant’s death sparked outrage and large protests in Oakland.

In 2010, the San Francisco Chronicle reported [Lewinski took the stand](#) as an expert witness in the officer’s trial, bolstering Mehserle’s defense that he meant to shock Grant with his Taser but mistakenly drew his gun in-

stead.

Mehserle had been charged with murder but was ultimately convicted of involuntary manslaughter.

When he talked about the shooting on Monday, Lewinski expressed skepticism that Mehserle intended to shoot Grant and posited instead that the shooting was a tragic mistake.

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