

Consulting Police Psychologist Guidelines

Ratified by the IACP Police Psychological Services Section
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1. Purpose

- 1.1 The IACP Police Psychological Services Section (PPSS) developed these guidelines for use by public safety agencies, agency executives, and consulting psychologists as well as other professionals who are charged with the responsibility of providing consultation in one or more of the domains of police psychology (i.e., operations, intervention, assessment, and consultation).¹
- 1.2 Although guidelines are not binding, they serve as guiding principles and provide a framework for consulting police psychologists to conduct their professional practice. These guidelines are not intended to take precedence over any federal, state, or local laws.

2. Limitations

- 2.1 These guidelines reflect the consensus-based professional consultation practices of PPSS members. These guidelines are not intended to establish a rigid standard of practice for consultation.
- 2.2 The decision as to what is or is not done in a particular instance is ultimately the responsibility of each agency and consulting psychologist, provided it conforms to all pertinent local, state, and federal statutes, regulations, and case law and is consistent with the ethical standards of the psychologist's profession.
- 2.3 These guidelines are written to apply to agencies within the jurisdiction of the United States and, as such, might require modification for use by agencies in other countries.

3. Definition

- 3.1 Consulting police psychologists provide analysis, consultation, and assistance to police and public safety operations, supervisors, managers, groups, and other organizations for the purpose of improving group or organizational functioning and operational effectiveness. These activities include, but are not limited to, organizational development; executive, management, and supervisory consultation; process improvement consultation; assessment-related consultation (e.g., development of preemployment and fitness-for-duty processes); operations-related consultation (e.g., crisis and hostage negotiation teams, criminal intelligence, investigative consultation, threat assessment, indirect assessment, psychological autopsies); consultation in educational and training programs (e.g., de-escalation training, critical-incident preparation); and

¹ These guidelines are informed by the American Psychological Association's Ethical Principles of Psychologists and Code of Conduct (EPPCC). In many states, adherence to the EPPCC is legally required by the psychology licensing law. They are aspirational in intent and might not be applicable in every professional situation.

intervention-related consultation (e.g., establishment of a comprehensive employee wellness program, development of critical incident interventions).

4. Roles and Boundaries

- 4.1 Consulting police psychologists operate ethically and within the boundaries of their competence. Consulting police psychologists provide services to their clients in a manner consistent with their education, training, and experience in the field of police psychology and undertake ongoing efforts to develop and maintain their competence in accordance with current research, theory, and practice.
- 4.2 Psychologists working with or in complex social systems (e.g., groups, organizations, communities) recognize their multiple, sometimes competing, roles and ethical obligations and address ethical complexities and conflicts that may arise. In their professional actions, consulting police psychologists seek to avoid harm and safeguard the welfare and rights of those with whom they interact professionally and other affected persons (e.g., vulnerable third parties) and agencies. Ethical concerns are attenuated by police adherence to constitutional parameters regulating police conduct, yet ethical considerations could be at their highest when psychological expertise is employed to protect third parties but might also cause harm to the subject(s) of a police intervention. The awareness, expectation, or intention of inflicting harm could be in tension with the core ethical principles of beneficence and nonmaleficence². In circumstances where subjects present a substantial risk of imminent, serious harm to third parties, consulting police psychologists, whenever possible, strive to minimize harm to the subject, but recognize that harm may be unavoidable.³ Because police enforce the law and regulate behavior, consulting police psychologists are inexorably linked to police actions; therefore, consulting psychologists assiduously attend to ethical obligations to both the potential victim(s) and the subject(s).
- 4.3 Consulting police psychologists respect the basic rights of individuals who may be affected by the recommendations or services they provide and attempt to avoid harm when possible, while striving to minimize harm to all parties when harm is unavoidable (see 4.2). While the agency is ultimately responsible for identifying and implementing a course of action, the relationship between client and consulting police psychologist is a collaboration. Nonetheless, a consulting psychologist is independently responsible to conduct his or her activities within the ethical principles of the profession.
- 4.4 If, during the course of a consultation, the requests or demands of the agency with whom the psychologist is consulting are in conflict with the IACP-PPSS Consulting Police Psychologist Guidelines, the psychologist clarifies the nature of the conflict, makes known his or her commitment to those guidelines, and takes reasonable steps to resolve the conflict. Under no circumstances may a consulting police psychologist engage in any illegal or unethical behavior.
- 4.5 Consulting police psychologists may be asked to function professionally in roles where the client

² EPPCC Principle A: BENEFACTENCE and NONMALEFACTENCE. Psychologists strive to benefit those with whom they work and take care to do no harm. In their professional actions, psychologists seek to safeguard the welfare and rights of those with whom they interact professionally and other affected persons, and the welfare of animal subjects of research.

³ EPPCC 3.04(b). Psychologists do not participate in, facilitate, assist, or otherwise engage in torture, defined as any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person, or in any other cruel, inhuman, or degrading behavior.

is the law enforcement agency. In such cases, police psychologists strive to clarify their roles and inform their agencies, colleagues, and the community of their ethical responsibility to consider and protect the rights of all parties to the consultation, including the client agency, potential crime victims, society at large, and subjects of an operation.

5. Integrity

- 5.1 Mindful that conflicts can emerge between the ethical standards or practice guidelines of psychologists and the needs of the police organization, the consulting police psychologist clarifies the nature of the relationship, the nature and limitations of the services to be provided, and the intended use of the information obtained. As consultants, the final decision with respect to the use of the information provided is the prerogative and responsibility of the agency for which the psychological consultation or service is being provided.
- 5.2 Consulting police psychologists exercise independent professional judgment, render objective opinions, and maintain awareness and sensitivity for concerns regarding inclusiveness, role differences, and respect for individual and cultural diversity.
- 5.3 Consulting police psychologists are sensitive to the problems inherent in multiple relationships while recognizing that requests often involve multiple relationships that can pose complex ethical dilemmas. A consulting police psychologist refrains from entering a multiple relationship if the multiple relationship could reasonably be expected to impair the psychologist's objectivity, competence, or effectiveness in performing his or her functions as a psychologist, or otherwise risks exploitation or harm to the person with whom the professional relationship exists. Multiple relationships that would not reasonably be expected to cause impairment or risk exploitation or harm are not unethical.
- 5.4 If the consulting police psychologist finds that, due to unforeseen factors, a potentially harmful multiple relationship has arisen, the psychologist takes reasonable steps to resolve it with due regard for the best interests of the affected person and the agency.
- 5.5 Because some situations necessitate reliance upon collateral information and preclude direct assessment, consulting police psychologists frequently rely upon third-party information to inform an indirect assessment. Consulting police psychologists base their work on established scientific knowledge and generally accepted professional standards of the consultation question(s). When consulting police psychologists conduct indirect assessments, they identify the limitations of the reliability and validity of their opinions, regardless of the source of their data, and appropriately limit the nature and extent of their conclusions and recommendations.
- 5.6 When significantly complex ethical or legal dilemmas arise, consulting police psychologists seek counsel from colleagues with knowledge and experience in police psychology and/or the law.

6. Confidentiality and Privilege

- 6.1 Consulting police psychologists are aware of the laws and ethical standards pertaining to

confidentiality and privilege and, whenever possible, take steps to ensure that all involved parties are likewise informed.

- 6.2 In addressing confidentiality and privilege, a consulting police psychologist considers applicable professional and ethical standards of conduct, the law, and the risk of harm to an individual versus the risk to public safety.

7. Methods and Procedures

- 7.1 Consulting police psychologists should be competent to conduct, evaluate, and/or utilize science-based research in their consultative activities.
- 7.2 Consulting police psychologists are familiar with relevant department procedures and pertinent local, state, and federal laws.
- 7.3 Consulting police psychologists work with other professionals, as necessary, to serve their clients effectively and appropriately.
- 7.4 Consulting police psychologists may partner with a multidisciplinary team to gather, coordinate, and assess information or share knowledge and experience with the goal of facilitating an ethical, practical, and successful outcome.
- 7.5 Consulting police psychologists articulate the limits of the services they are providing to their client agencies including the behavioral boundaries informed by their ethical commitments. When consulting about educational programs, methods of interventions, organizational and/or operational suggestions, consulting police psychologists disclose the known potential negative effects of the recommendations they provide.
- 7.6 Consulting Police Psychologists create and retain documentation relating to their work. Record keeping documents the consulting police psychologist's planning and implementation, allowing the psychologist to monitor their work. Appropriate records also serve the interest of transparency and independent review.⁴
- 7.7 Consulting police psychologists endeavor to evaluate the effectiveness of their consultations for the purpose of enhancing future service to their client agencies.

⁴ EPPCC **6.01 Documentation of Professional and Scientific Work and Maintenance of Records.** Psychologists create, and to the extent the records are under their control, maintain, disseminate, store, retain, and dispose of records and data relating to their professional and scientific work.

Selected References Relevant to Operations Consultations

1. Allen, S.W. (2008). Crisis and hostage negotiation, and police psychology. In B. L. Cutler (Ed.), *Encyclopedia of psychology and law*. Los Angeles, CA: Sage Publications.
2. Allen, S.W., Fraser, S.L., & Inwald, R. (1991). Assessment of personality characteristics related to successful hostage negotiators and their resistance to post-traumatic stress disorder. In J.T. Reese & C. Dunning (Eds.), *Critical incidents in policing*. Washington, D.C.: U.S. Government Press.
3. Augustin, D., & Fagan, T.J. (2011). Roles for mental health professionals in critical law enforcement incidents: An overview. *Psychological Services*, 8(3), 166–177.
4. Borum, R., Fein, R., Vossekuil, B., & Berglund, J. (1991). Threat assessment: Defining an approach for evaluating risk of targeted violence. *Behavioral Sciences and the Law*, 17, 323–337.
5. Browning, S. L., Brockman, M., Van Hasselt, V. B. & Vecchi, G. M. (2011). Crisis situations: Communications, goals, and techniques. In C. A. Ireland, M. J. Fishman, & G. M. Vecchi (Eds.), *Conflict and crisis communication: Principles and practices*. New York: Routledge.
6. Calhoun, F. S., & Weston, S. W. (2009). *Threat assessment and management strategies: Identifying the howlers and hunters*. Boca Raton, FL: CRC Press.
7. Donohue, W. A., & Roberto, A. J. (1993). Relational development as negotiated order in hostage negotiation. *Human Communication Research*, 20(2), 175–198.
8. Donohue, W.A., Ramesh, C., & Borchgrevink, C. (1991). Crisis bargaining: Tracking relational paradox in hostage negotiation. *International Journal of Conflict Management*, 2(4), 257–274.
9. Ewing, C. P., & Gelles, M. G. (2003). Ethical concerns in forensic consultation regarding national safety and security. *Journal of Threat Assessment*, 2(3), 95–107.
10. Fein, R. A., Vossekuil, B., & Holden, G. A. (1995). Threat assessment: An approach to prevent targeted violence. (NIJ/OJP/DOJ publication, NCJ 155000). Washington, D. C.: U.S. Department of Justice.
11. Fuselier, G. D. (1999). Placing the Stockholm Syndrome in perspective. *FBI Law Enforcement Bulletin*, 68(7), 22–24.
12. Fuselier, G. D. (1988). Hostage negotiation consultant: Emerging role for the clinical psychologist. *Professional Psychology: Research and Practice*, 19(2), 175–179.
13. Greenstone, J. L. (2007). The twenty-five most serious errors made by police hostage and crisis negotiators. *Journal of Police and Crisis Negotiations*, 7(2), 107–116.
14. Hatcher, C., Mohandie, K., Turner, J., & Gelles, M. G. (1998). The role of the psychologist in crisis/hostage negotiations. *Behavioral Sciences and the Law*, 16(4), 455–472.
15. Koocher, G. P. (2009). Ethics and the invisible psychologist. *Psychological Services*, 6(2), 97–107.
16. McMains, M. J., & Mullins, W. C. (2014). *Crisis Negotiations: Managing critical incidents and hostage situations in law enforcement and corrections* (5th ed.). Cincinnati, OH: Anderson Publishing Co.
17. Mijares, T. C., & Jamieson, J. D. (2005). Case History: Downs v. United States. *Journal of Police Crisis Negotiations*, 5(1), 73–78.
18. Mullins, W. C. (2002). Advanced communication techniques for hostage negotiators. *Journal of Police Crisis Negotiators*, 2(1), 63–81.
19. Nicoletti, J., Allen, S. W., Baum, K. M., Deisinger, G., Garrido, S., Gelles, M. G., Honig, A. I., & Kirschman, E. (2011) Police psychologist as consultants. *The Police Chief*, 78(8), 54–62.
20. Romano, S. J. (1998). Third-party intermediaries and crisis negotiators. *FBI Law Enforcement Bulletin*, 67, 20–24.

21. Vecchi, G. M., Van Hasselt, V. B., & Romano, S. J. (2005). Crisis (hostage) negotiation: Current strategies and issues in high-risk conflict resolution. *Aggression and Violent Behavior*, 10(5), 533–551.

Selected References Relevant to Police Use of Force

1. Alpert, G.P., Rivera, J & Lott, L. (2012). Working toward the truth in officer-involved shootings. *FBI Law Enforcement Bulletin*, 81(5), 1–16.
2. Artwohl, A. (2003). No recall of weapon discharge. *Law Enforcement Executive Forum*, 3(2), 41–49.
3. Artwohl, A. and Christensen, L.W. (1997). *Deadly force encounters: What cops need to know to mentally and physically prepare to survive a gun fight*. Boulder, Co: Paladin Press.
4. Artwohl, A. (2002). Perceptual and memory distortion during officer-involved shootings. *FBI Law Enforcement Bulletin*, 71(10), 18–24.
5. Aveni, T.J. (2008). *The MMRMA deadly force project: A critical analysis of police shootings under ambiguous circumstances*. Spofford, NH: The Police Policy Studies Council. Retrieved from http://www.theppsc.org/Research/V3.MMRMA_Deadly_Force_Project.pdf
6. Best, S., Kirschman, E. & Artwohl, A. (2011). Critical incident reactions and early interventions. In Jack Kitaeff (Ed.), *Handbook of police psychology*. New York: Routledge.
7. Chabris, C. and Simons, D. (2010). *The invisible gorilla: And other ways our intuitions deceive us*. New York: Crown.
8. Cutler, B.L., Penrod, S.D., and Martens, T.K. (1987). The reliability of eye witness identifications: The role of system and estimator variables. *Law and Human Behavior*, 11(3), 23–258.
9. Epstein, S. (1994). The integration of the cognitive and psychodynamic unconscious. *American Psychologist*, 49(8), 709–723.
10. Gladwell, M. (2005). *Blink: The power of thinking without thinking*. New York: Little, Brown & Co.
11. Honig, A.L., & Lewinski, W.J. (2008). A Survey of the research on human factors related to lethal force encounters: Implications for law enforcement training, tactics, and testimony. *Law Enforcement Executive Forum*, 8(4), 129–151.
12. Honig, A.L., & Roland, J.E. (1998). Shots fired: Officer involved. *The Police Chief*, 65(10), 116–120.
13. Hope, L.; Blocksidge, D.; Gabbert, F.; Sauer, J.D.; Lewinski, W.; Mirashi, A. & Atuk, Eme (2016). Memory and the operational witness: Police officer recall of firearms encounters as a function of active response role. *Law and Human Behavior*, 40(1), 23–35.
14. International Association of Chiefs of Police/Psychological Services Section. (2013). *Officer-involved shooting guidelines*. Alexandria, VA: IACP.
15. Jason, A. (2010). Shooting dynamics: Elements of time and movement in shooting incidents. *Investigative Sciences Journal*, 2(1).
16. Lewinski, B., & Hudson, B. (2003). The impact of visual complexity, decision making and anticipation: The Tempe study experiments 3 & 5. *The Police Marksman*, 28(6), 24-27.
17. Lewinski, B. (2008). The attention study: A study on the presence of selective attention in firearms officers. *Law Enforcement Executive Forum*, 8(6), 107-139.
18. Lewinski, B. (2007). New tests show deadly accuracy and startling speed even inexperienced shooters can achieve in shooting cops. *Force Science News*, 66. Retrieved from <http://www.forcescience.org/fsnews/66.html>.
19. Lewinski, B. (2002). Stress reactions related to lethal force encounters. *The Police Marksman*, 27(3), 24–27.
20. Lewinski, B. (2000). Why is the suspect shot in the back? *The Police Marksman*, 25(6), 20–28.

21. Lewinski, Bill & Redmann, Christa (2009). New developments in understanding the behavioral science factors in the stop shooting response. *Law Enforcement Executive Forum*, 9(4), 35–54.
22. Loftus, E.F., & Palmer, J.C. (1974). Reconstruction of automobile destruction: An example of the interaction between language and memory. *General Verbal Learning and Verbal Behavior*, 13(5), 585-589.
23. Mack, A. (2003). Inattention blindness: Looking without seeing. *Current Directions in Psychological Sciences*, 12(5), 180–184.
24. Sharps, M.J., Hess, Adam B. (2008). To shoot or not to shoot: Response and interpretation of response to armed assailants, *The Forensic Examiner*, 17(4), 54–64.
25. Sharps, M.J. (2010). *Processing under pressure: Stress, memory and decision-making in law enforcement*. Flushing, NY: Looseleaf Law Publications.
26. Simons, D.J. (2000). Attentional capture and inattention blindness. *Trends in Cognitive Sciences*, 4(4), 147–155.
27. Solomon, R.M. (1997). I know I must have shot, but I can't remember. *The Police Marksman*, 21(4), 48–51.
28. Solomon, R.M., & Horn, J.M. (1986). Post shooting traumatic reactions: A pilot study. In J.T. Reese, & H.A. Goldstein (Eds.), *Psychological services for law enforcement*. (pp. 383-394). Washington, DC: U.S. Government Printing Office.
29. Trompetter, Philip S., Corey, David M., Schmidt, Wayne W. & Tracy, Drew. (2011). Psychological factors after officer-involved shootings (OIS): Addressing officer needs and agency responsibilities, *Police Chief* 78(1), 28–33.

Selected Case Law Relevant to SWAT/CNT Consultations

1. Government Liability and Training
 - Downs v. U.S., U.S. 522 F.2d990 (6th Cir. 1975)
 - City of Canton v. Harris, 489 U.S. 378, 109 S.Ct. 1197 (1989)
2. 4th Amendment Search and Seizure
 - Mincy v. Arizona, 437 U.S. 385 (1978)
 - Warden v. Hayden, 387 U.S. 294 (1967)
 - Mlodzinski v. Lewis, 648 F.3d 24 (1st Cir. 2011)
3. Miranda Protections
 - Miranda v. Arizona, 384 U.S. 436 (1966)
 - New York v. Quarles, 104 S.Ct. 2626 (1984)
 - U.S. v. Mesa, 638 F.2d 582 (3rd Cir. 1980)
4. Immunity
 - State v. Sands, 700 P.2d 1369 (Ariz. App. 1985)
 - Christiansen v. City of Tulsa # 02-5135, 332 F.3d 1270 (10th Cir. 2003).
5. Property Damage and Utilization of Chemical Agents and Flash-Bangs
 - Escobedo v. Bender, 600 F.3d 770 (7th Cir. 2010)
6. Electronic Surveillance
 - Title III, 18 U.S.C. 2510 et seq.
7. Media
 - Branzburg v. Hayes, 408 U.S. 665 (1972)

Selected References Relevant to Education and Training Police in De-escalation

1. DuPont, R., Cochran, S & Pillsbury, S. (2007) *Crisis Intervention Team core elements*. University of Memphis School of Urban Affairs and Public Policy, Department of Criminal Justice CIT Center. Retrieved from <http://cit.memphis.edu/pdf/CoreElements.pdf>
2. Borum, R, Deane, M, Steadman, H, Morrissey, J. (1998) Police perspectives on responding to mentally ill people in crisis: Perceptions of program effectiveness. *Behavioral Sciences & the Law*. 16(4), 393– 405.
3. International Association of Chiefs of Police. Building Safer Communities: Improving police response to persons with mental illness: *Recommendations from the IACP National Policy Summit*. Retrieved from <http://www.theiacp.org/LinkClick.aspx?fileticket=JyoR%2FQBPIxA%3D&tabid=87>
4. Final report of the Presidential Task Force on 21st Century Policing. Retrieved from www.cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

Selected Case Law Relevant to Education and Training Police in De-escalation

1. Graham v. Connor, 490 U.S. 386, 109 S.Ct. 1865, 104 L.Ed.2d 443 (1989)
2. Tennessee v. Garner, 471 U.S. 1, 8, 105 S.Ct. 1694, 85 L.Ed.2d 1 (1985)
3. Deorle v. Rutherford, 272 F.3d 1272, 1277 (9th Cir. 2001)
4. Armstrong v. Village of Pinehurst, et al., Case No. 15-1191 (4th Cir. 2016)
5. City and County of San Francisco v. Sheehan, 575 U.S. ___ 135 S. Ct. 1765 (2015)