

Good Decisions

Tips and Strategies for Avoiding Psychological Traps

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Each day, law enforcement professionals throughout the nation make thousands of decisions. While many of these judgments require little, if any, conscious deliberation and involve few noteworthy consequences, others carry significant implications for officers, their organizations, and the public. Bad decisions can damage an officer's career, harm public trust, and expose an agency to costly litigation. Yet, despite the importance of good decision-making skills, most officers—and, for that matter, law enforcement managers and executives—receive precious little training in this area. Although everyone likes to believe they are good decision makers, relying exclusively on objective reasoning and logic, this simply is not the case. All officers harbor biases—invisible mental forces that influence what they notice, what they remember, and how they decide—that can dramatically affect the quality of their judgments.

While many bad decisions can be traced back to the way the choice was made—the options were unclear, relevant information was ignored, or the costs and benefits were not properly evaluated—in other cases, the mistake resides in one of the innate, systematic biases that appear hardwired to the

ways humans think and decide. For decades, economic theorists have championed the general-purpose model of decision making: the belief that people make decisions by identifying the problem, defining objectives, generating alternatives, evaluating possible solutions, and selecting the best option.¹ This model, however, is based on a number of fundamental assumptions about the way officers make choices, most notably that—

- the problem is clearly and properly defined;
- the decision maker has all of the relevant information;
- this individual carefully weighs the costs and benefits associated with each choice;
- the person is sufficiently motivated; and

- the process is free of bias and error.

Unfortunately, more than 50 years of research on judgment and decision making has failed to support this conclusion. It seems that humans are not the rational, objective decision makers they once were believed to be; rather, they are prone to a number of systematic thinking errors and biases that can sabotage their thinking and decisions in ways they are not even consciously aware of until it is too late.² The author outlines five decision-making biases—framing, overconfidence, selective attention, information overload, and emotions—that can interfere with effective decision making and offers tips and strategies to help officers improve their judgments by recognizing and mitigating the

powerful, yet unseen, sway of these psychological traps.

Framing

In simplest terms, a frame is a model, or lens, for understanding, interpreting, and solving a problem. Officers have a number of frames that they use to judge people, simplify problems, and make decisions. While framing a concern represents the initial step toward a successful resolution, it also is the first place a decision can go wrong. Because most problems can be framed, or looked at, in more than one way, the lens officers employ to define an issue can significantly influence how they respond. For example, framing a situation as emergent and requiring quick, decisive action will cause officers to act very differently than if they define it as something requiring a slow, deliberate solution.

The protests surrounding the World Trade Organization (WTO) Ministerial Conference of 1999 in Seattle, Washington, help illuminate the problems a police agency can encounter. By all accounts, law enforcement expected a limited number of relatively peaceful protests and press events led by a loose coalition of groups opposed to WTO policies, especially those related to free trade. Peaceful protestors had assured law enforcement officials that they would promptly quell any



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activity by the small number of fringe activists expected to attend. The resulting civil disobedience took law enforcement officials completely by surprise. More than 40,000 protesters (a number that immensely overshadowed predictions) from a variety of groups (including a number of self-proclaimed anarchists) blocked streets and vandalized shops, ultimately costing the city an estimated \$23 million.³

What makes the sway of framing so perilous is that once officers label a problem, it fundamentally alters how they perceive it from that point forward—an experience so persuasive that it can affect them even when the label is assigned arbitrarily (by someone unfamiliar with the issue).⁴ It seems that once officers have labeled a problem, they lose the ability to remain objective. Instead, they experience unseen psychological pressure to make everything fit the frame, compelling them to notice what agrees with the label while ignoring information (regardless of how objective or relevant) that does not match up, a phenomenon referred to as frame blindness. And, as long as officers continue to cling to the frame, they cannot consider the problem in other ways—effectively limiting the field of possible solutions.

Yet, despite the importance of framing, officers too

often accept the first lens they receive, seldom stopping to evaluate the problem or reframe it in their own words. In other cases, rather than relying on conscious, objective processes, officers frame problems as a result of unconscious habits, preferences too often based on faulty notions, untested beliefs, or inaccurate assumptions.

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Tips for avoiding the trap: How officers frame a problem strongly influences what information and options are available. To help minimize the influence of framing, officers can employ some basic strategies.

- Pay special attention to the way the problem is framed. Do not simply accept the first frame given. This remains true regardless of who framed the problem.
- Frame the problem from a number of reference points and perspectives. A variety of frames allows the decision maker to evaluate the

problem from different angles, as well as allowing for a larger number of potential solutions.

- Continue to search for new ways to frame the problem, asking how reframing the problem might influence the decision.

Overconfidence

It seems that most people have a hard time evaluating their abilities objectively. Everyday life is riddled with examples of overconfidence: drivers overestimate their driving skills, students their test scores, couples their likelihood of staying married, employees their chances of promotion, and managers their investment and merger strategies. Whenever something goes wrong, it seems that human error is to blame. For instance, an estimated 70 percent of airplane crashes, 90 percent of car accidents, and 90 percent of workplace mishaps are attributed directly to human error—often in the form of overconfidence.⁵

The pervasive effects of overconfidence can impact law enforcement as well. For example, at a conference on police interrogation, an audience member asked if the psychological influence wielded by trained interrogators might compel an innocent person to confess. “No,” replied one participant, “because we don’t

interrogate innocent people.”⁶ In truth, although law enforcement officers rarely arrest or interrogate innocent people, not everyone charged with a crime is guilty. Allegations by vindictive spouses, scorned business partners, and angry family members have resulted in criminal investigations and—in some cases—prosecution.

Nor are the effects of overconfidence limited to the ways officers investigate crimes and interrogate potential subjects. A 5-year study conducted by the California Commission on Peace Officer Standards and Training on law enforcement officers killed and assaulted cited “overconfidence, complacency, and rushing in without a plan” as contributing to the majority of officer deaths.⁷ The same study reported traffic accidents as one of the primary sources of officer injury and death. Sadly, many of these cases involved only one vehicle (the officer’s) and were the direct result of officers driving too fast for their ability or the roadway conditions—in some cases, the direct result of overconfidence.

The psychological sway of overconfidence may cause officers to ignore any number of important clues or dismiss potential suspects or, in other cases, put their lives at risk. However, in spite of the dangers of overconfidence, most people, including law enforcement

professionals, do not see any need to improve the way they make decisions. Instead, they are quite convinced of their ability to reason objectively, as well as confidently optimistic about the future of their choices. It is, they believe, other people who need to improve their thinking.



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Tips for avoiding the trap: Not only can officers’ assumptions blind them to other possibilities but it can delay investigations, squander resources, and put lives at risk. Some suggestions can help officers better manage the psychological quagmire of overconfidence.

- Examine assumptions carefully, especially those beliefs most strongly or confidently held. All people take certain beliefs and assumptions for granted—rather than checking periodically on accuracy, they simply assume these are true. Assumptions are dangerous, especially in police work.

- Try imagining all of the possible ways that something can turn out, especially all of the ways that something can go wrong.
- Appreciate the limits of knowledge and abilities. Good decision makers not only make a conscious effort to investigate and verify information but also recognize what they do not know. In many cases, what officers do not know can be more important than what they know.
- Actively solicit input and ideas from others, especially those with different experiences and opinions. Being open to ideas and criticism is critical at every stage of the decision-making process and, in many cases, may save lives.

Selective Perception

All officers make choices—some conscious, some unconscious—about what to notice, what to remember, and how to perceive the world. Selective perception occurs when officers focus on evidence that supports what they suspect as true while ignoring facts that might disconfirm those ideas, commonly termed confirmation bias.⁸ Most officers believe that they see the world in completely unbiased ways, but, in fact, they cannot avoid biases in perception.

The natural human tendency to look at the world selectively can cause officers to focus on irrelevant facts and information while ignoring important, relevant data that does not fit their preconceived notions. This is true even when something is right in front of their eyes.

Psychologists believe that the drive to confirm what people believe is true stems from their subconscious predisposition to decide how they are going to act before figuring out their reasons for doing so. Research on how jurors make decisions about the guilt or innocence of a defendant provides an excellent example of this principle at work. It turns out that jurors begin constructing a story about what probably happened at the scene of the crime during opening arguments and, then, selectively seek information during the trial that agrees with their accounts.⁹ Not surprisingly, selective perception tends to work closely with other biases in distorting thinking and judgments—for example, the more emotionally involved officers are with a belief, the more likely they are to ignore information that might undermine it.

Tips for avoiding the trap: Despite the natural inclination to look for supporting evidence, officers usually will find it more beneficial to seek contradictory evidence. By recognizing and acknowledging the unconscious

preference to weigh evidence selectively, officers have a better chance of recognizing and using material that they might otherwise overlook or that others fail to notice because of their biases. A few tips can help minimize the effects of selective attention.

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- Remain open-minded to disconfirming data that does not fit preexisting hypotheses or beliefs. This is especially important in light of the “pet theories” that everyone holds about the world and how it works.
- Stay open to different viewpoints, interpretations, and possible solutions, something that can be surprisingly difficult to do.
- Avoid the tendency to decide on a course of action and, then, search selectively for confirming

data to support the decision. Rather, consciously examine all of the available evidence objectively before reaching a decision.

- Try taking the perspective of a disinterested outsider. What questions would they ask? Where would they look for information? What assumptions would they question?

Information Overload

While the brain is capable of amazing things, it also has limitations. To begin with, attention—the energy used to carry out mental activities, such as thinking, understanding, and remembering—is severely restricted.¹⁰ Research on attention has consistently demonstrated that human beings are constrained in the number of things they can attend to at any given time. Although individual differences exist, most people cannot do more than one or two things at the same time. As most people can testify from experience, anytime they try to do too many things at once, they often end up doing nothing well and everything poorly, potentially missing critical information in the process.

It appears that the human brain relies on two main systems to process information. S1, referred to as implicit processing, is fast, automatic, and unconscious—at work whether

we realize it or not. S1 is concerned mostly with pattern recognition, “gut reactions,” and intuitive decision making. While its tremendous processing capacity can analyze large amounts of information, S1 is not particularly effective at dealing with novel problems. In addition, this system’s preference for speed and simplicity makes it vulnerable to a variety of cognitive biases. In contrast, S2, referred to as explicit processing, is slow, effortful, and logical, corresponding most closely to the rational model of decision making. S2 carefully frames the

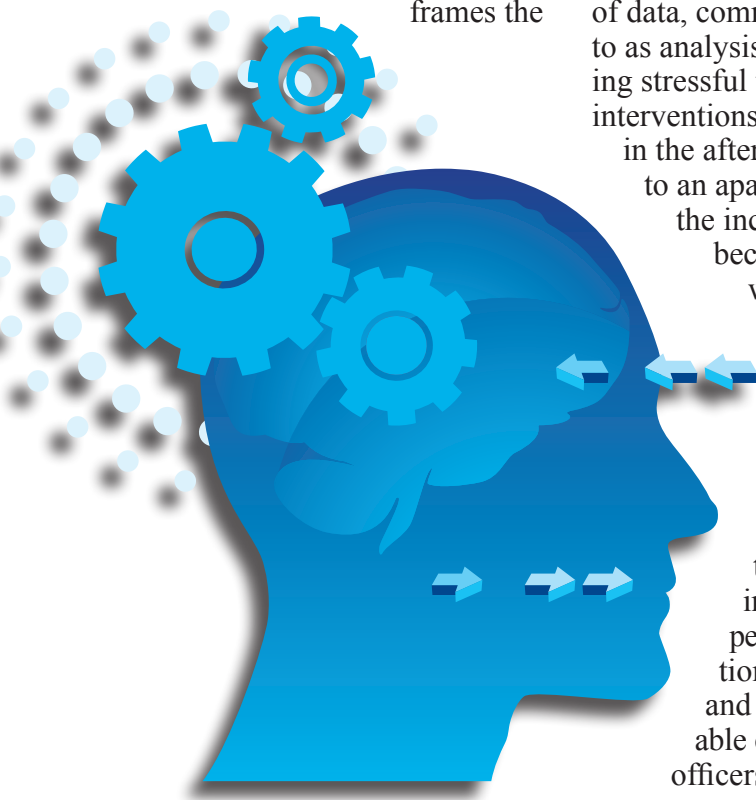
problem, searches for relevant data, and determines the best course of action.¹¹ Unlike implicit processing, however, S2 has a limited ability to evaluate data—typically restricted to no more than a few pieces of information at any given time while requiring considerable cognitive energy.

Although well trained to handle stress, law enforcement officers nonetheless can become overwhelmed by novel or complex incidents. In fact, the brain’s limited ability to process information undoubtedly contributes to feelings of being deluged by large amounts of data, commonly referred to as analysis paralysis, during stressful tactical or crisis interventions. For example, in the aftermath of an arson on an apartment building, the incident commander became so inundated with information and requests that he simply abandoned his post, opting instead to interview potential witnesses. Not surprisingly, this delayed the investigation, impeded the dissemination of information, and caused considerable confusion among officers at the scene.

Making the best decisions possible—particularly during novel or unfamiliar circumstances—often requires an officer to focus on several important pieces of information simultaneously, something the conscious mind has difficulty doing. As a result, officers often oversimplify complex problems into smaller, more manageable units, especially when they are busy, lack important information, or face time constraints.

Tips for avoiding the trap: Anyone, regardless of tenure, can be overwhelmed by large amounts of data. Some strategies can help officers avoid several of the pitfalls associated with information overload.

- Recognize the different roles of the S1 and S2 processes. Each system has its strengths and weaknesses and should be used appropriately.
- Because the conscious brain (S2) has a limited ability to process information, officers should slow down their decision making, especially when faced with divided attention, time constraints, or lack of important information.
- Learn to recognize the differences between S1 and S2 processes, paying special attention to which



one is being used to manage information, process data, and make decisions.

- Beware of S1's susceptibility to cognitive biases and, if necessary, consciously switch to S2 processing for a more careful and systematic analysis.

Emotions

Despite their best efforts to the contrary, officers' decisions are influenced by emotion—defined simply as intense feeling states, such as joy, anger, fear, sadness, or disgust, with correspondingly positive or negative connotations. While emotions serve as a guide for many types of decisions, they also can cloud rational judgments, particularly during highly stressful or high-stakes events. Certainly, most officers can recall a situation that turned out badly when strong emotions influenced their judgment. Thus, a clear understanding of how emotions affect the decision-making process is critical to everyone in law enforcement.

A growing body of evidence seems to suggest that thoughts and emotions stem from two different brains—one rational, the other emotional.¹² The rational brain, also termed the neocortex or cerebrum, accounts for almost 80 percent of the human brain and is the source of reason, logic, and

higher-order decision making. It is the part of the brain that represents consciousness, as well as the portion that makes language, speech, and writing possible. The emotional brain, commonly referred to as the limbic system, is the area responsible for learning and memory, as well as instinctive

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emotional responses, including fight or flight. Unlike the logical brain, it operates mostly outside conscious awareness, continuously scanning the environment for signs of danger, and, at the first indication of threat, primes the mind and body for action by releasing a cascade of hormones and neurotransmitters into the brain and bloodstream.

While the rational brain focuses primarily on the slow, deliberate processing of information, the emotional brain rapidly processes incoming sensory information for any

signs of danger. In fact, some experts argue that the quick, automatic, visceral reaction, along with bodily changes and the impulse to act, generated by the emotional brain developed principally as a survival response to the dangers faced by early humans.¹³ While the two brains normally operate in harmony, the emotional brain has evolved the ability to override the slower, more deliberate rational brain and, in doing so, effectively short-circuits logical decision making, significantly impairing an officer's ability to think rationally.

The influence of strong emotions may have contributed to confusion over the command and control structure among senior Los Angeles Police Department officers at the May Day 2007 demonstrations in MacArthur Park.¹⁴ A lack of unified command resulted in line officers receiving conflicting direction, whereas a number of requests from officers in the field went unanswered, including ones for action as officers were being struck with objects thrown from people in the crowd.

Tips for avoiding the trap: One of the most difficult aspects of managing emotions is that people often ignore their influence, causing them to misidentify the reasons for their decision. Although unable to avoid the

influence of emotions, officers can harness the positive power of them by following a number of simple steps.

- Become aware of emotions and their influence. Rather than attempting to deny the influence of emotions, officers should increase their awareness by learning to monitor the changes in thinking, feelings, and behaviors that accompany affective responses.
- Ask questions about the source of the emotion. Is the emotion valid? Does it represent a real danger, an imaginary villain, or simply an ego threat?
- While emotions are a normal part of the decision-making process, excessive emotions—particularly anger, guilt, and fear—can significantly impair the ability to make sound judgments. Ask if the strength of the emotional response is appropriate under the circumstances.
- Once officers recognize the presence of strong emotions, they can consciously switch to the slower, more deliberate processes regulated by the logical brain.

Conclusion

Clearly, good decision-making skills are among the most important attributes

law enforcement officers can possess. While it may be impossible to eliminate bias and other reasoning errors from the decision-making process altogether, it is possible for sworn personnel to significantly improve the quality of their judgments. By increasing their awareness of the innate, systematic biases that often color their decisions, officers can better avoid—or at least minimize—the psychological sway of a

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number of decision-making traps. In fact, with a little effort and awareness, they can learn to pay better attention to how they frame problems, any feelings of overconfidence, the ways they select and evaluate information, how that information is processed, and the influence of strong emotions. And, by doing so, officers not only can improve the quality of their judgments but also their

confidence in the decisions they make. ♦

Endnotes

¹ For a more complete discussion of general-purpose models of decision making, see Stephen Robbins, *Essentials of Organizational Behavior*, 8th ed. (Upper Saddle River, NJ: Prentice-Hall, 2005).

² See, for example, Keith E. Stanovich, Maggie E. Toplak, and Richard F. West, “The Development of Rational Thought: A Taxonomy of Heuristics and Biases,” *Advances in Child Development and Behavior* 36 (2008): 251-285.

³ See *Seattle Police Department After Action Report: World Trade Organization Ministerial Conference, Seattle, Washington, November 29-December 3, 1999*.

⁴ For a more detailed discussion on the effects of framing, see Dan Ariely, *Predictably Irrational: The Hidden Forces That Shape Our Decisions* (New York, NY: Harper Collins, 2008).

⁵ For a review of the psychological literature on overconfidence, see Shelley E. Taylor and Jonathon D. Brown, “Illusion and Well-Being: A Social Psychological Perspective on Mental Health,” *Psychological Bulletin* 103, no. 2 (1998): 193-210.

⁶ See Saul Kassin and Gisli Gudjonsson, “The Psychology of Confessions: A Review of the Literature and Issues,” *Psychological Science in the Public Interest* 5 (2004): 35-67.

⁷ See California Commission on Police Officer Standards and Training, *California Law Enforcement Officer Killed and Assaulted in the Line of Duty: 1995-1999 Report* (Sacramento, CA: POST Media Distribution Center, 2001).

⁸ For a complete discussion of selective attention and bias, see Ori Brafman and Rom Brafman, *Sway: The Irresistible Pull of Irrational Behavior* (New York, NY: Doubleday Publishing Group, 2008).

⁹ For a complete review of selective attention and juror bias, see Nancy

Pennington and Reid Hastie, "The Story Model for Juror Decision Making," in *Inside the Juror: The Psychology of Juror Decision Making*, ed. Reid Hastie (New York, NY: Cambridge University Press, 1994), 192-223.

¹⁰ For a discussion of working memory, see Roger H. Burning, Gregory J. Schraw, Monica M. Norby, and Royce R. Ronning, *Cognitive Psychology and Instruction*, 4th ed. (Upper Saddle River, NJ: Prentice Hall, 2004).

¹¹ For a complete discussion of the dual process theories, see Daniel Kahneman

and Shane Frederick, "Representativeness Revisited: Attribute Substitution in Intuitive Judgment," in *Heuristics and Biases: The Psychology of Intuitive Judgments*, ed. Thomas Gilovich, Dale Griffin, and Daniel Kahneman (New York, NY: Cambridge University Press, 2002), 49-81.

¹² For a review of the roles played by thinking and emotion in decision making, see Drew Weston, *The Political Brain: The Role of Emotions in Deciding the Fate of the Nation* (Philadelphia, PA: Perseus Books Group, 2008).

¹³ See, for example, Daniel Goleman, *Emotional Intelligence: Why It Can Matter More Than IQ* (New York, NY: Bantam Books, 1995).

¹⁴ See *LAPD Final Report: An Examination of May Day 2007, MacArthur Park*. A report presented to the LAPD Board of Police Commissioners, October 9, 2007.

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