# Law Enforcement, Communication Training & Verbal Judo

A Thesis Presented for the
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## Dedication

This thesis is dedicated to my mom, Virginia Jelley Cooper, without whom it would not have been possible. A special dedication goes out to my loved ones: Brittannie, Braynde, and Nikki.

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## Abstract

This study incorporated a mixed-method approach using qualitative and quantitative methods to capture a deeper portrayal of Verbal Judo. Verbal Judo emphasizes the use of both verbal and non-verbal communication tactics by the officer (influencer) with specific discourse structures to influence the individual to comply with the officer's requests in compliance-gaining. This study determined that specific Verbal Judo compliance-gaining tactics must be used to try to prevent conflict such as physical force within the compliance-gaining context. Successive repetition by officers (with matching non-verbal tone) of strategic Verbal Judo language when dealing with a difficult person appears to be a major key in diminishing conflict and minimizing escalation of conflict within the compliance-gaining context. Minimizing conflict in compliance-gaining situations between officers and individuals benefits law enforcement agencies, law enforcement officers, city and state governments, and the general public.


Keywords: Law Enforcement, Tactical Communication, Verbal Judo

## Preface

This thesis is based upon studies conducted from August 2009 to May 2012 with approval from Tennessee Governor's Highway Safety Office, UT Center for Transportation Research, Tennessee Traffic Safety Resource Service, and the Verbal Judo Institute.

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# Chapter 1

## Introduction and General Information

### Law Enforcement, U.S. Citizen Expectation and Verbal Judo

Law enforcement professionals are challenged to maintain their professionalism while often dealing with difficult people during dangerous, high-conflict compliance-gaining situations (Mastrofski & Reisig, 2002; W. Miller, 1975; Tyler, 1990). The U.S. Bureau of Justice Statistics stated in 1999 that 21% of U.S. residents had contact with law enforcement and 52% of those who had contact were in the traffic stop compliance-gaining context (Langan, Greenfield, Smith, Durose, & Levin, 2001). Officers are servants of the communities they protect and are often tasked with improving their public image and enhancing citizen cooperation (Hoover, Dowling, & Fenske, 1998). Abuse of that trust, such as occurred in 1991 by the Los Angeles Police Department, resulted not only in the unnecessary use of force (the beating of Rodney King), but also led to city riots a year later after four officers were acquitted. Public outrage of the acquittals cost the city of Los Angeles over a billion dollars (Gray, 2012; Kozlowski, 2011).

Many U.S. citizens advocated law enforcement practices that produced compliance instead of those such as excessive physical force that may have led to internal agency investigations and/or lawsuits against those agencies in the legal justice system (Dugan & Breda, 1991; Goldstein, 1990; Mastrofski, Snipes, & Supina, 1996; Wilson & Kelling, 1982). Verbal Judo: A Tactical Communication (Verbal Judo), developed in the 1980s by Dr. George J. Thompson, helped law enforcement agencies and the officers who serve those agencies diminish or prevent conflict, and attain goals while maintaining

public safety. Verbal Judo proposed that conflict escalation and unnecessary use of force can be prevented through the use of Verbal Judo communication tactics/cultural behaviors. Advantages for law enforcement personnel and law enforcement agencies that incorporated Verbal Judo communication tactics included: fewer formal and informal public complaints; greater employee efficiency; increased employee and agency professionalism; fewer internal affairs investigations; better public image; higher conviction rates in court; and improved community relations for the agency itself. Benefits for the officers included the ability to control their own emotions and perspectives, be professional, analyze the individual within the context both skillfully and quickly, create the correct role (voice and body language) to influence the individual's behavior, and organize verbal and non-verbal strategies (deflectors keeping individual on track) to achieve goals within the compliance-gaining situation (Thompson, 1983, 1984, 2009; Thompson & Jenkins, 2004; Thompson & Walker, 2007).

While much anecdotal evidence exists about the positive benefits of Verbal Judo in minimizing conflict escalation, empirical evidence is rare to nonexistent. The present study attempts to provide a deeper understanding of effective communication training tactics/cultural behaviors Verbal Judo incorporated during a compliance-gaining situation through a mixed-method approach. The research question for this study asked: How do Verbal Judo non-verbal and verbal communication tactics/behaviors affect conflict in a compliance-gaining context between the officer and an individual who has been stopped by law enforcement?

# Chapter 2

# Literature Review

## Interpersonal Influence, Persuasion and Compliance-gaining Theory

Grams and Rogers (1989) indicated that the study of interpersonal behavior was the study of interpersonal influence and power. This influence and power was used when an individual acted to change another person's attitude or behavior. Festinger (1954) proposed that there were two types of social influence in humans: public conformity with private acceptance and public conformity without private acceptance. These social influences were based on group dynamics: influences to remain a member of the group, restraining force preventing a person from leaving, negative valences outside the group to be endured if the individual leaves, and the strength of the influence. The individual (stopped by law enforcement) may encounter all of these social influences.

Marwell and Schmitt (1967) stated, "Presumably if there are underlying bases of social power, we might cluster techniques of control by the bases of power which they tap" (p. 353) and, "Analysis of individuals' power resources and attitudes towards the use of basic types of power may therefore be useful in furthering the accuracy of our predictions of their behavior" (p. 364). Within the compliance-gaining context both the officer and the individual realize that the power resides with the officer. Officers employed compliance-gaining methods such as coercion because they were not interested in private acceptance of the individual but were interested in influencing the individual's behavior for goal attainment within the compliance-gaining context.

According to Schank and Abelson (1977) there are four primary goals in a persuasive strategy: to seek information, to gain control of the individual, to gain control of the context through power or authority, and to get the individual to comply with the officer. Schank & Abelson's (1977) goals fit the officer/individual compliance-gaining context because the power/social influence of the law resides with the officer. An officer, within a short period of time, must gather information, gain control of the individual and situation, influence the individual's behavior, and maintain the safety of the officer and the individual (Carver & Scheiere, 1983; Kellermann, 2004; Rule, Bisanz & Kohn, 1985; Smith, 1982).

**French and Raven's Power Bases**

Accounting for different effects found in social influence literature, French & Raven (1960) organized the processes of social influence into a theory of social power which is divided into five dimensions: coercive, legitimate, expert, referent, and reward. Coercive power originates from the expectation on the part of the receiver that he or she will be punished by the persuader. Legitimate power stems from internalized values of the receiver which maintain that the persuader has an accredited right to influence the receiver and the receiver accepts this influence. Persuaders incorporated expert power into persuasive appeals when the perception of the persuader evaluated the receiver's knowledge against an absolute standard or the persuader's own knowledge. Referent power originated in the identification of the receiver with the persuader, the receiver desired to be the same as the persuader. Reward power depended on the persuader's ability to give positive valences or remove negative ones. Officers may have encountered

all of these of these dimensions, a mix of these dimensions, or a single dimension within the compliance-gaining context.

Taken a step further, Miller, Booster, Roloff, and Seibold (1977) proposed that message choices are, "probably highly related to the characteristics of the potential persuader" (p. 37). Hunter and Boster (1987) advocated that persuaders differ in their compliance-gaining messages because they were concerned with the listener's emotions using positive messages and avoiding negative ones while other persuaders used all compliance-gaining messages including the negative ones. Officers, who were taught Verbal Judo communication, having implemented it in their daily routine, used positive messages first (Thompson, 1983, 1984, 2009; Thompson & Jenkins, 2004; Thompson & Walker, 2007).

**Compliance-gaining Context and Verbal Judo**

For the purpose of this study the officer within the compliance-gaining context was determined to be the person with authority and power (agent) and the one influencing another while the individual was defined as the one being influenced and who had potentially broken the law (target). Scholars defined compliance-gaining as behavior change of the individual to comply with the officer's proposal within the context (Ajzen, 1992; Frymier, Nadler & Marjorie, 2010; Infante, Rancer, & Actghi, 2010; G. Miller, 1975; Miller et al., 1977; West, Richard, & Turner, 2007). Frymier, Nadler, & Marjorie (2010) suggested: "Attitude change and behavior change are two different, though often related, goals" (p. 289). The officer's proposal stemmed directly from a communication framework/strategy not concerned with persuasion tactics such as the individual's private

acceptance, but focused on individual's behavior modification in the pursuit of goal attainment during the compliance-gaining context.

Although there has been extensive research on compliance-gaining behavior, there has not been consensus among scholars on the compliance-gaining variables that were measured (Frymier, Nadler, & Marjorie 2010; Infante et al., 2010; Marwell & Schmidt, 1967; G. Miller, 1975; Miller et al., 1977). Cody and McLaughlin (1989) advocated, "Compliance-gaining communication offers an excellent example of goal-driven behavior" (p. 91). G. Miller (1975) proposed that "the basic function of all communication is to control the environment so as to realize certain physical, economic, or social rewards from it" (p. 62). Schank & Abelson (1977) identified four primary goals in a persuasive strategy: to seek information, to gain control of the individual, to gain control of the context through legitimate power or authority, and to elicit the individual's compliance with the officer (Kellermann, 2004; Rule, Bisanz & Kohn, 1985; Smith, 1982).

Verbal Judo was a communication tactical strategy that allowed officers to professionally and safely control the compliance-gaining environment, and influence the individual for goal attainment. Furthermore, specific Verbal Judo cultural behaviors were a necessary tool for behavioral persuasion during compliance-gaining situations. Officer communicative strategies or role-playing changed based on an individual's Verbal Judo classification as: Nice/Easy, Difficult, and Sneaky (Thompson, 2004). The officer's communication was successful or achieved goal attainment when the individual complied without using physical force (Garko, 1990; G. Miller, 1975; Miller et al., 1977).

During the compliance-gaining context, the individual had perceived choices (positive or negative) even though the legitimate power or legal authority resided with the officer. French and Raven's (1960) five power bases (mentioned earlier) may have exerted a strong influence on both officer and individual (Easy, Sneaky, and Difficult). What strategies the officer selected may have had a temporary effect on the individual's behavior without changing the individual's attitude, that is, private acceptance (Cody & McLaughlin, 1989; Festinger, 1954; French & Raven, 1960; Frymier, Nadler & Marjorie, Infante et al., 2010; Miller et al., 1977).

**Verbal Judo: A Tactical Communication**

Scholars construed tactical communication as a communication process in which strategy (verbal and non-verbal tactics) was implemented in a specific compliance-gaining context (Cody & McLaughlin, 1989; Garko, 1990; Marwell & Schmidt 1967; Miller et al., 1977; Wheeless, Barraclough & Stewart, 1983). Officer strategy was observable and quantifiable, using communication tactics (verbal and non-verbal) that were executed for maintaining control and obtaining goals in the compliance-gaining context. Verbal Judo was a dynamic, transactional, tactical communication process used by law enforcement to persuade an Easy, Sneaky, or Difficult individual during a compliance-gaining context (de Turke, 1985; Infante, et al. 2010; Neulip, 1989; Thompson, 1983, 1984, 2009; Thompson & Jenkins, 2004; Thompson & Walker, 2007). An individual was an active participant with positive and negative choices. The officer was concerned with maintaining control of the individual, keeping conflict at a minimum, and achieving Schank and Abelson's (1977) four goals. In other words, both the officer

and the individual played active roles, both verbally and non-verbally, in the transactional communication process through simultaneous directional and reciprocal interaction even though legitimate power remained with the officer (Cody & McLaughlin, 1989; French & Raven, 1960; Hudson, 1970).

**Verbal Judo: A Culture**

Verbal Judo was defined for the purpose of this study as a culture. Porter (1972) stated that culture was construed as an aggregate of a large group of people's beliefs, values, knowledge, experience, concepts of self, spatial relations, status hierarchies, role expectations, and time concepts. Culture was seen in language and behavioral activities, and it became a model of living or way of life for the individuals within a society (Infante, et al. 2010; Porter, 1972; West & Turner, 2007). Officers new to the Verbal Judo culture must learn the tactics of Verbal Judo communication by viewing training videos and practicing Verbal Judo language during one- or two-day training sessions. After the training takes place, officers who believed in Verbal Judo assimilated, acculturated, adjusted, integrated, and adapted the new culture into their own.

The present study was driven by Kim's (2000) Cross-cultural Adaptation Theory (CCAT) (Infante et al., 2010; Kim, 2000). CCAT was developed to explain the process of how people adapted to a new culture/environment. According to Infante et al. (2010), this new "environment refers to any cultural experience that is different from that person's home experience (i.e., the culture within which the person was raised)" (p. 411). Previous research on cultural adaptation had been linear by nature with the culture applying influence on the individual who was passive during the process (Infante et al., 2010; West

& Turner, 2007). In contrast, CCAT utilized both an inductive and deductive non-linear approach. This was obtained through the deductive aspect that all people experience adaptation and the inductive aspect to account for the individual's lived story (Infante, et al. 2010; Kim, 2000). According to Kim (Infante et al. 2010; Kim, 2000), CCAT proposed to chronicle for the influence of the new culture and the active individual's previous culture as well as both cultural patterns (macro-level factors) and a person's personality and background (micro-level factors). In addition, the theory accounted for the individual's short- and long-term adaptation to the new culture. It was appropriate for the study to be driven by the CCAT theory because officers were learning to incorporate new Verbal Judo culture behavior into their communication patterns, combining them both.

**Verbal Judo Terminology/Cultural Behaviors**

The following terms represent major Verbal Judo tactical communication strategies or behaviors that were aimed at preventing conflict within the Verbal Judo culture (Thompson, 1983, 1984, 2009; Thompson & Jenkins, 2004; Thompson & Walker, 2007). For the purpose of this study conflict was defined as physical force.

**Nice (Easy), Sneaky, and Difficult.** Verbal Judo stated that in the United States there were only three kinds of individuals: Nice, Sneaky, and Difficult. The Nice individual was a person who went along with the program and complied with the officer's first request. Easy people did not ask why and were more than willing to cooperate. They may have had respect for the power and authority from the legitimate and/or expert power that an officer yielded or they may have idolized law enforcement

and so forth (French & Raven, 1960; Hudson, 1970). Sneaky people acted like nice people but often came back later to cause the officer harm. Sneaky individuals did not like authority and often felt the need to get even. Sneaky people felt that officers were coercive and had too much power (French & Raven, 1960). Difficult people asked why but didn't actually care why, liked to argue, and often wanted to know how the situation benefited them. Difficult individuals did not comply the first time they were asked but nine times out of 10 a difficult person complied by the third or fourth request. French and Raven's (1960) reward power may have been a factor as well.

**Listen, Empathize, Ask, Paraphrase, and Summarize (LEAPS).** The officer was directed to be unbiased and open while engaged or to appear to be engaged in active listening to the individual within the compliance-gaining context. Thompson (2004) argued that once an officer's "eyes glaze over as if you're uninterested or don't care, conflict can erupt. So it's even more important to look interested than to be interested" (p.169). While listening, the officer understood that individuals may lie and did not always say what they meant. Both the individuals' body language and verbal language must have matched for the individuals to be telling the truth.

An officer was instructed to see through the eyes of the individual to be empathetic. This did not imply sympathy at all—the officer did not sympathize with the individual's situation but attempted to understand the situation from the individual's perspective. Thompson (2004) proclaimed that everyone was entitled to, "a point of view, right or wrong, just or unjust. Don't agree; just try to understand where the person is coming from" (p. 168).

LEAPS required the officer to ask and seek information from the individual for goal attainment within the compliance-gaining context. A skilled officer set the context for the direction and purpose of the questions. Officers who varied questions to an individual tended to generate compliance, especially with opinion-seeking and general questions (Thompson, 2004).

While seeking information, the officer was often verbally abused by the individual. Thompson (2004) advocated removing emotion and tone while paraphrasing the individual's words. Even if the officer had misunderstood the individual, it seemed as if the officer was trying to understand the individual's situation through the repetition of the individual's words. This Verbal Judo tactic made the officer seem empathetic towards the individual's position.

The officer summarized a brief, concise, and inarguable statement of the situation. The officer condensed and compressed the account of what was discussed. The officer's tone sounded authoritative and left no room for argument. If the officer practiced the other LEAPS processes and summarized, he or she was more likely to have a receptive and compliant individual.

**Art of Representation.** The Art of Representation was defined as RE-spect or professional respect given to an individual by the officer. In contrast respect was earned by the individual. RE-spect was considered a role-playing tactic where the officer uses his/her Professional Face while acting out a professional role called Showtime within the compliance-gaining context. A role was a strategic pattern of behavior in a particular context and Showtime allowed an officer to cope within communication contexts to

individuals, especially a person that he or she did not think highly about. RE-spect given to the individual had nothing to do with the officer's private attitudes and opinions of the individual. In this role called Showtime, the officer said specific words such as please, thank you, and sir, speaking in a professional tone. Additionally, the officer paraphrased in a polite manner the individual words. Although just one role was mentioned above, an officer may have used countless different roles to create and recreate his public officer persona within the compliance-gaining context (Gundersen, 1984).

While performing Art of Representation, Thompson (2004) stated that 93% of an officer's effectiveness relied on delivery style: 33—40% voice (tone, pitch, pace), 50—60% other non-verbal items (uniform, body language matching voice etc.), and 7—10% content (officer's words and credibility). Specific language pronunciations such as *I 'preciate that, but . . . or I understan' that but . . .* . . . were delivered to keep an individual on track within the compliance-gaining context.

**"8" Step Car Stop.** The non-escalation "8" Step Car Stop tactic was a strictly traffic stop strategy consisting of eight items that an officer completed within the traffic stop compliance-gaining context: Greeting, ID Self/Report, Reason for Stopping Individual, Any Justified Reason Question, Driver's License, Additional Information/Documentation, Decision, and Close. The stage opened with an appropriate greeting for the local area, quickly followed by the officer's last name and function. Officers were taught to explain why they initiated contact with the individual because it was common knowledge that citizens want to know why they were pulled over. Adding the question of justifiable reason made the citizen think about the situation and appeared

that the officer was empathetic towards their situation. Officers requested driver's license, registration, and insurance papers from the individual. If the documents were correct, the officer made a decision to give a warning, citation and/or write a ticket, and then in closing gave the individual information to handle the warning, citation, and/or ticket.

**"5" Step Hard Style.** Officers incorporated the "5" Step Hard Style to control situations with difficult individuals or when communication failed due to a SAFER (see below) violation by the individual. "5" Step Hard Style included: Ask (Ethical Appeal), Set Context (Reasonable Approach), Present Options (Positive Choices First), Confirm (Practical Appeal), and Act (Disengage and/or Escalate). Ask required getting and giving information. Thompson (2004) believed that setting the context by giving reasons, procedures, and policies persuaded many of the difficult people to comply, "One of the great psychological urges in this country is the desire to know" (p. 97). Presenting options required that positive choices were offered before negative ones and Thompson (2004) stated, "thinking for the individual 48 hours down the road: at home in his or her bed or in jail". If the individual refused to comply, Thompson (2004) advocated using this phrase, "*Is there anything I can say or do at this time to earn your cooperation?*" (p. 99). Then based on the officer's assessment of the individual the officer either disengaged and went into the first steps again or used physical force as a last option to gain compliance.

**Security, Attack, Flight, Excessive Repetition, and Revised Priorities (SAFER).** SAFER was interpreted as a Verbal Judo tactic in which communication

failed. Once breached SAFER allowed for use of physical force in the compliance-gaining context. Officers had a defined space or “buffer” and if that was encroached upon by an individual then officers had no choice but to use physical force to protect their own safety. Security also applied to protection of other individuals and property on the scene. Attack followed along the lines of officer safety if the individual did something to the officer, that is, shot at the officer with a gun. When an individual chose to flee then the officer had no choice but to chase the individual and use physical force to apprehend the individual. Excessive repetition was an area where officers had some flexibility. When they chose to incorporate the “5” Step Hard Style where they confirmed individual noncompliance, officers chose either to use physical force or return to the steps to try to get compliance. One area where communication failed regularly during excessive repetition was when individuals were on drugs and the cognitive thought processes of the individuals were so altered they could not think for themselves; thus, communication was impossible due to cognitive impairment. Revised priorities applied when the compliance-gaining context changed its dynamics. One individual was a gang member and after two minutes on the scene a second gang member showed up in a show of unity against the officer. SAFER violations did not always lead to physical force and Verbal Judo recommended physical force only as a last option.

# Chapter 3

## Materials and Methods

This study incorporated both qualitative and quantitative methods using a triangulation approach: interviews, a Verbal Judo survey, and extensive video analysis. Scholars defined triangulation as a combination of qualitative and quantitative methodologies to study the same phenomenon in the validation process certifying that the variance reflected the phenomenon (Blaikie, N.W.H., 1991; Bryman, A., 2007; Campbell & Fiske, 1959; Denzin, 1978, 1989, 1994; Norman W.H.B., 1991; Jick, 1979; Webb, E.J., Campbell, D.T., Schwartz, R.D., & Sechrest, L., 1970, Wrench, Thomas-Maddox, Richmond & McCroskey, 2008). In response to critics of the triangulation method, Jick (1979) proposed: "Triangulation can capture a more complete, holistic, and contextual portrayal of the unit(s) under study" (p. 603), which marries well to the qualitative viewpoint of "rich, thick description."

### Heuristic Communication and Verbal Judo Training Surveys Elicitation Methodology (HEM) and Interviews

Through the use of HEM (see Appendix A for example), the paper attempted a deeper understanding of Verbal Judo cultural behaviors that affected conflict through theme recognition in the terminology elicited by participants (Spradley, 1979; Thompson, 2004). Any vocabulary that identified the participants was not included in this study (see Appendix B for confidentiality statement). For the purpose of this study, conflict was defined as physical force used by the officer against the individual to attain compliance within the compliance-gaining context. The theme constructed from participant Verbal

Judo cultural behavior terminology had a direct semantic relationship with conflict. The participants' own vocabulary defined what cover terms were analyzed within the data. A connection between the tactics used by Verbal Judo and conflict was found.

According to Patton (1990), "We interview people to find out from them those things we cannot directly observe" (p. 340). The purpose of the qualitative interview in this study was to assume that the perspective of the officer led to attitudes, feelings, thoughts, and intentions about Verbal Judo cultural behaviors. Through the interview process these behaviors were mentioned by the participants without prompting cultural behaviors. Furthermore, the interview allowed a glance at how the officers organized acculturated, assimilated, and integrated the Verbal Judo cultural behaviors into their own culture (Kim, 2010; McCraken, 1988; Patton, 1990; Walford, 2001).

HEM, a qualitative ethnographic interview technique, was based on the interpretivist viewpoint that people can only see reality subjectively and that the meanings of the reality are constructed from a collaborative world (Hillsman, 2007; Angen 2000). Furthermore, Patton (2002) asserts that "qualitative inquiry will generate different criteria for judging quality and credibility" (p. 542). The HEM approach discovered and interpreted shared meaning within a culture and relied on authenticity and trustworthiness to legitimize and qualify the cultural knowledge (Hillsman, 2007; Denzin & Lincoln, 1994; Patton 2002). Most notably words such as authenticity and trustworthiness will be the preferred language of this section of the study when referring to credibility. Credibility was measured through the techniques that are data respondent generated and categorized (Hillsman 2007; Harding & Livesay 1984; Patton, 2002).

HEM's strength was its ability to establish internal trustworthiness and give credibility to the perspective of the respondent/interviewee (Kupritz, 1996; Eisenhart, 1985; Harding & Livesay, 1984; Denzin, 1978). Each successive stage of HEM was produced by the use of a prior HEM stage (Harding & Livesay, 1984; Hillsman 2007; Kupritz, 1998; Kupritz, 2008). According to Kupritz (1996), "The HEM stimulus materials are respondent-generated and data respondent-categorized rather than investigator-generated and investigator-categorized" (p. 323). HEM techniques were adaptable to many cultural contexts because they were designed to elicit the interviewees' own categories in their own language (Kupritz, 1996; Harding, 1974). In addition, Kupritz (1996) emphasized that HEM uses categories that are "systematically related to the entire culture" (p. 93). HEM avoided categorization from outside the culture and sought to discover patterns using domain analysis within the culture. Domain analysis included the search for larger units and linked to other domains that produced behavioral themes within the culture.

Domain structures had four parts: cover term, two or more included terms, semantic relationship, and a boundary (Spradley, 1979). Cover terms were cultural categories. The following is an example of using the word dog in relation to cultural categories. Dog as a cover term applied to many types of included terms such as Golden Retriever, Greyhound, German Shepherd, Australian Shepherd, and so forth. Likewise, there was a semantic relationship between the included term and the cover term: a golden retriever is a kind of dog or X is a kind of Y. Not only was there a semantic relationship (X is a kind of Y), there was also a boundary. For instance, although both dogs and cats

have four legs, cats were not included and were not considered a part of this dog domain (see Appendix C for example). Additionally, Spradley (1979) emphasized that "all known languages employ the relation of strict inclusion. The ethnographer can take any proposed list of universal relationships and use them to search for domains" (p. 110). Although, ethnographers recognize nine universal semantic relationships in domain analysis, this study concentrated on the strict inclusion, semantic relationship of X is a kind of Y.

For this study, Stage I Domain Definition was used. Domain Definition was defined as "an open-ended interview in which respondents answer a series of interlinked questions. The answers were recorded verbatim (pencil on paper) in order to preserve participant language and personal construct" (Kupritz, 1998, p. 346). Scholars suggested that a large sample of interviews was not necessary for the domain-definition phase of HEM since the interviews were designed to be intensive and exhaust a participant's perceptions concerning the item(s) being studied (Nardi & Harding, 1978).

In this study the answers were coded into a cover term or domain and represented a larger unit of cultural behaviors from Verbal Judo (Kupritz, 1998; Spradley, 1979). According to Spradley (1979), "An informant's cultural knowledge is organized into categories, all of which are systematically related to the entire culture" (p. 93). Empathy mentioned by many respondents was part of the Verbal Judo LEAPS cultural behavior/tactic. LEAPS was a Verbal Judo cultural term (elicited from the participants) that fit into the domain category of "Tools used to Make Job Easier." The domain was based on a single semantic relationship or X is a kind of Y. The goal of interviewing

about Verbal Judo cultural behaviors was to determine whether officers perceived that Verbal Judo affected conflict.

**Communication and Verbal Judo Training Surveys**

This section of the study consisted of an online survey with two Likert-like scales and a demographics section. The Communication Training Impact Questionnaire (CTIQ) reproduced from the 2000 *Handbook of Tests and Measurements in Education and the Social Sciences* consisted of 20 questions with two sub scales: communication training and job skills with a reliability coefficient alpha of 0.88.

The CTIQ scale was incorporated into the survey to address those law enforcement officers who did not have Verbal Judo training but had taken training classes with the Tennessee Governor's Highway Safety Office (GHSO). Lester & Bishop (2000) stated the CTIQ was a scale that "assesses behavioral changes and application in work situations of training impact" (p. 81). Unfortunately due to miscommunication from the researcher to the programmers, the CTIQ (and VJ surveys) had no demographics associated with them as the session variable did not carry over after each portion was finished. Upon respondent submission of a single section, the survey was recorded independently. At the end of the session, the encrypted key and email were deleted from the database. There were 80 respondents to the CTIQ section. Since there were no demographics associated with CTIQ and the 0.76 alpha coefficient was lower than its established 0.88, this survey was determined unusable for law enforcement at this time.

The researcher (who attended the two-day Tennessee Verbal Judo class) designed the Verbal Judo Questionnaire (VJQ). VJQ consisted of 31 questions derived from the

interviews, actual Verbal Judo training that the researcher audited, and Dr. Thompson's various Verbal Judo books. Dr. Thompson reviewed the VJQ and approved it in the fall of 2009. The VJQ was a Likert-like scale consisting of the following respondent answers: Always, Very Often, Often, Sometimes, Seldom, Very Seldom, and Never. Participants had to have had previous Verbal Judo training to understand the Verbal Judo nomenclature within the Verbal Judo culture. Demographics were included at the end of this second section and in no way can be associated with the respondent.

The researcher incorporated the snowball technique for gathering 6,203 emails of law enforcement officers, Verbal Judo instructors, and/or Verbal Judo students in the United States: 4,678 Tennessee law enforcement officers, 651 Verbal Judo Institute instructors, 155 Verbal Judo Institute two-day class students, and 719 Verbal Judo Institute one-day class students. The researcher gained permission from Kendell Poole, the director of the Tennessee GHSO, to use emails of law enforcement officers who had done any training through Tennessee GHSO's training program, including Verbal Judo. The researcher gained Verbal Judo Institute email access permission from Doc Thompson before his untimely death. Additionally, after Doc's death, the researcher acquired permission a second time to access emails from the Verbal Judo Institute. All emails were amassed and stored on University of Tennessee property in a secure location.

At no time did the researcher know who responded or how they responded, including answers to demographics. Upon completion of the survey by the participant, the encrypted key and the encrypted email were deleted from the database ensuring

respondent anonymity. Upon competition of the project, encrypted emails and encrypted keys will be deleted from the database no later than May 2012.

The online survey and cover email posted on the secure web.utk.edu server were sent out in stages for pilot testing purposes. Each email had a unique encrypted key (identifier) attached to it preventing duplicate survey responses. The first survey wave sent out Sept. 28, 2011, included only the Verbal Judo Institute instructor emails with the reasoning that instructors would be more willing to fill out the online survey in its entirety and provide enough responses for a pilot test. A second reminder wave was sent Oct. 3, 2011. Since the email responses did not total 100 (the commonly accepted survey response number for pilot testing), a third wave including all Verbal Judo Institute emails (one- and two-day students) was sent out Nov. 1, 2011, with a reminder email sent out Nov. 18, 2011.

Even though the response rate for the Verbal Judo section was only 38 (individual survey responses), a Chronbach's alpha was performed for reliability and was 0.918. Subscales included: Tactical variables and Art of Representation (non-verbals). After reliability was tested, the survey was sent out to all 6,203 email addresses on Dec. 2, 2011, with a reminder email sent March 7, 2012. Due to unforeseen circumstances, survey reminders did not go out in January and February of 2012. The survey ended March 12, 2012, with 62 Verbal Judo section responses and 67 demographic responses. (The portions of the survey included CITQ, Verbal Judo, and demographics. No session variable was carried over and they were completely independent of each other. Some of

the demographics may have or may not have been from the CITQ questionnaire, and/or the Verbal Judo section of the survey).

**Visual Ethnography, Verbal Judo Videos, and Video Data Analysis**

The purpose of this section of the study was to analyze Verbal Judo cultural behaviors in 10 videos from the Tennessee Verbal Judo training module (see the supplemental attachment files A2 – A11.pdf for each video Jefferson transcription and itemized noun coding). Sommer and Sommer (1991) advocated behavioral research as subject matter that, "… is directly observable or can be made so through some type of representation," (p. 3). Six videos were professionally made for training purposes with seasoned Verbal Judo instructors acting or role-playing parts that emphasize Verbal Judo cultural behaviors. The last four videos were originally obtained from secondary resources and incorporated into the training module by Craig Hamilton, Verbal Judo instructor. They were authentic videos without actors.

Scholars have advocated that the origins of visual ethnography can be traced to visual anthropology. Anthropologists first used the photograph as a visual research tool that naturally progressed to documentary films and ethnographic film methods (Collier 1967; Harper 2003; Levin & Cruz, 2008; Lister & Wells, 2001; Pink, 2001; Ryan, 1997; Sanoff, 1991; Stasz, 1979). Scholars promoted incorporating visual methods in research when the context determined them to be appropriate (Collier 1967; Harper 2003; Levin & Cruz, 2008; Lister & Wells, 2001; Pink 2001; Ryan, 1997; Stasz, 1979). Notably Shockley-Zalabak (2012) stated, "Communication scholars increasingly will focus on multi-disciplinary, engaged work disseminated in digital more than print formats" (p. 5).

Pink (2001) noted that photographs and film along with field notes were combined into the visual ethnographic research study but stressed that the data must be derived from the participants not through the lens of the researcher. Pink (2001) proposed that film/videos preserved cultural interactions, that is, behaviors allowing the researcher to analyze the original copy. The Verbal Judo training videos fit that context for two reasons. Five of the videos were produced through the lens of Dr. George Thompson, a Verbal Judo instructor, with emphasis on Verbal Judo cultural behaviors, addressing Pink's (2001) "point of view" concern. Craig Hamilton, a Verbal Judo instructor, chose to use videos including the remaining four authentic videos and a general courtesy training video as a tool for teaching Verbal Judo in the Tennessee training module which made visual ethnography analysis appropriate.

**Verbal Judo Training Videos.** In the following six videos, Verbal Judo cultural behaviors promoted by Thompson (2004) and found in the interview section of this study were: LEAPS, The Art of Representation, "8" Step Car Stop, "5" Step Hard Style, and SAFER. Although some videos highlighted one Verbal Judo cultural behavior, other Verbal Judo cultural behaviors were seen in those videos as well.

For U.S. law enforcement most citizen contact was within the car stop compliance-gaining context. Langan, Greenfield, Smith, Durose, and Levin (2001) estimated that in 1999 fifty-two percent of U.S. individual/law enforcement encounters took place in the traffic stop compliance-gaining context (p. 489). Both the "8" Step with Difficult Person and the "8" Step Car Stop focused solely on the traffic stop compliance-gaining context.

Thompson highlighted the “8” Step Verbal Judo cultural behavior in these two videos, first with an Easy individual and then with a Difficult individual. The “8” Step with Difficult Person was in mpg format, lasted for 3:08, and was 33 KB in size. The “8” Step Car Stop was in mpg format, lasted for 1:47, and was 18 KB in size. The training videos were similar in their compliance-gaining context. They contained an officer who had pulled over a motorist, had the same vehicles, background, foreground, and were set up with same audio. Both videos had the same actors (actual Verbal Judo instructors) who went through role playing within the compliance-gaining context. The officer was role playing RE-spect while the individual acted an Easy person role in one and a Difficult person role in the second. The “8” Step with Difficult Person was about double in length because the officer used more Verbal Judo tactics/language (“5” Step Hard Style) with excessive repetition with a challenging and uncooperative individual. A SAFER violation did not happen and there was no physical force necessary to gain compliance with either the Easy or Difficult individual.

The Jail Sally Port video depicted an individual who was already under arrest but out of control thrashing around in the back seat of a police vehicle. The video was in WMV format; lasted for 6:58, and was 74 KB in size. The goal of the video was to gain this Difficult individual’s compliance and get him into the police station for booking procedures without using physical force. The video showed how to use Verbal Judo “5” Step Hard Style with a Difficult individual (incorporated LEAPS and the Art of Representation) requiring no physical force necessary to attain compliance. It also showed what ‘not to do’ where physical force was employed by the officers who did not

use the Verbal Judo behavior.

"5" Steps with George and Lee outlined the "5" Step with Difficult individual in an office setting. Dr. Thompson commentated before and after the office portrayal to emphasize the Verbal Judo cultural behaviors of "5" Step Hard Style. The video was in WMV format; it lasted for 4:40, and was 60 KB in size. Money, time, and the authoritative but helpful tone of the officer manager (considered officer) were key elements pointed out by Dr. Thompson in gaining compliance by the office manager. This video title mentioned the actual names of the Verbal Judo instructors. The instructors played the roles of Dr. Thompson-individual and Mr. John Davis-office manager.

New York Hostage Cop depicted an officer interacting with two individuals in 'what not to do' (portrayed first) and 'what to do' (portrayed second) components in a street setting and with using Verbal Judo skills. The video was in WMV format; lasted for 2:12, and was 57 KB in size. After the officer addressed his complaint he went into the coffee shop where a robbery was in progress. When using Verbal Judo skills such as the Art of Representation in the 'what to do' segment, the officer made an impact on the two individuals outside the coffee shop. Instead of heading to the park, they called 911 to report the robbery. In contrast when the officer did not use Verbal Judo skills, the individuals chose not to help the officer and went on to the park, possibly costing the officer his life. The video emphasized that treating an individual with RE-spect (professional respect given not earned or personal) could help an officer in other high conflict situations. It had a title at the beginning called Courtesy, Professionalism,

Respect.

L.A. Options in Court covered “5” Step Hard Style, LEAPS and Art of Representation during a compliance-gaining context ending in an arrest with physical force. The video was in WMV format; lasted for 4:17, and was 54 KB in size. The individual decided to sue the officer and during court proceedings in front of a jury the officer explained Verbal Judo skills he employed before using physical force as a last option. The video seemed to undermine the defense attorney’s strategy to get her client cleared of the charges.

**Verbal Judo Authentic Training Videos.** Rodney King Incident video depicted Mr. King, an African American, as the victim of Los Angeles Police Department (LAPD) police brutality on the night of March 3, 1991. A bystander who lived nearby, George Holliday taped the incident and gave it to the media sparking public outrage across the U.S. Riots and tension between ethnicities ensued in Los Angeles when four officers were acquitted a year later by a mostly Caucasian jury. Not only did the riots leave fifty citizens dead they cost one billion in property damage. Mr. King was awarded almost four million dollars in restitution from the city of Los Angeles (Gray, 2006; Kozolowski, 2011). This copy of the video originally came from CNN and was spliced down to 38 seconds, it was in WMV, and had 11KB. (This incident can be seen in longer versions online at YouTube.)

Taser Poor Communication video came out of the Boynton Beach Police Department in Florida at 7:50 a.m. on August 6, 2004. The incident was picked up by the press and discussed in the local community. Mrs. Victoria Godwin, African American,

was speeding and pulled over by Officer McNevin. The police department stood by Officer McNevin's actions as appropriate (Davies, 2005). In contrast, Verbal Judo instructors labeled this video as Taser Poor Communication for the lack of Verbal Judo cultural behaviors. The video was in WMV format, lasted 1:47, and was 11KB in size. Mrs. Godwin was irritated at being clocked by Officer McNevin because of her belief in a local law that stipulated officers could not check the speed of individuals while driving. Officer McNevin waited for backup because he ascertained that Mrs. Godwin had an attitude. Once back up arrives, physical force quickly happened as Officer McNevin tased Mrs. Godwin and pulled her out of her vehicle. It appeared that Mrs. Godwin was unable to respond to Officer McNevin's demands and Officer McNevin tased her a second time. During the physical force employed by Officer McNevin and supported by the back-up officer, Mrs. Godwin screamed and writhed in pain. This video was also spliced down and almost three minutes were removed during this time.

Station Fight originally came from Ebaumsworld.com. It was spliced (not an entire context), was in WMV format, lasted 1:36 and was 3KB in size. This was a shortened video that was sensationalized by Ebaumsworld.com and made into a 'boxing atmosphere' for quick public online consumption. There was a commentator and heavy metal music that Ebaumsworld.com added after the incident. For Verbal Judo training purposes, this video highlighted the lack of the Art of Representation tactic and a SAFER violation. The individual, known as Stephen, felt disrespected by the officers around him (officers were not giving RE-spect) and he initiated a fight in the station. The fight spilled out of the booking room and the officers subdued Stephen away from camera exposure.

The last of the four authentic videos was called Female Officer Assault. This video was originally obtained from the Sally Jessie Raphael Show television show and spliced for public viewing. The video was in MPG format, lasted 1:06, and was 51KB in size. This video highlighted the lack of Verbal Judo Cultural behaviors and a SAFER violation. Caucasian officer Michelle Jeeter engaged in a traffic stop with an African American individual twice her size, was attacked and brutalized by this individual in front of his little girl. The individual almost cost Officer Jeeter her life. The video highlighted that families are often involved in high conflict situations. It left the researcher wondering how much psychological damage happened to the individual's daughter who appeared to be around nine years old.

**Video Data Analysis Procedures**

The study incorporated Leeuwen and Jewitt's (2001) six levels of film analysis to all 10 Verbal Judo training videos: frame, shot, scene, sequence, stage, and work as a whole. Dividing a video into six segments lead to better data control over video timelines and kept them consistent with each other.

Frames (still shots) were notated where a specific action occurred. Regarding the shot, videos had sections where the camera's position or angle changed and this was noted in the timeline. Scenes and sequences in the videos included traffic stops, outside station booking area, street, and office settings. The Verbal Judo cultural behavior videos included actors in the training videos. It was important to note that although the officers were actors in the training videos, they were seasoned Verbal Judo instructors. The four authentic videos were secondary sources and did not have actors in them.

All 10 videos were examined using Parker's seven steps of critical discourse analysis (Flick, 2006; Parker 1992). Discourse analysis is a systematic scrutiny of language enabling the researcher to closely examine how topics and themes are discussed (Burman & Parker, 1993; Gee, 1990, 2005; Gill, 1996; Phillips, 2002; Potter, 1996). Some themes such as "compliance-gaining" and omitting others like the "lack of correct grammar" were important to this section of the survey (Burke, 2005). In other words according to Gee (1990), we all have roles and roles to play within contexts and that, "Discourses are ways of being in the world, or forms of life which integrate words, acts, values, beliefs, attitudes, and social identities, as well as gestures, body positions, and clothes," (p. 120 ) and other non-verbal related items. Verbal Judo emphasizes both verbal and nonverbal communication through role playing.

**Parker Step 1: Transcriptions.** The researcher transcribed "8" Step Car Stop, "8" Step with Difficult Person, and New York Hostage Cop. The first transcriptionist transcribed the Rodney King Incident, and Station Fight. The second transcriptionist transcribed the remaining videos. The following steps were included in all videos. The researcher inserted Free Association Notes in the Field Note and Other Notes columns. Incorporating the Jefferson transcription method (Jefferson, 1983, 1984,1987, 2007) the researcher composed with Jefferson's notation method what the individual(s) and officer(s) said (incorporating minimal non-verbal communication) in separate table cells even when the speech overlapped (Jefferson has a notation for overlapping speech). For example, Step 1 transcription for the "8" Step Car Stop video dated 10/12/2010 was shown in Table 1.

*Table 1*

*Step 1: Transcription*

| | |
|---|---|
| Motorist: | Shoot! ((sniffs)) |
| Cop: | ((Slight Pause. Cop walks up to the car. Stays behind the driver and points a flashlight into the vehicle.))<br>Good Evening Sir, Deputy Thompson, San Bernardino County Sheriff Department Now Sir the reason I stopped you, I noticed you driving a vehicle without a er license plate. Is there some justification reason perhaps for that tonight sir? |

**Parker Step 2: Free association notes.** The researcher then wrote "free association notes" (Flick, 2006; Parker 1992). The researcher reviewed the first initial transcription and added a Field Notes column. Again the "8" Step Car Stop file dated 10/12/2010 example was shown below including the Field Notes Section.

*Table 2*

*Step 2: Free Association Notes*

| | **Content** | **Field Notes** |
|---|---|---|
| Motorist: | Shoot! ((sniffs)) | |
| Cop: | ((Slight Pause. Cop walks up to the car. Stays behind the driver and points a flash light into the vehicle.))<br>Good Evening Sir, Deputy Thompson, San Bernardino County Sheriff<br>Department Now Sir the reason I stopped you, I noticed you driving a vehicle without a er license plate. Is there some justification reason perhaps for that tonight sir? | Officer has given address to Motorist and a reason for pulling over Motorist. |

Step 2 B: the researcher incorporated the Jefferson Transcription Notation Method (Jefferson, 1983, 1984, 1987, 2007) into both video transcription documents to account for verbal and non-verbal discourse. This was an ongoing and revisited process

throughout the entire research process (over a year) to correct and update the information. Table 3 illustrates the "8" Step with Difficult Person dated 11/10/2010 with Jefferson transcription example where O1 is the officer and M2 is the motorist speaking.

*Table 3*

*Step 2 B: Jefferson Transcription Notation Method*

| | **Timespan** | **Content** | **Field Notes/ Additional Notes** |
|---|---|---|---|
| 2 | 00:06 - 00:14 | .hhh hhhhhh ((Exhales heavily)) (0.2)<br><br>((O1)) >Good Evening sir Deputy Thompson-<br><br>((M2 nods head yes but does not turn head toward cop, instead motorist stares straight ahead.))<br><br>((O1)) >>>San Bernardino County Sheriff's Department-<br><br>((O1)) [Sir the reason ] I stopped ya is (.01)<br>((M2)) [ $^{O}$IIII$^{O\uparrow:}$ TTS ] | ((O1)) = Officer<br>((M2)) = Individual<br><br>This happened to me when I was pulled over. I was totally blinded for a second. Are they measuring pupil response?<br><br>M2's body language matches voice. |

(For a complete key, see the supplemental file attachment A1.pdf.)

**Parker Step 3: Itemized nouns.** The researcher systematically listed the nouns of each video (Flick, 2006; Parker, 1992). While doing this process, action words (verbs) were included because some of them hinted at physical force (see attachments A1 – A11 for each video transcription and itemized noun listing).

**Parker Step 4: Distance and Step 5: Role positions itemized.** Distance was achieved when researcher went on a cruise for 10 days with no access to the Internet, computer, or research. Upon returning individual role positions were methodically itemized for Step 5 (Flick, 2006; Parker, 1992). All videos have a compliance-gaining

context where an officer was trying to influence an individual. The role positions of the individual (had no power in compliance-gaining context but had choices) were: was an adult man or woman, represented the general public within the context, and was not required to be professional (said anything to officer). The role positions of the officer (had power and influenced the individual) were: officer (adult male or female) with legitimate lawful authority to make contact with the individual, required to gather information from individual, had ability to inflict punishment in form of arrest, jail time and/or fine, maintained officer safety, maintained public safety (protect and serve motto), maintained individual safety, represented all law enforcement (symbol), and represented the agency where officer was employed.

**Parker Step 6: Assumed rights of people reconstruction.** The researcher reconstructed assumed rights of people in the videos (Flick, 2006; Parker 1992). Assumed rights of the individual were: individual had choices (positive or negative), but little or no power within the compliance-gaining context; had to produce documents (driver's license, insurance, and registration) for driving privilege (state law); be unprofessional (curse, say anything); had obligation to comply with officer in the context and while under arrest, and had civil rights. Notably during the traffic stops the individuals did not have the right to refuse documentation request because driving is a privilege. The rights of the officer were: legitimate authority (authoritative power given by public to enforce laws); authority by law enforcement agency per state law (lawful legal contact); authority to give fine/ticket, to arrest individual; obligation to remain professional, to play a role (not become emotionally involved); right to last act, including

physical force within the compliance-gaining context. Notably the officer's civil rights were suspended within the compliance-gaining context because officers are civil servants protecting and serving the rights of the public including the individual.

**Parker Step 7: Mapping themes.** The researcher mapped and coded both verbal and non-verbal themes and patterns for Step 7 incorporating the Jefferson Transcription Notation Method (Flick, 2006; Jefferson, 1983; Jefferson 1984; Jefferson 1987; Jefferson 2007; Parker, 1992). Saldana (2011) states that units of social organization such as cultural practices, roles, and encounters that have "cognitive aspects or meanings, emotional aspects or feelings, and hierarchical aspects" get coded (p.14). All videos were examined to see if they contained the following Verbal Judo Cultural behaviors advocated by Thompson (2004) and derived from the interview section of this study: "8" Step Car Stop, "5" Step Hard Style, LEAPS, the Art of Representation, and SAFER tactic.

The six training videos that had actors included all of the Verbal Judo behavioral practices above except SAFER. SAFER was a tactic in which the individual violated one of the items and physical force was allowed by officer in response to the violation. Five videos had no SAFER violation. Jail Sally Port highlighted where the individual made a SAFER violation (repeated requests) but no physical force was necessary because the officer went back into the "5" Step Hard Style cycle instead. Compliance was gained without physical force.

The four authentic videos contained actual officers and U.S. citizens. These videos were also examined for all of the Verbal Judo behavioral practices above. None of

the videos contained “8” Step Car Stop, “5” Step Hard Style, or LEAPS. The Art of Representation showed up in one video: Female Office Assault. SAFER violations occurred in three videos (Rodney King Incident was spliced to the point of physical force).

Additional themes were uncovered across Parker’s Seven Steps: time, money, driving is a privilege, transportation, reports, documents (individual identification), communication (calling on phone), threats of physical force by both individuals and officers (action verbs), place (where events happened and objects were found), curse words, strategy (reminders), and emotions. Instances of time appeared in all videos except Rodney King Incident (spliced to physical force). Money appeared in several with a fear of fine, wanting to get paid, or threatening to sue. Driving is a privilege occurred in traffic stops only. Some form of transportation appeared in all but two videos that were filmed totally inside a building.

Notably a non-verbal theme of officer voice control showed up in the six training videos. Johnson (2004) found in complaints against officers from Boston, Chicago, and the District of Columbia that 60% of them contained an allegation of inappropriate officer verbal conduct. Verbal Judo addressed this common complaint that citizens have against law enforcement through the incorporation of Verbal Judo cultural behaviors. Officers did not raise their tone of voice in response to individuals’ raised tone. In Table 4, depicted segments of the interaction in the timespan were shown. The officer does not react to the individual’s raised voice and verbal abuse but remains at the same calm level, often lowering his voice in response to the individual’s raised one. This was key to the

Verbal Judo Art of Representation behavioral tactic (Thompson, 1983, 1984, 2009; Thompson & Jenkins, 2004; Thompson & Walker, 2007).

*Table 4*

*Non-Reaction of Officer to Individual Agitation*

| | **Timespan** | **Content** | **Field Notes/ Additional Notes** |
|---|---|---|---|
| 5 | 00:49-01:02 | ((M1)) >>>I AM IN A HURRY=<br>((O1)) >>↓Listen to me. I need a Driver's License please >>I've Given You a Lawful Legal reason for the car stop(.) | ((O1)) = Officer<br>((M1)) = Individual<br>↓ = Lowering voice<br>>>> = Voice speeds up<br>(.) = Slight pause<br>= means no interruption between people<br>---<br>Note: O1's voice gets softer when M1's Voice gets Louder. |

All 10 videos were coded for the Verbal Judo cultural behaviors advocated by Thompson (2004) and found in the interview section of this study: "8" Step Car Stop, "5" Step Hard Style, LEAPS, Art of Representation, and if there was physical force within the compliance-gaining context. SAFER was not incorporated into the coding because it was difficult to know without the officer's assessment of each situation how many repetitions were necessary for that violation. The second coder was introduced to the Verbal Judo cultural behaviors through Thompson's (2004) *Verbal Judo: The Gentle Art of Persuasion*. The researcher met with the coder to ensure a complete understanding of the Verbal Judo Cultural behaviors (listed above). All 10 video data were coded individually to establish inter-rater reliability. The inter-rater reliability coefficient = .98

making the cultural behaviors listed above appear authentic and trustworthy.

# Chapter 4

## Results and Discussion

### Interview Results

HEM was a conceptual framework designed to determine how a new item can be described so that it is culturally relevant to matching attributes with particular cultural values (Harding & Livesay 1984, Kupritz 1996; Kupritz 1998). In this section of the study, HEM's objective was to describe Verbal Judo cultural meanings and structures as it affects conflict in compliance-gaining situations. For example, X is a kind of Y, where X is the response of the participant and Y is the larger unit, the cover term. Of particular interest to this paper is the connection of Verbal Judo cover terms (Ys) to affecting conflict. According to Harding and Livesay, HEM is "representative of a growing movement within the social science to give credibility to the perspective of the recipient/respondent" (1984, p. 73). Authenticity and trustworthiness were found in this section of the study through redundancy which happened at interview number six, and the remaining five further emphasized occurrence of redundancy. Notably, one individual did not believe in Verbal Judo, and that participant added to the reliability of this study with his admission that Verbal Judo is a preplanned framework to situations when situations are different. Verbal Judo states that each officer needs to take the framework and incorporate it into his or her daily routine. This individual chose not do this, and for the phenomenon to work, the officer must believe in the strategy.

**Interview Verbal Judo Cover Terms (Domain Analysis)**

Through the HEM domain analysis, the following cover terms were found: job activity, communication job activity, job techniques (including Verbal Judo techniques) that make it easier to perform a job and that impact (de-escalate) conflict within compliance-gaining context, job techniques (including Verbal Judo techniques) that make it harder to perform a job, job training, weak training areas, communication beliefs and job assets (see Appendix E for Verbal Judo Cultural Behavior example).

First, a list of job activities performed by the participants included: chief or supervisor (upper management), Pentagon security, military service, military police, patrol officer (enforcing the law), training officer, academy instructor, Verbal Judo instructor, criminal investigator and registered nurse.

Communication job activity was listed separately because the participants performed a communication-related activity in the formerly or currently held position. These activities consisted of communication back and forth with dispatch, peers, supervisors, community, and general public.

In addition, both listening (a LEAPS tactic) and the nonverbal "tone" were mentioned as communication tools. For example, one participant iterated that an officer has to communicate not only with the public but also his coworkers: "You have to communicate with ahhh . . .  your peers, your fellow coworkers." Another interviewee stated that "your tone is everything" and if you smile at someone and yell, "Have a Nice Day," the person is not going to believe you. Likewise, another participant emphasizes, "Communication style based [on] method [of delivery]."

Job techniques (including Verbal Judo techniques) that make it easier to perform jobs, de-escalate conflict and gain compliance is another domain that includes: LEAPS, Art of Representation (role-playing or professional face), “8” Step Traffic Stop, “5” Step Hard Style, the SAFER tactic, practicing Verbal Judo tactics, Deflectors (Sword of Insertion), management, and courtroom. Overwhelmingly, the LEAPS concept or a part of the concept such as empathy was listed 36 times. Both LEAPS and the Art of Representation overlap in many areas of the officer’s explanation of easier techniques. One participant describes LEAPS as, “LEAPS helps to solve a conflict and come to mutual ground.” A second respondent commented regarding empathizing with the target, “You have to understand that this person isn’t thinking clearly. Mouth is open and brain is not in gear.” Another interviewee replied, “I think the big one, two big ones: empathize with people is critical and second is giving people options, I think—two most important.” In the Art of Representation, an interviewee responded, “Whole chameleon philosophy, becoming who you need to be—show time. Whole this [is] who am I going to be—to be able to deal [listen, empathize] with this person.” Another participant added, “The quicker you can erase you out of that [the better]. Ego goes up—power and safety goes down and that’s where you give them [individual] a foothold. Open unbiased—key of active listening.” Lastly another respondent replied, “What I told you, I would say Art of Representation and LEAPS to get the whole story . . . .”

The “8” Step Traffic stop was mentioned 12 times, the “5” Step Hard Style nine times, the SAFER tactic five times, and, most of the time, two out of the three were listed in close proximity. For example, “5” Step Hard Style and the SAFER tactics tend to go

hand in hand in the Verbal Judo Culture. The agent uses these tactics within the Verbal Judo framework to gain compliance from the target. Also, other agents who come onto the scene will know from the framework what point the agent has gotten to with the target. One respondent replied, “The number one thing I do Verbal Judo—wise, that completely changed my job—the ‘8’ Traffic Stop . . . was something.” A second individual responded, “‘8’ Step Traffic Stop—you know—‘8’ and ‘5’ step knowing split second could mean difference between that person and my life.” A third replied, “Well yeah, you use the same one—deflect technique—‘8’ Step—‘5’ Step. Act when words fail—SAFER violation.”

Deflectors interrupted or prevented conflict by keeping the target on track within the agent’s strategy. It helps with behavior modification by the agent paraphrasing the target’s own words, “no one will listen harder than your own words and point of view.” One respondent iterated, “I definitely use the deflectors. Deflecting them getting back on track.” The same respondent added a benefit to deflection as well, “And other part sounds good to public. Officer told subject to drop gun—several times—looks good to jury.” Another respondent stated, “. . . use the words of insertion—stop people from getting too irate. Let them think it’s their idea.” Another respondent replied, “Yeah, when you get a disruptive student, use words of insertion to shut them down and keep control of the class—cutting in to what they’re saying—sword of insertion.”

Although management and courtroom were not listed as Verbal Judo tactics, it is noteworthy that Verbal Judo strategies aid in the supervision of others by obtaining goals. For example, one participant mentioned that as a supervisor he had to make subordinates

do things they did not want to do and another interviewee replied, “Also administrative, and dealing with employees. You know I would handle all the discipline in the department.” They both emphasized that you cannot accommodate everyone’s wants and needs and that Verbal Judo skills help with that. Likewise, Verbal Judo skills helped the officer present the case to his subordinates in such a way as to obtain the goal while diminishing conflict. Also, in the courtroom another participant iterated that Verbal Judo techniques make it easier to “stay on track” and not let the defense attorney “skew” the incident in favor of the defendant. Moreover, the jury was more likely to believe the agent when the officer followed the framework (i.e., repetitions) before the use of force became engaged on the individual. Another respondent replied, “If you enumerate your report to supervisor and court and include those steps, then I think you’ll find you are justified. You will win in court and you will please your bosses, stay out of trouble with your boss.”

The next domain was job activities (including Verbal Judo techniques) that make it harder to perform job. Participants responded 30 times with “no,” “not applicable,” “I can’t think of any” and so forth when asked whether Verbal Judo makes it harder to perform job duties. Of the few who listed what made it harder the following were mentioned: “new skill set and it takes time to learn,” “practice,” “framework into the officer’s daily vocabulary and not cite it word for word,” “damned justice system,” “officers’ general attitude that don’t adhere to the strategy often call it ‘Hug a Thug,’” once an officer sets himself as a “standard he is not allowed to make a mistake,” and “medically impaired persons.” Another interviewee stated that medically impaired people

are lacking the cognitive skills to decide for themselves what options are positive and what options are negative, making some of the Verbal Judo concepts difficult to use at times.

The next domains were called job training and weak area training. Cover terms for job training were numerous and include: “specialized force training,” “fire arms training,” “tactical training,” “defensive tactical training,” “pressure point training,” “pepper spray training,” “negotiation training,” “driving under the influence (DUI),” “domestic violence,” and “legal and court room training.” Job training emphasizes the fact that police agencies put more value on tactical, force training than communication training. Of the participants that listed communication training responses, Verbal Judo has impacted the individuals’ communication training. One participant in particular said, “Force training—all ineffective without Verbal Judo.” Another noted that one should treat another like they wanted their mother to be treated. “Better communication skills reduce the instance of us needing our physical skills.”

The weak communication domain term included four “communication weakness” responses: “drug interdiction,” “homeland security,” “don’t know any,” and “no accountability.” One of the communication weakness responses included, “Nothing I was taught in [the] academy was to talk to people. I was taught how to arrest, shoot and fight people, nothing really about how to talk to people.”

The next domain term was communication belief. All but one of the individuals interviewed believe that Verbal Judo is a good strategy that works by de-escalating conflict, and gaining compliance. In particular, “Verbal Judo lets us look at conflict

differently and allows you to handle that conflict without getting sucked into it." Another participant responded, "You know you have to believe it, you can't just stand up and read a book. You have to perform it. It's Show Time." The individual who does not believe in Verbal Judo stated, "I don't use Verbal Judo. I think every situation requires a different response and Verbal Judo is a preplanned response to—response to—let me think how I want to say this—more specific situations."

The last domain category was job assets. Job assets included but were not limited to "officer safety," "officer communication effectiveness," "officer professionalism," "officer and agency credibility," "positive public encounters," "public safety" and "courtroom victories." Officer safety, communication effectiveness and professionalism can be noted by the following interviewee responses: "I've never had a complaint—no complaints for rudeness and I attribute that solely to doing things in a consistent manner and the '8' Step manner being personable," "I can't tell you the last time I've been called a bitch," "In the adolescent mental unit we have gone five months without a restraint episode." In positive public encounters one agent responded, "It's [Verbal Judo] easier for me to use because I've practiced and it's in the best interest of the person [individual] I'm dealing with." In addition another participant responded, "Their greatest asset is also their greatest detriment—is their personality. What makes a police officer a police officer? Ultimately their own individual temperament—unfortunately we no longer have 'carte blanche.' Public trust. It's gone now, gone before Rodney King—if not longer. Potential for it is always here—up to officer to reestablish it—whether customer feels like they are serviced properly."

**Interview Theme**

The domain analysis suggested that the following cover term taken from the Verbal Judo Culture not only affected conflict but diminished it as well: job techniques (including Verbal Judo techniques) that make it easier to perform a job and that impact (de-escalate) conflict within compliance-gaining context. (Appendix E contains list of the Verbal Judo cultural behaviors for the domain of Verbal Judo Techniques that make a job easier to perform.) This can be directly related to the strong emphasis of LEAPS being mentioned 36 times by participants regarding its effectiveness in diminishing conflict and making their job easier to perform in the compliance-gaining context, thus achieving their goals of information seeking, and control for target and situation. LEAPS in conjunction with the Art of Representation gives the agent tools in the framework of the Verbal Judo culture to diminish conflict. In addition, LEAPS and the Art of Representation were never mentioned in the domain of job techniques (including Verbal Judo techniques) that make it harder to perform a job and that impact (de-escalate) conflict within compliance-gaining context.

**Survey Results**

**The Low response rate of the survey.** Response rate was extremely low at 1% for the Communication Training section and less than 1% for the Verbal Judo section. Dillman, Eltinge, Froves, and Little (2002) stated, “Non-response occurs when a sampled unit does not respond to the request to be surveyed or to particular survey questions” (p.3). Wrench, Thomas-Maddox, Richmond, and McCroskey (2008) stipulated there were three reasons why individuals do not respond: no invitation received because email

address was invalid (bad email, old email, sent to spam folder etc.), individuals simply refused to reply (emails are easily deleted or ignored), and lastly individuals were unable to respond (time, physically, mentally, emotionally). All three explanations may have applied to this survey: many emails were returned because they were old or misspelled, many may have refused to reply due to the fear/cost for participation (being identified), and many officers simply may have not had the time to participate. It's important to note why there was a fear to participate in this survey. Participants associated with law enforcement, who responded to surveys, weigh the potential rewards and costs of participation (Wrench, Thomas-Maddox, Richmond, & McCroskey, 2008). It was common knowledge; especially after the Rodney King Incident in 1991, that law enforcement was increasingly under pressure to meet public expectations of professionalism. Johnson (2004) posits, "In this modern era of community-orientated policing, it is important for law enforcement agencies to improve their relationships with the public and avoid citizen complaints" (p. 487). Wagner and Decker (1993), affirm that accountability of law enforcement should be equal to any other employee (up to and including the mayor) of a political subdivision. Dr. Thompson in a keynote address to the Governor's Highway Safety Office *2008 Tennessee Lifesavers Conference*, mentioned how the public now required video proof of police traffic stop encounters. In addition, with the public's access to video recording through hand-held devices, law enforcement would have to adjust to an intense public awareness and scrutiny (Dr. Thompson, personal communication, April 25, 2008). Public scrutiny may be a formidable deterrent to any research project involving law enforcement.

According to Dillman (2002), there are seven reasons for survey non-response: interviewer training (not relevant to this survey), question topics, question difficulty, question structure, survey mode, respondent attributes, and institutional requirements and polices. Question topics may have been a deterrent as some individuals in law enforcement have never heard of Verbal Judo. Question difficulty in the form of being too specific in the subscale of the Art of Representation may have hindered the survey. Question structure of two sections and a demographic totaling 56 questions may have been too many and taken too long to complete, adding to non-response. Respondent attributes in that law enforcement personnel did not want to take the chance of the possibility of something coming back to be attached to them. Lastly, since the law enforcement agencies themselves did not require the survey to be filled out, it may have added to non-response. Wrench et al. (2008) proposed that individuals within law enforcement may have felt the information asked was private and did not respond.

Improving response rates to the survey will include the following steps: make the survey easy to fill out, keep it short, and use multiple administration techniques. The questions that were too specific will be modified or thrown out to make it easier to understand. The survey will be divided into two new surveys: Law Enforcement Communication Training and Verbal Judo Communication Training effectively cutting it in half and making it easier to administer in person. Multiple administration techniques will include a pen and paper surveys to be filled out at the agencies during roll call or class time. The researcher will administer the surveys with recruitment of key law enforcement officials who have the power to grant access to law enforcement personnel.

**The Demographic section of the survey.** As stated above, all sections of the online survey were separate accounting for the total differences. Sixty-seven respondents filled out the demographic section of the survey. Respondents included 79% males and 21% females (mean was 1.21, mode and median was 1 or male). The mean age for respondents was 46 (1966) with a standard deviation (SD) of 1. The median and mode of age was 46 (1966). The youngest person to respond was 30 and the oldest was 64 years old.

Respondent married status answers were: 73% married, 0% widowed, 3% separated, 16% divorced, and 8% never married. Although the respondent married status mean was 1.85 (between married and widowed) with an SD of .177, no respondents answered that they had been widowed (median and mode were both 1). Respondent education answers were: 12% had a high school diploma or equivalent, 34% had some college but no degree, 9% had an associate degree, 31% had a bachelor's degree, 12% had a master's degree, and 2% had a doctorate degree. Respondent education mean was 3.73 (some college, no degree), median was 4 (associate's degree), and mode was 5 (bachelor's degree).

Respondent household income totals were: 39% made under $10,000, 2% made between $20,000 and $29,999, 6% made between $30,000 and $39,999, 8% made between $40,000 and $49,999, 10% made between $50,000 and $59,999, 10% made between $60,000 and $69,999, 9% made between $70,000 and $79,999, and 16% made between $80,000 and $89,999. The salary mean was 4.6 with an SD of 3.205. Salary median was 5 ($40,000 to $49,999) and mode was 1 (under $10,000). Respondent low

salary may be due to part-time job status or respondents may not want to be identified by their salary (see Low Response section above).

**Verbal Judo Section of the Survey**

The VJQ consisted of 31 questions (see in Appendix F for example) divided into two subscales taken from Thompson (2004) and from the domain analysis interview section of this thesis concerned with Verbal Judo cultural behaviors: the non-verbal the Art of Representation (Art) and the Tactic section. The researcher had always been concerned about the low response rate. Even though the survey had low participation, it was decided to continue. A pretest was done on each scale with the Tactic scale producing an alpha coefficient of 0.92, n = 38 and the Art scale 0.69, n = 38. The researcher concentrated on inter-item correlations and removed those that were unclear and negatively correlated for the non-verbal scale after the survey ended.

The following questions had little to no correlation with each other or any of the tactical questions within the non-verbal subscale and were removed from the Art scale: 2, 8, 19, 27, and 29. Questions 2 (-.004) and 8 (-.193) had a negative average covariance violating reliability model assumption. Question 2 had a mean 4.068 with an SD of 2 and had responses from 1 to 7 (1-Always, 2-Very Often, 3-Often, 4-Sometimes, 5-Seldom, 6-Very Seldom, 7-Never). The reason this question may have not been clear, the words Personal Face and Professional Face may have been misunderstood and needed clarification. Thompson (2004) stated that Professional Face was always performed during the compliance-gaining context. Thus, the question based on Thompson's definition should not have "seldom," "very seldom" and "never" answers. This question

wording was also reversed and may have added to the problem as well. A restructure of the sentence to the following is recommended: *Keeping my professional face (no emotions, no prejudices, professional tone) instead of my personal face (emotions, prejudices, angry or irate tone, etc.) prevents conflict?*

Question 8 had a mean of 3.34 with an SD of 2 and had responses from 1 to 7. The researcher may have been too specific in word choice “Play Ground in America”. This term may not have been easily recognizable to all Verbal Judo students. The word choice “unsavory" may have been too weak and/or misleading. This question wording was also reversed in form and since the scale was not half one direction and half the other, it may have tripped up the officer’s responses adding to clarity complications. This question should be thrown out in the next survey.

Question 19 had a mean score of 3.06 with an SD of 2. Respondents answered 1 to 7 with an 85% response rate from 5 (seldom) and above. This question also can be considered unclear due to poor word choice. The word side-steps (getting around the situation) should be changed to prevent (controlling the situation) conflict. RE-spect and respect should also be defined. A restructure of the sentence to the following is recommended: *I feel that RE-spect (professional and given) instead of respect (personal and earned) prevents the escalation of conflict.*

Question 29 had a mean score of 2.87 with an SD of 2. Respondents answered 1 to 7 and the question wording was reversed. Of the responses 85% ranged from 5 (seldom) and above. Similar to question 2, this question wording was reversed and may have also been unclear without the classification of Professional Face and Personal Face.

A restructure of the sentence to the following is recommended: *I believe that when an individual meets me with his/her personal face (emotion, prejudices, angry or irate tone, etc.), I deflect their energy by using my Professional Face (no emotion, no prejudices, no angry or irate tone, etc.).*

Although question 27 had a mean score of 2.31 with an SD of 2, 89% of the respondents replied 4 (sometimes and above). The researcher ascertained that this question may have been unclear as well due to poor word choice. The word no effect should be changed to prevent. No effect was too vague in that it could be considered no effect towards preventing or not preventing conflict. A restructure of the sentence to the following is recommended: *The tone of voice (no emotion, no prejudices, no angry or irate tone, etc.) of an officer helps to prevent conflict in difficult situations.* This question was removed from the scale.

The final Art section of the survey consisting of questions 7, 24, 26, 28, 30 appeared valid with an alpha coefficient of 0.81 where n = 62. The group mean for these questions was 2.156 with a standard group error of 0.10 and SD group average of 0.81. The table below lists each question mean and SD separately. The inter-item correlation for the questions ranged from .320 to .678. In question 7, 98% of the respondents answered 4 (sometimes) and above while no one answered 7 (never). In question 24, 89% of the respondents answered 3 (often) and above with no one answering 5 (seldom) and below. In question 26, 92% of the respondents answered 3 (often) and above with no one answering 7 (never).

*Table 5*

*Art of Representation*

| Verbal Judo Question Number | Mean | Std. Deviation |
|---|---|---|
| 7 | 2.29 | .930 |
| 24 | 2.15 | .973 |
| 26 | 2.15 | 1.84 |
| 28 | 1.84 | 1.204 |
| 30 | 2.34 | 1.144 |

*Table 6*

*Art of Representation Group Descriptive Stats*

| | N | Range | Min. | Max. | Mean | | Std. Deviation | Variance |
|---|---|---|---|---|---|---|---|---|
| | Statistic | Statistic | Statistic | Statistic | Statistic | Std. Error | Statistic | Statistic |
| ART | 62 | 3.40 | 1.00 | 4.40 | 2.1516 | .10260 | .80790 | .653 |
| Valid N (listwise) | 62 | | | | | | | |

The pretest of the Tactic subscale appeared valid and reliable with an alpha coefficient of 0.891 where n = 38 for the following questions: 1, 3, 4, 5, 9-13, 15-18, 20-23, 31. Since the Tactic subscale seemed clear and concise as well, nothing was changed. The final alpha coefficient was 0.918 where n = 62. The table below lists each question mean and SD separately. The inter-item correlation for the questions ranged from -0.032 to 0.796. In the Tactic group there were three negative correlated items and of those three, two of them had one question where the words were reversed (- 0.032, -0.036, -0.070). The Tactic group mean was 2.15 with standard error of 0.10 and SD of 0.81. In

the following Tactic questions, respondents answered 3 (often) and above with SD of 1 and average percentage respondent rate of 90%: 1 (94%), 9 (90%), 12 (90%), 13 (87%), 15 (92%), 17 (90%), 20 (87%), 23 (82%), 31 (97%).

*Table 7*

*Tactic Item Statistics*

| Verbal Judo Question | Mean | Std. Deviation | N |
|---|---|---|---|
| 01 | 1.7097 | 1.03047 | 62 |
| 03 | 2.2581 | 1.11525 | 62 |
| 04 | 2.5484 | 1.52227 | 62 |
| 05 | 2.5806 | 1.12422 | 62 |
| 09 | 2.3065 | 1.09528 | 62 |
| 10 | 2.3710 | 1.20428 | 62 |
| 11 | 1.5968 | 0.79876 | 62 |
| 12 | 2.0645 | 1.00606 | 62 |
| 13 | 2.2742 | 1.18970 | 62 |
| 14 | 2.3871 | 1.44125 | 62 |
| 15 | 2.0484 | 0.94829 | 62 |
| 16 | 2.2581 | 1.34207 | 62 |
| 17 | 2.1129 | 1.25587 | 62 |
| 18 | 2.8226 | 1.76044 | 62 |
| 20 | 2.1774 | 0.96707 | 62 |
| 21 | 2.5484 | 1.55424 | 62 |
| 22 | 2.0323 | 0.90477 | 62 |
| 23 | 2.3065 | 1.39776 | 62 |
| 25 | 2.1129 | 0.88900 | 62 |
| 31 | 1.9194 | 0.79545 | 62 |

*Table 8*

*Tactic Group Descriptive Statistics*

| | N | Range | Min. | Max. | Mean | | Std. Deviation | Variance |
|---|---|---|---|---|---|---|---|---|
| | Statistic | Statistic | Statistic | Statistic | Statistic | Std. Error | Statistic | Statistic |
| ART | 62 | 3.40 | 1.00 | 4.40 | 2.156 | .10260 | .80790 | .653 |
| Valid N (listwise) | 62 | | | | | | | |

The following Tactic questions were answered at least (4) sometimes and above: 3, 5, 11, 16, 22, and 25. Tactic question 3 had a mean of 4.086 and an SD of 1. All (100%) of the respondents answered (5) seldom and above except on question 16 where responses were given to all categories 1–7 (always to never). Question 3 may have been unclear in that the "8" Step Traffic Stop is a set numbered item list for all individuals stopped, not just difficult people. According to Thompson (2004), this should have been "5" Step Hard Style. A restructure of the sentence to the following is recommended: *I feel that "5" Step Hard Style tactic enables me to deal with difficult people.* Tactic question 5 had a mean of 2.58 and an SD of 1, and 98% of respondents answered 4 (sometimes) and above.

Tactic question 11 had a mean of 2.60 and an SD of 1. All (100%) of the respondents answered 4 (sometimes) and above. There were no responses 5–7 (seldom, very seldom, never). Tactic question 16 had a mean of 2.26 and an SD of 1. 87% of respondents answered 3 (often) and above. Tactic question 22 had a mean of 2.01 and an SD of 1. All (100%) of respondents answered 4 (sometimes) and above. There were no responses in 5-7 (seldom, very seldom, and never). Tactic question 25 had a mean of 2.11

and an SD of 1, and100% of respondents answered 4 (sometimes) and above. There were no responses from 5–7 (seldom, very seldom, and never).

The following Tactic questions may have been a little unclear to the respondents due to reverse wording within the scale: 4, 10, 14, 18, and 21. The scale had been designed with reversed wording of questions interspersed between questions. For future Verbal Judo surveys, it was suggested that half of the questionnaire be worded one direction and that the other half be worded in the opposite direction. Tactic question 4 had a mean of 2.55 and an SD of 2, and 92% of the respondents answered (4) sometimes and above with responses in all categories (1-7). Tactic question 10 had a mean of 2.37 and an SD of 1,and 98% answered (4) sometimes and above with no responses in 7 (never). Question 10 was the negatively correlated with question 16 (-0.70). Tactic question 14 had a mean of 2.4 and an SD of 1, and 92% of respondents answered 4 (sometimes) and above. There were responses in all categories 1–7 (always to never).

Tactic question 18 had a mean of 2.8 and an SD of 2, and 87% of respondents answered often 5 and above (seldom) and there were responses in all categories 1 – 7. This question may be too specific with the following words: “say what you want” and “do as I say”. Question 18 was negatively correlated with question 16 (-0.070). This question should be removed from the survey.

Tactic question 21 had a mean of 2.54 and an SD of 2, and 92% of respondents answered 5 (seldom) and above. This question may have been too vague in word choice of “smooth over.” A restructure of this sentence is recommended: *Verbal Judo techniques (no emotion, no prejudices, Art of Representation, professional language) can prevent the*

*escalation of conflict by deflecting an individual's emotional street talk (emotion, prejudices, personal language).*

Limitations of this survey include the following: low response (no generalizability), low coefficient of the Art of Representation Scale, and reverse wording. Low response rate can be alleviated by building trusting key relationships within the law enforcement community for future higher response rates. Surveys should be in paper form and completed while at agency roll call. The Art of Representation scale questions have been reworded or removed. The reverse wording of the survey should be one half in one direction and one half in another, not interspersed.

**Video Data Analysis Results**

Both individual's verbal and non-verbal communication and the officer's verbal and non-verbal communication matched their roles within the compliance-gaining context of each training video. The officers in the authentic videos seemed to have no control. In-depth film analysis using the Jefferson Transcription Notation Method (Jefferson, 1983, 1984, 1987, 2007) produced Verbal Judo cultural behaviors, SAFER violations, and verbal and non-verbal themes across Parker's Seven Steps of Discourse Analysis (Flick, 2006; Parker, 1992). Verbal Judo cultural behaviors: "8" Step Car Stop, "5" Step Hard Style, LEAPS, Art of Representation, were incorporated throughout the six training videos to gain compliance during the context avoiding a SAFER tactic violation leading to physical force. The four authentic videos did not contain the cultural behaviors listed above (except for Female Officer Assault) and three out of four had SAFER violations (Rodney King video was spliced to physical force) that lead to physical force.

Parker's Steps 3, 5, and 7 in the traffic stop videos supported the themes by dissecting the transcription in different ways. In Step 3, one of the nouns itemized was driving as a privilege. It was also considered a role in Step 5 where the individual had to hand over documents because of that driving privilege. These two steps emerged as a pattern to be noted in Step 7 that within the compliance-gaining context the officer had the power to ask the individual to produce such documents due to the driving privilege (state law).

# Chapter 5

## Conclusions and Recommendations

Each section of the mixed-method study appeared to support a prevention of conflict when specific Verbal Judo cultural behaviors were employed by the law enforcement officer.

### Interview Section

The domain analysis provided a strong case that Verbal Judo not only impacted conflict but diminished it. All but one of the participants believed that the tactics employed by Verbal Judo diminish conflict during the compliance-gaining context. In referring back to the CCAT theory this made sense because the individual did not acculturate the communication strategy into his own.

There are a few items to make note of in this section of the study. One was the statement about officer professionalism and public trust. Johnson (2004) stated that U.S. citizens have expectations of professional conduct from law enforcement officers. The public looks to the officer to diminish conflict--not add to it. Indeed, the rift between the public and law enforcement came to a head on March 3, 1991, with an act of police brutality in Los Angeles against Rodney King.

According to Doc Thompson (1983), “Within every officer’s consciousness lies some resentment concerning public trust . . . Few citizens see officers as individuals, they generally regard officers as types or symbols, and the abuse they heap on the officer represents their view of the profession itself” (p. 23). Giles and Dailey (2003) independently portrayed the excessive use of police force as a widespread social problem

affecting all U.S. citizens. The Rodney King beating led the city of Los Angeles to sign a decree with the U.S. Department of Justice that aims to "promote police integrity and prevent conduct that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States" (Rand, 2009, p. 1). Verbal Judo was promoted by Thompson (2004) as a framework that might prevent such incidents by incorporating cultural behavioral tactics that worked to prevent physical force. Additionally, in the Verbal Judo communication strategy, physical force was used only as a last option.

The second notable item was the fact that all of the interviewees except one believed that Verbal Judo diminished conflict. The agent used "8" Step, LEAPS, Art of Representation, SAFER, and "5" Step Hard Style tools in his Verbal Judo strategy to diminish conflict. However, Verbal Judo was not successful in and of itself. Officers had to believe in the Verbal Judo strategy and had to transform it into their own professional language to make it work. One interviewee noted that, "Communication is a skill—is vitally important in your personal and professional life and it is a perishable skill if you don't use it . . . " Another interviewee iterated that in the academy young officers often tried to perform verbatim the words of each tactic and it did not work. They had to incorporate the framework into their own language.

The last thing to take note of in this section was the fact that Verbal Judo went hand in hand with persuasion and compliance-gaining goals: information seeking, gaining control of the target, gaining control of the context through power or authority, and getting the target to comply with the agent through the use of communication tools.

In addition, Verbal Judo advocates a professional demeanor from the agent to the target as readily seen in the LEAPS tactic. Limitations of this study included: small sample and the use of phone interviews. Although redundancy was reached by interview six, 11 interviews may appear small when applying the study to all law enforcement Verbal Judo practitioners within the United States. Due to lack of time and money, the researcher also interviewed and transcribed the interviews. Lastly, phone interviews prevented the researcher from picking up non-verbal cues during the interviews. On the whole however, the research was rigorously adhered to the HEM method.

The researcher recommends furthering the HEM process with HEM Stage II and using an HEM Taxonomic Analysis. Verbal Judo can also be observed and quantified by gaining access to authentic police videos or in ride-alongs; coders can observe the phenomenon while it unfolds and code accordingly.

**Survey Section**

Although the Verbal Judo survey cannot be considered generalizable, overall the Verbal Judo survey appeared reliable and valid having been written in the interviewees/ respondents own Verbal Judo cultural language and frame of reference. The Tactic sub scale was very strong with an alpha coefficient of 0.918 and with most respondents answering 4 (sometimes) and above. The Art of Representation sub scale needed to be reviewed and after removal of some questions an alpha coefficient of 0.81 was attained. Non response bias may have skewed the survey results. The revised survey should eliminate non response bias with a goal of 400 law enforcement respondents.

The survey results appeared to support the research question that Verbal Judo affects conflict by preventing escalation towards physical force. Future survey suggestions recommended were the removal of unclear wording and restructured word reversal in the survey. Also, paper surveys should be done in person (at agency roll call etc.) and attached to demographics. Once completed the researcher inputs the data into a program like SPSS.

**Video Section**

Verbal Judo communication tactics/cultural behaviors appeared to prevent the escalation of conflict that can result in physical force. The six training videos portrayed the individual as compliant even when defined as a difficult individual, allowing the officer to attain goals without physical force. In high contrast, the authentic videos where officers did not use Verbal Judo cultural behaviors, physical force became necessary for individual compliance. Thus, Verbal Judo depicted itself as a strategy that prevented physical force, attacking head-on the large portion of citizen complaints against law enforcement (Johnson, 2004).

Each of the training videos represented Verbal Judo tactics used by seasoned law enforcement professionals for the express purpose of training fellow officers the strategies and cultural behaviors of Verbal Judo. Officers must learn to incorporate new and different Verbal Judo tactics into their current communication patterns within the compliance-gaining context. Officers are tasked with improving their community relationships to avoiding complaints from the public (Johnson, 2004). Cross-cultural Adaptation Theory emphasized that this Tennessee training course incorporating videos

was a learning module used to aid the officer in the process of adapting to certain Verbal Judo cultural behaviors, terminology, language, and tone (verbal and non-verbal communication tactics).

Limitations to the video section of the study included actors and the splicing of authentic videos. The training videos were filmed with actors and can be seen as a limitation in the study. This paper argued that these are seasoned Verbal Judo instructors in roles that they play on a daily basis and being actors was relevant to the Art of Representation. The videos lacking Verbal Judo tactics (except SAFER violations) were taken from law enforcement agencies or copied from TV programs and were incorporated into the Tennessee Training Module by either Thompson or Hamilton in the 1990s. The researcher had to concur that sections of information were left out in the spliced authentic videos and affected the ability to code the entire compliance-gaining context. Future research should include mixed methods incorporating Verbal Judo interviews, authentic unspliced video analysis, and the restructured Verbal Judo communication survey.

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# Appendices

# Appendix A

## Heuristic Elicitation Methodology (HEM) and Interviews

1. What specific kinds of job activities and tasks do you perform in your individual work as a law enforcement officer? [Answers = “X”]
2. For/when X [Q. 1, individual job activities], what workplace conditions, situations, verbal judo techniques make it easier to perform your individual work? [Answers= “Y”]
3. What other workplace conditions, situations, Verbal Judo techniques make it easier to perform X, other than Y, when performing your individual work? [Probe]
4. For/when X [Q. 1, individual job activities], what workplace conditions, situations, verbal judo techniques make it harder to perform your individual work? [Answers= “Y”]
5. What other workplace conditions, situations, verbal judo techniques make it harder to perform X, other than Y, when performing your individual work? [Probe]

# Appendix B

## Heuristic Elicitation Methodology (HEM) and Interviews Confidentially Agreement

**Research Team Member's Pledge of Confidentiality**

As a member of this project's research team, I understand that I will be taking notes and transcribing confidential interviews. The information in these transcripts has been revealed by research participants who participated in this project on good faith that their interviews would remain strictly confidential. I understand that I have a responsibility to honor this confidentially agreement. I hereby agree not to share any information in these transcriptions with anyone except the primary researcher of this project, his/her doctoral chair, or other members of this research team. Any violation of this agreement would constitute a serious breach of ethical standards, and I pledge not to do so.

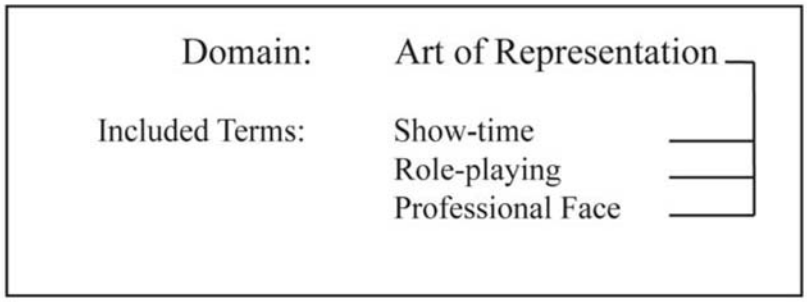
Lorna Keathley — Oct. 19, 2009

Lorna Keathley
Research Team Member — Date

# Appendix C

## Heuristic Elicitation Methodology (HEM) and Interviews Domain Example



# Appendix D

## Heuristic Elicitation Methodology (HEM) and Interviews

### Spradley's (1979) Universal Semantic Relationships

| | |
|---|---|
| 1. Strict Inclusion | X is a kind of Y |
| 2. Spatial | X is a place in Y; X is a part of Y |
| 3. Cause-effect | X is a result of Y; X is a cause of Y |
| 4. Rationale | X is a reason for doing Y |
| 5. Location for action | X is a place for doing Y |
| 6. Function | X is used for Y |
| 7. Means-end | X is a way to do Y |
| 8. Sequence | X is a step (stage) in Y |
| 9. Attribution | X is an attribute of Y |

## Appendix E

## Heuristic Elicitation Methodology (HEM) and Interviews

### Verbal Judo Cultural Behavior Elicitations

| INCLUDED TERM | SEMANTIC RELATIONSHIP | COVER TERM |
|---|---|---|
| RE-spect vs. respect.<br><br>What really worked was the RE-spect—looking through their eyes.<br><br>Professional Face<br><br>If you can incorporate . . . Showtime into Professional Face, you will be successful.<br><br>. . . who do I need to be or understand to help this person.<br><br>Art of Representation<br><br>The quicker you can erase you out of that . . . ego goes up—power and safety goes down.<br><br>Whole chameleon philosophy. Becoming who you need to be—Showtime. How others see you is biggest officer safety concern. Delivery style is 93% . . .<br><br>I can't tell you the last time I've been called a bitch. | is a kind of | Art of Representation Behavior/Tactic |

**Verbal Judo Cultural Behavior Elicitations (Continued)**

| | | |
|---|---|---|
| Showtime you're an actor.<br><br>Put on your professional face, go Showtime.<br><br>Every defense attorney has a goal of making you get angry or frustrating you. Have your Professional Face on, it will . . . make you successful.<br><br>. . . boils down to RE-spect vs. respect. One is earned and one is given.<br><br>We all have personal biases, but . . . we can't push those beliefs or biases on other people. Must seem impartial . . .<br><br>Professional Face forward has allowed officer to communicate more effectively, impacted conflict positively (lessened conflict). | is a kind of | Art of Representation Behavior/Tactic |

**Verbal Judo Cultural Behavior Elicitations (Continued)**

| | | |
|---|---|---|
| LEAPS.<br><br>LEAPS and applying LEAPS skills fully.<br><br>I could teach a course in LEAPS for negotiation.<br><br>As a student . . . whenever I'm attending training it increases supervisory skills in LEAPS mode.<br><br>Listening, empathizing, asking, paraphrasing, summarizing . . .<br><br>. . . bunch of different ways to use LEAPS.<br><br>. . . making a presentation and found it necessary to utilize my training in particular was the LEAPS concept.<br><br>... apply listening skills of LEAPS. It really helps to solve conflict and come to mutual ground.<br><br>You use all these skills; active listening, respond to meaning—not react to the words. | is a kind of | LEAPS (Listen Empathize Ask Paraphrase Summarize) Cultural B ehavior/Tactic |

**Verbal Judo Cultural Behavior Elicitations (Continued)**

| | | |
|---|---|---|
| The whole LEAPS—five tools to diagnose these encounters . . .<br><br>. . . empathize with people is critical.<br><br>. . . empathy is very close to sympathy.<br><br>I think the empathy angle is a very big thing.<br><br>. . . sometimes you have to empathize you can incorporate that . . .<br><br>If you can incorporate empathy . . . you will be successful.<br><br>Open unbiased, key to active listening, paraphrasing—find happy medium.<br><br>The empathetic thing—<br><br>. . . redirecting and paraphrasing.<br><br>. . . keep officer safe . . . add to professionalism.<br><br>. . . emphasizing dignity and respect issue. | is a kind of | LEAPS (Listen Empathize Ask Paraphrase Summarize) Cultural Behavior/Tactic |

**Verbal Judo Cultural Behavior Elicitations (Continued)**

| | | |
|---|---|---|
| Giving People Options<br><br>8 Step.5 Step.<br><br>5 Step Hard Style<br><br>5 Step hard Style Upon Resistance.<br><br>I walked a person through the 5 Step Hard Style and was able to get him in the car.<br><br>5 Step Hard Style—beauty of it all—prepares the officer for when communication fails.<br><br>I think you have to look at the situation you have if you have a volatile situation and go to Step 5. If you get to the confirmation stage – you know they are going to jail.<br><br>. . . utilizing 5 Steps a lot<br><br>I use them all. The deflector, the 5 step . . . | is a kind of | "5" Step Hard Style (Ask, Set Context, Present Options, Confirm, and Act) |

**Verbal Judo Cultural Behavior Elicitations (Continued)**

| | | |
|---|---|---|
| It's how you start off when them . . . [introduction]<br><br>7 or 8 step contact.<br><br>. . . the 8 step stopping a motor vehicle.<br><br>The number one thing I do Verbal Judo wise – that completely changed my job—the Verbal Judo 8 Traffic Stop.<br><br>8 Step and [5] Step knowing split second could mean difference between that person and my life.<br><br>8 step Verbal Judo Traffic Stop—we teach it verbatim.<br><br>8 Step<br><br>8 Step Traffic—doing it the same every time.<br><br>8 Step.5 Step.<br><br>8 steps is very helpful to a cop.<br><br>Verbal Judo 8 step method gives officers a consistent framework with which to evaluate people.<br><br>8 Step allows you to better judge unusual responses to that framework. | is a kind of | "8" Step Car Stop (Greeting, ID Self/Report, Reason for stopping individual, Any justified reason question, Driver's License, Addition Information, Decision, Close) |

**Verbal Judo Cultural Behavior Elicitations (Continued)**

| | | |
|---|---|---|
| Act when words fail.<br>SAFER violation.<br><br>SAFER principle.<br><br>Again stick to Verbal Judo principles. SAFER.<br><br>Security of person's people. An attack (they attack you); some officers have people stay at arm's length.<br><br>E stands for Exercise Repetitions . . . R Stands for revised priorities . . .<br><br>SAFER violation—when [it] occur[s] and act on those. | is a kind of | SAFER (Security, Attack, Flight, Excessive Repetition, Revised Priorities) |

*The researcher omitted any Verbal Judo cultural behavior elicitations that could identify a particular individual within the study.

## Appendix F

## Verbal Judo Survey Questions

1. I blend Verbal Judo tactics with my experience for resolving conflict.
2. Keeping my Personal Face forward helps me to calm down conflict.
3. I feel that the "8" Step Traffic Stop pattern enables me to deal with difficult people, preventing conflict escalation into a dangerous situation.
4. I feel that using the "5" Step Hard Style pattern does not enable me to deal with difficult people in dangerous situations.
5. I feel that using the LEAPS communication tactic, enables me to diffuse dangerous conflict.
6. Before the Verbal Judo training, I raised my voice and used a harsh tone to get control of difficult situations.
7. I use an empathetic tone taught in Verbal Judo to diffuse difficult situations. I believe that using Verbal Judo enables me to gain voluntary compliance even in difficult situations.
8. I understand that my natural reaction to street talk in "Play Ground in America" is a harsh tone and unsavory language.
9. I believe that using Verbal Judo enables me to gain voluntary compliance even in difficult situations.
10. I believe that using Verbal Judo communication tactics does not allow me to have creative solutions to "lower anger" in a conflict.
11. I believe that by using Verbal Judo techniques, I maintain my professionalism.
12. I do not reduce dangerous conflict by using Verbal Judo deflective techniques.
13. I believe that tactical communication or words that have an effective delivery style add 93% of effective intervention of conflict.
14. I believe that "Mushin" (Unbiased, open, flexible, disinterested) in dangerous conflict does not allow me to be more effective in controlling conflict.
15. I believe that Verbal Judo tactics allow me to deal with the three different "types" of people, effectively reducing conflict.
16. I feel that the goal of any enforcement communication is to use "Professional Language" tailored with my own ideas to diffuse difficult situations.
17. I feel that understanding "I have the last act" and "I give you the last word" prevents escalating violent situations.
18. I believe that "Say what you want" and "Do as I Say" does not allow me to deflect dangerous conflict.
19. I feel that "RE-spect" instead of respect, side steps dangerous disagreements.
20. I ease conflict by implementing Verbal Judo tactical communication in my daily routine.
21. Verbal Judo does not smooth over disagreements that can escalate into dangerous conflict by deflecting street talk.

**Verbal Judo Survey Questions (Continued)**

22. Verbal Judo offers positive choices first to people by enabling willing compliance and deflecting the escalation of conflict.
23. Verbal Judo does not enable me to "work with" the person to disarm difficult people.
24. Verbal Judo allows me to keep my opinions and emotions to myself with deflecting dangerous street talk from dangerous people in difficult situations.
25. Verbal Judo allows me to reduce disagreements by understanding that "Words" and "Meanings" are very different in people unless they are very calm.
26. The tone of voice of a subject is a window into the subject's intentions.
27. The tone of voice of an officer has no effect in the deflection of difficult situations.
28. I understand that keeping my "Professional Face" on means to harmonize my role as an officer with the tone of my voice.
29. I believe that when someone comes at me with their "Personal Face," I meet them with my "Personal Face" as well.
30. I understand that "Come Here" is not a tactical peaceful phrase and can lead to dangerous conflict.
31. By understanding my weaknesses, I can use Verbal Judo deflection techniques to disarm a dangerous situation by maintaining control of myself and of the situation at hand.

## Vita

For the past 15 years, Lorna Keathley has been working as a communication coordinator for various programs housed at the University of Tennessee Center for Transportation Research. During this time, she has also functioned as the Assistant Director to the Tennessee Traffic Safety Resource Services (TTSRS) program. While TTSRS is statewide resource service for traffic safety advocates, the program has expanded to include website training, conference registration, forum, and social media. TTSRS designed and currently maintains the Tennessee Governor's Highway Safety Office's (GHSO) Administrative Training website for law enforcement. TTSRS also operates as GHSO's statewide website for public consumption, including Child Passenger Safety and Cops in Court areas.

Notably, it was through working for GHSO that Ms. Keathley was introduced to Verbal Judo and communication training for law enforcement. There began her interest in communication research particularly in the interpersonal area of compliance-gaining.

Ms. Keathley graduated *summa cum laude* with a Bachelor of Arts in studio art from the University of Tennessee with a concentration in photo and video. She is an amateur photographer and videographer. She combines those talents with the Gail Jefferson transcription method of analyzing videos within this study.