

# **“TAKE YOUR HANDS OUT OF YOUR POCKETS!”**

This routine command can have fatal consequences.

Although many of law enforcement's traditions have adapted to contemporary demands, others remain unchallenged. Unless a demonstrated need for change presents itself there exists the excellent possibility that the practice will remain unchanged.

We frequently justify the existence of a practice simply because "It's the way we've always done it!" Accompanying this philosophy are such expressions as "If it ain't broke, don't fix it," or "Don't swap horses if your ridin' a winner!" An examination of the less than obvious consequences of the command "Take your hands out of your pockets!" reveals that although police officers have been yelling it for years, it may not have been a winner, but instead, a real loser.

A law enforcement officer's suspicion of deviant behavior is based upon training, education, experience, instincts and good judgement. Collectively, these are the attributes that cause us to perceive the danger we sense. Our suspicions are not based upon unfounded assumptions, nor are they formulated from paranoia. We must respect and give credence to our suspicions or "hunches". They are in fact, educated hunches, reflective of our good judgement.

Officers are taught early in their academies and training that a suspect's "hands" pose the greatest threat. Consequently, we always want to be able to observe them.

Probably the most repeated law enforcement command, whether by federal, state or local officers, is "Take your hands out of your pockets" or "Let me see your hands!" This is a valid concern. We want to see a suspect's hands to insure he is not clutching a weapon, or reaching for one.

When approaching a suspect, or when approached by one, an officer should be acutely aware of the ability, or inability, to see the person's hands. Before proceeding with subsequent actions we must be satisfied that their hands are not in a pocket in which a firearm is concealed.

It is a justified concern because a suspect's hands are very often in their pockets as we approach. Whether it is their intent to appear casual, intimidate us, or because they are in fact holding a firearm within their pocket, we should immediately assume an elevated level of awareness and proceed accordingly.

When confronted with this frequent occurrence, we instinctively verbalize the command "Take your hands out of your pockets." Sometimes it is stated in a firm demeanor, but often times, stated casually. On the surface, it appears to be a reasonable command to give, i.e., it is the most expeditious way for us to see their hands. In addition to its appearance of an effective precautionary technique, the command has become instinctual through repetition. Officers have become conditioned to immediately issue this command when

approaching a suspect whose hands are concealed within his pockets.

Typically, our greatest concern is that the suspect has a handgun in his/her pocket. We are justified in being suspicious of this. While being concerned and anxious to we meet hands. Our training, instincts, and "street smarts" motivate us to be re-assured we are not approaching a suspect who is holding a firearm and poses a deadly threat to us.

### **INVITATION FOR TROUBLE**

A safe environment is what we ultimately wish to accomplish with the demand for hands to be withdrawn from pockets. What we in fact do, is create an avenue for the action to be taken that we most want to avoid. i.e.. the suspect drawing a firearm from pocket, and shooting us!

Movement of the suspect's hands is not going to be an indicator of trouble, for we initiated the movement by requesting that hands be withdrawn from pockets. If the suspect is actually in possession of a firearm, our first opportunity to see it may be when it's too late. . . when it is pointed at us.

In issuing the command for the suspect to withdraw hands from pockets, we eliminate what could have been a distinct indication of a potential assault. If our suspect's hands are in his/her pockets. we must assume that a gun is in fact present, and proceed in a manner which inhibits its use against us.

When issuing the traditional "Take your hands out of your pockets" command, the officer is typically closer than 10 feet and his/her weapon is holstered. If the suspect draws a handgun upon this command, the officer is an easy target.

This is the classic example of action versus re-action. The officer would be at a distinct and unnecessary disadvantage in facing the drawn gun. Also. commanding the suspect to withdraw his hands from his pockets, may in fact initiate the assault that would not have occurred had we not provided the opportunity for them to take the hostile action.

In November 1992 a state trooper conducted a drug interdiction stop which was video and audio taped by his vehicle's camera. Receiving consent to search the suspect's vehicle, the trooper initiated a pat down of the suspect. The suspect's hands had been in his pant's pockets through out their conversation and during the pat down the suspect kept his left hand in his front pocket.

When the trooper asked the suspect to take his hand out of his pocket, the suspect did not respond to the command. When the trooper again commanded him to remove his hand from his pocket, the suspect abruptly complied, clutching a .22 revolver and shot the trooper, killing him.

This trooper was an experienced officer. It is a fair conclusion that he, like all officers who give the "hands" command, did so as a precautionary measure, to insure the absence of a firearm.

### **A TIME FOR CHANGE**

Law enforcement trainers must evaluate the "hands" tactic for its true merit. There appears to be sufficient evidence that we should break from "tradition" in this instance and accept that the practice is in fact dangerous. In some instances it has proven to be fatal. It is disturbing to ponder how many

other officers have succumbed to this well intentioned precautionary command.

We must create an effective tactic to replace the command, one which does in fact maximize our position of advantage – to the suspect's position of disadvantage. Once we perceive danger, we must realize that our good judgement is indicating that we are in the presence of a suspect that we have designated as being a potential threatening individual. We believe, to some degree, this person may be holding a concealed weapon.

If we knew there was no gun present, we would not be concerned about the location of the suspect's hands. It is the lack of that knowledge that generates action to make the determination. If there is no need to approach this potential threat individual, we simply should not.

Distance is good, but is often disregarded by police officers. Officers should seize the opportunity to embrace it whenever possible, especially in the presence of an individual that they suspect may be grasping a concealed firearm. They must recognize and trust their sound judgement, and bas their actions accordingly.

If we are suspicious that a suspect may have a concealed weapon in his/her hand, our actions should be extremely conservative. We should only approach potentially threatening individuals if absolutely necessary. If an officer has the luxury of distance with a suspect whose hands are concealed in pockets, the approach should cease when a distance to issue discernible commands has been achieved. If possible, move to available cover; a tree, mail box, telephone pole or vehicle, etc.

## THE COMMANDS

Issue the first command: DO NOT take your hands out of your pockets. In that most suspects have been conditioned to remove their hands from pockets upon hearing the word "hands," immediately reissue the command with emphasis on "do not."

Command the suspect to face away from you. Then, command him to slowly take his right hand out of his pocket and hold it away from his body, spreading his fingers and turning his palm toward you. (Considering that approximately 90% of the population is right handed, statistics would indicate that the suspect's right hand poses the greatest threat to the officer, and should be "cleared" first). An excellent tactic for the officer to utilize at this stage is "invisible deployment." Prior to turning away from the officer, the suspect was aware of his location. If he were to suddenly turn with a weapon, he would do so anticipating the officer being where he last saw him. Therefore, after the suspect turns, facing away, leave your original position by moving several steps to the right.

This will also provide a clearer view of the suspect's right hand being withdrawn from his pocket. After observing an empty right hand, instruct the suspect to slowly remove his left hand from his pocket and hold it in the same position as the other. The officer should quietly move to his left, to again change locations (invisible deployment) and be in a better position to see the suspect's left hand being removed from his left pocket.

The danger has now been reduced, but not eliminated. There still may be a firearm in the suspect's pocket. Having cleared the suspect's hands, command him to extend both hands high over his head, with elbows

"locked". Then, tactically move toward him and "clear" his pockets. After this process, assume a good field interrogation stance and proceed with questioning.

After clearing the suspect's hands and pockets another advantageous tactic is to instruct him to put his hands back in his pockets. The officer will have a tactical advantage in that the suspect's hands are somewhat constricted below his waist. This offers the officer more time with which to react if the suspect attempts to attack.

There is a second benefit in using the "DO NOT take your hands out of your pockets" command. The traditional command of "Take your hands out of your pockets," provides the suspect with an opportunity to attempt to discard illegal drugs. Since the primary concern is a weapon, we may inadvertently miss cocaine "rocks", etc. being thrown down as hands are removed from pockets, especially at night. It is another advantage for officers as it decreases the suspect's opportunity to discard illegal drugs.

These procedures may appear conservative, however, when an officer has the slightest concern that a suspect is possessing a concealed firearm, it is time to employ conservative tactics. Each month

officers are murdered, the great majority with firearms. It is a problem that must be addressed.

It is incumbent upon trainers and administrators to insure that all possible tactical mistakes by officers are evaluated, and corrective measures initiated. Replacing the command "Take your hands out of your pockets" as described can be one new tactic to create a safer enforcement environment.

I have had the opportunity to train several thousand federal, state and local officers. Every officer in these many training sessions has agreed that the "Take your hands out of your pockets" practice has in fact been extremely dangerous. Additionally, countless officers have contributed many of the ideas comprising the new tactic described in this article. I would like to thank all those officers who voiced their thoughts, ideas and support for creating this new and safer tactic for dealing with potentially armed suspects. It is a significant contribution to the overall safety of all law enforcement officers.

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