

**Statement of Sheriff Michael J. Bouchard
Oakland County, Michigan**

**Hearing on
“Law Enforcement Safety: Protecting Those Who Protect and Serve”**

**Committee on the Judiciary
United States Senate**

Tuesday, July 26, 2022

Chairman Durbin, Ranking Member Grassley, and members of the committee, thank you for inviting me to share my perspective on this critical issue. I applaud the committee for its bipartisan approach to reviewing the issue of law enforcement officer safety.

I am proud to have represented the nearly 1.3 million residents of Oakland County, Michigan as their elected Sheriff for 23 years. Earlier in my career I spent 13 years in local law enforcement in Oakland County.

I am past President of the Major County Sheriffs of America (MCSA) and currently serve on the board as Vice President for Government Affairs. We represent over 100 of the most populous and most diverse counties in the country.

Not a day goes by where deputies or officers aren't assaulted on the streets or in our jails. Occasionally it makes the news and awareness is heightened, like late last week (July 21) when Officer Anthony Mazurkiewicz of the Rochester, New York Police Department was shot and killed in an ambush attack while on patrol. But most assaults on our professionals do not make the headlines, like several experienced in recent days by deputies in my office.

Officers and deputies have some of the toughest jobs in the world. Facing violence is often a part of it.

In my county alone, we had a total of 32 deputies assaulted in the line of duty in 2021. We also had 216 incidents of resisting arrest. The results of these assaults for my deputies are not tiny bumps and bruises. They are broken bones, significant human bites, and more. So far in 2022, we have already had 31 deputies assaulted and 129 incidents of resisting arrest. This is an unfortunate and disturbing trend that we are seeing across the nation.

I've been in this profession since the mid-1970s and some of the differences we are seeing today in our interactions with the public are alarming. While the overwhelming majority of our daily contacts with the community are positive, the number of assaults on officers is up significantly.

That is for a host of complex reasons, but respect for each other, let alone respect for authority, seems to have greatly diminished in our society. The demonization of police has added to the diminished respect and responsiveness to their authority. Quite frankly, the police of today are the Vietnam veterans of yesterday. Our society asks them to do an incredibly challenging and difficult job and then too often demonizes them for doing so.

Another reality is that assaults on officers are significantly underreported. I believe a primary reason for that is the complexity of collecting relevant data. Assaults come in a variety of forms which are difficult to categorize. For example, if a person resists arrest even though in that struggle the officer may be elbowed, pushed, hit or knocked down, formal “assault” charges may not be levied by the agency against the person. In fact, some of these situations are deemed to be *officer* uses of force, when the reality is that the officer was simply overcoming resistance to get their job done. The resulting statistic may indicate one instance of officer use of force and zero instances of an assault on a law enforcement officer.

We need to develop ways to collect and report better data so that we can better understand trends and inform our training. That’s why I support Senator Grassley’s bipartisan legislation, the Improving Law Enforcement Officer Safety and Wellness Through Data Act, which would lead to more comprehensive data collection regarding the use of force against officers. We also appreciate the support of the bill’s cosponsors, Senators Lujan, Tillis, Hassan, and Cassidy.

Anyone who signs up for this job knows they will face physical violence at some point. But even though violence is part of the job, that does not mean we all just have to accept it. We have to constantly work to counter it. To de-escalate if possible. To discourage it. To deter it. To make sure people who are responsible for it face real consequences.

I believe it is critical that we all speak with one loud and clear voice to the public that the place to fight police or criminal charges is in the courtroom, not on the street.

We must also recognize that data on successful de-escalations by law enforcement officers are simply not collected. And yet, most incidents are successfully de-escalated every day with our deputies getting no credit for it in the public eye.

A real street fight for your life is nothing that you have seen on a TV show or movie. As a law enforcement officer, it is scary and physically exhausting. An “unarmed” subject does not mean there is no danger to the officer. Police officers who lose a fight to an unarmed person are in a position to then have their weapon used against them. A police officer in my county died that way.

Just a few days after Christmas in December 2008, Oak Park Public Safety Department Officer Mason Samborski was shot and killed while conducting an investigation following a traffic stop near an apartment complex. Samborski stopped a juvenile suspect – 16-year-old Jonathan Belton – and discovered Belton did not have a driver’s license. Belton lied to Samborski that he lived in a nearby apartment and was rushing home to care for his sick mother. Instead of arresting Belton, Officer Samborski drove him to the apartment complex where Belton introduced a young female claiming to be his sister (she was not) and then attempted to run inside the apartment.

Samborski attempted to detain Belton, but Belton resisted. After a struggle, Officer Samborski was fatally shot in the temple at close range with his own weapon. Later, Belton took pictures proudly displaying the murdered officer's handgun.

This is an example of the danger officers and deputies may face every single day even when a suspect is initially unarmed. Often, that danger arises from minor situations and the officer has no knowledge of why they are fighting.

The committee will remember the senseless and tragic shooting at Oxford High School in my county last November where four students were murdered and seven others were injured. My agency had trained for years to face terrible threats like this. We hoped and prayed this type of tragedy would never visit our community, but it did. Hundreds of deputies from my agency responded to the threat and the gunman was neutralized within minutes of the deputies' arrival. When the gunman was taken into custody, he still had eighteen unspent rounds.

In the days following the shooting, I flew in experts from across the country for a Critical Incident Stress Debrief for all personnel who responded to the incident to help them cope with the tremendous amount of trauma. I watched my deputies go into the debrief and saw the hollowed-out look on their faces. They were drained.

Just a few days after that debrief, an active shooter call came across the radio while I was attending the wake of one of the murdered children from Oxford High School. I responded to a large office building alongside my deputies to conduct a search for threats, and it was clear that many of the deputies on that scene had also responded to the school just days earlier. Yet, there they were – rushing into yet another potentially life-threatening situation to do the job their community expects of them. We cleared the building of people barricaded in their offices for safety, treated the wounded, and learned that shooter had fled.

I tell this story to illustrate how we must provide support to officers and deputies who are subjected to violence – whether it is trauma from a massive incident like the Oxford High School shooting or assaults they endure outside of the headlines. They need effective and specialized treatment. What I have found since the Oxford tragedy is that mental health treatment that officers might seek requires a personal co-pay that becomes a financial impediment they cannot overcome. I have solicited private donations so we can help those deputies as needed.

We must support law enforcement personnel with the resources, training, and mental health services that allow them to recover from trauma and get them back out on the job to protect their communities. Deputies and officers must also be supported with training that builds resiliency starting on day one and continuing throughout their careers. Along with high-quality de-escalation training, that resiliency is essential to help cope with the challenges and trauma they will be certain to face.

One example of programming that Congress supports and the U.S. DOJ's Bureau of Justice Assistance provides that helps in this area is the VALOR Program. The program's mission is to "help law enforcement officers remain physically and mentally prepared for duty in order to return home safely after every shift." (<https://www.valorforblue.org/ValorStory>) Congress

should provide sufficient resources to ensure that agencies across the country can take advantage of this training.

The executive order on policing that President Biden signed this past May includes a helpful provision that will focus attention on best practices related to officer wellness. We look forward to engaging with the Department of Justice to help inform the implementation of that provision.

I strongly encourage the committee to consider the important recommendations made in two highly regarded reports that were facilitated by the U.S. Department of Justice. Both the 2020 report by the President's Commission on Law Enforcement and the Administration of Justice (<https://www.justice.gov/archives/ag/file/1347866/download>) and the 2015 final report by the President's Task Force on 21st Century Policing (https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf) contain helpful and thoughtfully considered recommendations that if fully implemented would result in improvements in officer safety and wellness.

Thank you again for the invitation to this hearing and for your attention to this important issue. The Major County Sheriffs of America is eager to work with the committee to advance policies that enhance officer safety, public safety, and public trust in law enforcement. I look forward to your questions.
