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Police Use of Force

A Review of the
Literature

Fall 2012

Portland State University

Criminology and Criminal Justice Senior Capstone Class:

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Introduction

Our research led to 22 articles with information relevant to the subject of police use of force. The studies explored a variety of topics, ranging from media coverage of force to characteristics of deadly force encounters and many issues in between. The information presented below is a summary of the most significant and useful data gathered from these studies. The material has been divided into five categories: Definitions and Prevalence, Suspects (those who experience force), Officers (those who use force), Patterns of the practice, and Implications, which include best practices or prevention over abuse. The “Definitions and Prevalence” section provides a basic overview of what we are talking about with “use of force” and related topics, as well as the prevalence of such actions. The “Suspects” section identifies information pertaining to the suspects involved in use of force incidents, including demographics and behavior during the encounter. The “Officers” section details information about a police officer’s use of force, including demographics, records and circumstances surrounding a force incident. The “Patterns” section features information about the types of force used as well as the time and space in which such incidents typically occur. The “Implications” section offers advice for organizational policy as well as operational tactics based on research results. A summary of the most applicable research on officer use of force will be delivered in the report.

Definition and Prevalence

Based on information and research gathered from five sources we were able to compile a definition of “use of force” as well as information on its prevalence.

Definition

According to the International Association of Chiefs of Police, use of force is the “amount of effort required by police to compel compliance by an unwilling subject” (NIJ, 2012). The general approach is that police officers should not use more force than is necessary to maintain control of an incident, to carry out an arrest, or to protect the public and/or themselves from imminent danger (NIJ, 2012). Several factors are involved in deciding whether or not to use force, including the location of the encounter, the type of people involved, their mental capabilities, and whether or not drugs and alcohol are involved (Taylor & Woods, 2010, p.268). Many law enforcement agencies use their own established definitions of use of force. Official definitions provide police officers with criteria that are helpful in determining whether it is appropriate to use force and the parameters for the type of force to use in particular situations. The definitions are outlined in agency policies and guidelines and are often referred to as the “use of force continuum” (Terrill & Paoline, 2012, p.8), which ranges from verbal and physical restraint, less-lethal force, and lethal force. (NIJ, 2012). There are many ways in which law enforcement has

embraced less-lethal force, such as with the use of Conductive Energy Devices (CEDs) or Tasers. Although the use of Tasers by police has been criticized, Tasers have been effective in subduing subjects in situations where lethal use of force would be otherwise permitted (White & Ready, 2007, p.171).

Prevalence

According to the Office of Justice Programs Bureau of Justice Statistics (BJS, 2012), an estimated 1.4% of individuals who had contact with law enforcement in 2008 had force used or threatened against them. Of these individuals, 74% reported that the use of force was excessive, and 19% reported being injured during the incident. Only 12% of respondents who experienced force admitted that they disobeyed or interfered with law enforcement. Roughly 84% of individuals who reported experienced force or threat of force felt that law enforcement acted wrongly, but only 14% of these individuals filed a complaint.

In response, as many as 80% of police agencies nationwide have created guidelines on police use of force to determine how and when it is appropriate to use force (Terrill & Paoline, 2012, p.8). Recent research indicates that nearly 15,000 law enforcement agencies and military in more than 40 countries have purchased nearly 448,000 Taser brand CEDs (Alpert & Dunham, 2010, p.236).

Suspects

Our research reviewed 11 articles containing details about suspects involved in use of force incidents. It is important to acquire knowledge about the suspects involved in these incidents in order to create and re-evaluate use of force policies. The information included here is broken down into general demographics, suspect behavior and other related factors, Taser use, and suspect injuries or death.

In a U.S. Department of Justice (2000) study of use of force data, the authors identified demographic characteristics of suspects who experienced force. The authors concluded that the average suspect was 28 years old (Chapter III, p. 1). In addition, the overwhelming majority of suspects were male and 54% were White, 47% Black and 35% Hispanic (USDOJ, 2000, Chapter III, p. 2). Physical resistance by the suspect and/or a resistant demeanor was one of the strongest predictors of police use of force (Morabito, Kerr, Watson, Draine, Ottati, & Angell, 2012, pp.70-71). The majority of suspects appeared highly agitated or erratic in their behavior during these encounters and almost all suspects showed some form of resistance (USDOJ, 2000, Chapter III, p.3). Twenty-five percent of cases involved a suspect assaulting the officer, most commonly by striking with the hands (USDOJ, 2000, Chapter III, p.5). Only 42% of suspects were intoxicated by drugs or alcohol during the encounters. Intoxicated suspects were more likely to actively resist or assault the officer than flee or resist passively (USDOJ, 2000, Chapter III, pp.14-15). These suspects were not more likely to receive force from an officer even though they were more

likely to be in possession of a firearm (USDOJ, 2000, Chapter III, p.15). Mentally unstable suspects were more likely to resist arrest, physically assault officers and be perceived to possess weapons than mentally stable suspects (Johnson, 2011, p.140). It was also found that resistance increased the likelihood that officers would use force. Another study, however, found suspects showing symptoms of mental illness were less likely to receive force than those without symptoms (Godfredson, Ogloff, Thomas & Luebbbers, 2010, p.1399).

Several studies have examined the use of CEDs such as the Taser. In these studies, over 80% of suspects who were Tased were male with an average age of 35. In addition, more than half of the suspects in Taser incidents were African American, about 27% Hispanic and just fewer than 20% were White (White & Ready, 2007, p.178; White & Ready, 2010, p.93). Over 80% of suspects were not intoxicated at the time of the encounter, 40% of suspects were armed, and the majority of suspects showed signs of mental instability, approximately 95% of suspects displayed violent behavior, particularly toward the officer (White & Ready, 2007, p.180; White & Ready, 2010, p.93). Gau, Mosher, and Pratt (2010, p.39) confirmed that resistance is the most important indicator of police use of force, but also claim that Hispanics were twice as likely to be Tased as any other race.

The implementation of Tasers and other CEDs has resulted in a remarkable reduction in severe suspect injuries and an even greater reduction in suspect injuries requiring medical attention (Taylor & Woods, 2010, p.271). In fatal Taser incidents, the suspects were more likely to have continued resistance after the use of force occurred (White, Ready, Riggs, Dawes, Hinz, & Ho, 2012, p.180). Over half of these suspects had mental or substance abuse disorders and acted in an aggressive manner or gestured for the police to shoot them (Kesic, Thomas, & Ogloff, 2012, p.1118). In wrongful death lawsuits against police, the majority of the victims were adult males, but in 60% of cases, the victim was an innocent bystander (Fishel, Gabbidon & Hummer, 2007, p.461).

Officers

Our study reviewed three articles related to officer characteristics and factors that potentially play a role in police use of force. Personal characteristics of individual officers and situational circumstances that contribute to use of force will be discussed.

A McElvain and Kposowa (2008, p.514) study of officer shootings found that in similar situations, younger officers were more likely to shoot their firearms than older officers. The average age of an officer involved in a use of force incident was 37 with an average of 12 years in the field (DOJ, 2000, p.9). When comparing male and female officers, it was found that male officers had a higher tendency to shoot suspects than female officers (McElvain & Kposowa, 2008, p. 514). Not only do gender and age play a role in the use of force, but according to McElvain and Kposowa (2008, p.514) officer education is also a contributing factor; officers

possessing at least an Associate's degree were less likely to shoot than those officers who do not hold a degree. The study also suggested that white officers were more likely to be involved in force incidents than minority officers. This may be due to the fact that the majority of minority officers are female and female officers are less likely to be involved in a force incident. In addition, shift officers are assigned to have an impact on use of force. An officer who is assigned to a "first" or "third" shift is less likely to be involved in an incident where force is needed. Officers that are assigned to "second" shift are more apt to be involved in an incident of force (Brandl & Strohshine, 2012, pp.12-13).

The public reaction to fatalities resulting from officer involved shootings shows in many cases the public would rather the offender shoot before the officer takes any action. The minority community especially tends to favor a "fair shot" scenario, where the suspect, who is armed, fires the first shot before officers react with potentially fatal use of force. This fair shot mentality is reinforced when officers fatally shoot a suspect who is later determined to have been unarmed (Blair, Pollock, Montague, Nichols, Curnutt, & Burns, 2011, p.329). This is important for law enforcement agencies to consider, especially when it comes to discussing use of force with members of the public.

Patterns

How often the police use force is a hot button topic with citizens and the media. It is important to look at the available information to make an informed opinion on how and why force was used in a police contact. In order to determine accurate patterns of police use of force, four articles were reviewed. In reviewing the articles, we were able to identify several patterns related to the kind of force used, why it was used and whom it was used on.

Police have several tools for keeping the peace including verbal communication, hard and soft hand techniques, baton or OC spray, the Taser, and firearms. Several studies have shown that level of force used by police is directly correlated to the actions of the suspect. The U.S. Department of Justice (2000) compared the highest level of officer force used in each incident with the resistance level of the suspect (p.42). When there was no resistance by the suspect, 8% of the officers handled the situation by talking, 65% handcuffed the suspect, and 27% used wrist-arm-locks to maintain control of the suspect. Similar methods were used when the suspect displayed slight resistance. If the suspect resisted and become violent, 24% of officers used wrist-arm-locks and 29% used the takedown. These methods were followed by striking the suspect (18%), wrestling the suspect (12%), and using a baton on the suspect (12%).

The Taser is another tool that is used by police to gain compliance. According to research, more than 75% of incidents involving the use of a Taser occurred indoors (White & Ready, 2010, p.84). After the incident occurred, 95.6% of suspects were transported to the hospital for a physical examination, per department policy (White & Ready, 2010, p.84). Use of a Taser has

shown to be an effective alternative to deadly force. Overall, police executives believe that the adoption of CEDs or Tasers results in reducing use of lethal force (Thomas, Collins, & Lovrich, 2010, p.302).

The highest level of force that police can use is a firearm, otherwise considered deadly force. This almost always causes injury, and often death, to the suspect. In a study on the patterns surrounding fatal police shootings, the authors found that most of the shootings happened in metropolitan areas and were often the result of unplanned police operations (Kesic, Thomas, & Ogloff, 2012, p.1115). In most situations the police were attempting to arrest the suspect for current or alleged past crimes. Approximately half (53.3%) of the incidents occurred in public spaces while the other half (46.7%) happened in a private residence. The majority (73.3%) of the incidents unfolded in less than 10 minutes. Police implemented a variety of strategies to de-escalate these situations and all cases involved some form of verbal communication with the suspect (Kesic et al., 2012, pp.1115-1119).

It is not the goal of the police to use force when dealing with suspects. Compliance is the ultimate goal, but unfortunately there are circumstances that justify the use of force. When those circumstances arrive, police attempt to use the minimum amount of force necessary to gain and maintain control of the suspect.

Implications

We reviewed 13 articles with clear implications for police policies related to the use of force. The implications can be broken down into three broad categories: policies for calls involving the mentally ill, the use of conducted energy devices, and administrative policies and practices. In addition to these suggestions, nearly all studies endorse further research in order to better understand use of force.

Many law enforcement agencies have established crisis intervention programs which can assist with education and options for officers when dealing with individuals who suffer from a mental illness. Officers, who self-select to crisis intervention teams, participate in forty hours of crisis intervention training (Morabito et al., 2012, p.59). The training focuses specifically on de-escalation techniques in situations involving the mentally handicapped. Prepared for these situations, trained officers have a system-level approach in place and can easily respond to and make in depth decisions on how and when to use force against the mentally ill.

Johnson (2011) argues that future research should study officers in the field in order to provide a precise definition for mentally disordered subjects and more accurately understand why force is disproportionately used against the mentally disordered (p.143). Another study revealed most officers felt unsupported and uncomfortable when dealing with the mentally ill and mental health services (Godfredson et al., 2010, p.1402). To overcome this significant obstacle, Godfredson et

al. (2010) recommended providing training and interagency collaboration with mental health services (p.1402). In another study, researchers suggested that using a standardized and proactive approach in encounters with the mentally ill could reduce the number of fatal meetings (Kesic et. al., 2012, p.1123). Finally, Morabito et al. (2012) found that specialized crisis intervention training allows officers to identify symptoms of mental illness effectively and provides the skills needed to de-escalate these situations (p.71). Morabito et al. (2012) emphasized that dealing with the mentally ill is a community issue and officers need support to provide them with the resources they need (p.73).

White and Ready (2007) state that there has been no evidence to support that death can be caused by Taser use (p.188). Policies requiring transport to emergency rooms after Taser use and proper training/supervision of officers equipped with these devices, however, will reduce the risk of inappropriate use (p.188). Paoline, Terrill & Ingram (2012) also warn against the use of conducted energy devices in situations where other methods of force would be appropriate (p.131). Training should then focus on how different types of resistance affect how officers respond (Crow & Adrion, 2011, p.372). Brandl and Stroshine (2012) stress the importance of carefully selecting officers to use Tasers in the field (p.14) and Thomas, Collins, and Lovrich (2010) discuss how longer training on the use of CEDs and a higher placement on the use of force continuum will significantly reduce the number of lethal force incidents associated with Taser's/CED's (p.307).

According to the U.S. Department of Justice (2000), policies that dictate police behavior significantly impact actual officer behavior in use of force situations (Chapter V, p.1). The DOJ (2000) suggests that when writing these policies, four goals should be kept in mind: increasing officer safety, reducing injuries, protecting citizens' rights, and providing officers with the tools to perform their duties more effectively (Chapter V, p.1). The DOJ (2003) also claims that officers mirror the behavior of their superiors and departments are more likely to be successful if administrators are actively involved in developing and enforcing use of force goals (p.10). Blair et al. (2011) recommend realistic incident based training to increase officer safety in use of force incidents as well as training officers on how to avoid confrontations (p.339). White et al. (2012) request more detailed investigation reports on use of force encounters in order to improve our understanding of police use of force (p. 19).

Conclusion

In compiling this report, 40 scholarly articles were reviewed to obtain the most accurate information possible related to police use of force. In most circumstances, the use of force is a last resort. In every one of those circumstances, the police are highly scrutinized on whether the force used was justified. Several high profile incidents over the years have led to this scrutiny, causing police agencies to change their practices and provide more training for officers. This has been especially true of officer interactions with mentally ill subjects.

This report contains information on several things including definitions and prevalence for use of force, suspects (receivers of the action), officers (main actors), patterns related to use of force, and implications that include best practices or prevention. All of this information is important because it shows the many reasons why police may have to use force. These reasons include, but are not limited to, officer training and education, the suspect's actions before and after police contact, mental stability of the person who is in contact with the officer, and in general, the totality of the circumstances presented to the officer.

This report was compiled in an attempt to develop an unbiased opinion on the sensitive subject of police use of force. As previously discussed, force comes in many different forms including officer presence, control tactics, soft and hard techniques, impact weapons, OC spray, the Taser, and a firearm. Most agencies have developed a use of force continuum that puts these tools at a certain level. The level that is used should depend solely on the situation that is presented to the officer at that moment.

This report shows that in most circumstances, officers used force when it was necessary. Unfortunately, it is not possible to show that every situation required force. This is why agencies are now training officers with certain verbal techniques to de-escalate a situation before force has to be used. If force is to be used, the lowest amount of force necessary is deployed to control and or arrest the suspect. As stated earlier, using force is a last resort and the last thing any officer wants to do is hurt someone. Hurting someone can leave the officer with the possibility of discipline that may include termination, civil litigation, and even the chance that charges get filed against the officer. With all of this taken into account, an officer's job is very difficult and not everyone understands what he or she has to do to make it home safely every night.

References

- Alpert, G.P., & Dunham, R.G. (2010). Policy and training recommendations related to police use of CEDs: Overview of findings from a comprehensive national study. *Police Quarterly*, *13*(3), 235-259. doi: 10.1177/1098611110373993
- Blair, J.P., Pollock, J., Montague, D., Nichols, T., Curnutt, J., & Burns, D. (2011). Reasonableness and reaction time. *Police Quarterly*, *14*(4), 323-343. doi: 10.1177/1098611111423737
- Brandl, S.G., & Stroshine, M.S. (2012). The role of officer attributes, job characteristics, and arrest activity in explaining police use of force. *Criminal Justice Policy Review*, *XX*(X), 1-22.
- Crow, M. S., & Adrion, B. (2011). Focal concerns and police use of force: Examining the factors associated with Taser use. *Police Quarterly*, *14*(4), 366-382. doi: 10.1177/1098611111423740
- Fishel, J., Gabbidon, S. L., & Hummer, D. (2007). A quantitative analysis of wrongful death lawsuits involving police officers in the United States, 1995-2005. *Police Quarterly*, *10*(4), 455-471. doi: 10.1177/1098611107306296
- Gau, J. M., Mosher, C., & Pratt, T. C. (2010). An inquiry into the impact of suspect race on police use of Tasers. *Police Quarterly*, *13*(1), 27-48. doi: 10.1177/1098611109357332
- Godfredson, J. W., Ogloff, J. R. P., Thomas, S. D. M., & Luebbers, S. (2010). Police discretion and encounters with people experiencing mental illness: The significant factors. *Criminal Justice and Behavior*, *37*(12), 1392-1405. doi: 10.1177/0093854810383662
- Johnson, R. R. (2011). Suspect mental disorder and police use of force. *Criminal Justice and Behavior*, *38*(2), 127-145. doi: 10.1177/0093854810388160
- Kesic, D., Thomas, S. D. M., & Ogloff, J. R. P. (2012). Analysis of fatal police shootings: Time, space and suicide by police. *Criminal Justice and Behavior*, *39*(8), 1107-1125. doi: 10.1177/0093854812440084
- McElvain, J. P., & Kposowa, A. J. (2008). Police officer characteristics and the likelihood of using deadly force. *Criminal Justice and Behavior*, *35*(4), 505-521. doi: 10.1177/0093854807313995

- Morabito, M. S., Kerr, A. N., Watson, A., Draine, J., Ottati, V., & Angell, B. (2012). Crisis intervention teams and people with mental illness: Exploring the factors that influence the use of force. *Crime and Delinquency*, 58(1), 57-77. doi: 10.1177/0011128710372456
- Office of Justice Programs Bureau of Justice Statistics (2012). Use of force. Retrieved from <http://www.bjs.gov/index.cfm?ty=tp&tid=703#pubs>.
- Paoline, III, E.A., Terrill, W. & Ingram, J.R. (2012). Police use of force and officer injuries: Comparing conducted energy devices (CEDs) to hands- and weapon-Based tactics. *Police Quarterly*, 15(2), 115-136.
- Taylor, B., & Woods, D. J. (2010). Injuries to officers and suspects in police use of force cases: A quasi-experimental evaluation. *Police Quarterly*, 13(3), 260-289. doi: 10.1177/1098611110373994
- Terrill, W., & Paoline, E. A. (2012). Examining less lethal force policy and the force continuum: Results from a national use of force study. *Police Quarterly*, XX(X), 1-28. doi: 10.1177/1098611112451262
- Thomas, K.J., Collins, P.A., & Lovrich, N.P. (2010). Conducted energy device use in municipal policing: Results of a national survey on policy and effectiveness assessments. *Police Quarterly*, 13(3), 290-315. doi: 10.1177/1098611110373995
- U.S. Department of Justice, National Institute of Justice. (2000). Analysis of police use-of-force data (NIJ Publication No. 183648). Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/183648.pdf>
- U.S. Department of Justice, National Institute of Justice. (2003). Curbing police brutality: What works? (NIJ publication No. 192518). Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/192518.pdf>.
- U.S. Department of Justice, National Institute of Justice. (2012). Police use of force. Retrieved from <http://www.nij.gov/topics/law-enforcement/officer-safety/use-of-force/welcome.htm>
- White, M.D. & Ready, J. (2007). The TASER as a less lethal force alternative: Findings on use and effectiveness in a large metropolitan police agency. *Police Quarterly*, 10(2), 170-191. doi: 10.1177/1098611106288915

White, M. D., & Ready, J. (2010). The impact of the Taser on suspect resistance: Identifying predictors of effectiveness. *Crime & Delinquency*, 56(1), 70-102. doi: 10.1177/0011128707308099

White, M. D., Ready, J., Riggs, C., Dawes, D. M., Hinz, A., & Ho, J. D. (2012). An incident-level profile of Taser device deployments in arrest-related deaths. *Police Quarterly*, XX(X), 1-28. doi: 10.1177/1098611112457358