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A Case Study of Police Use of Force on Juveniles in a Southeastern Police Department

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A CASE STUDY OF POLICE USE OF FORCE ON JUVENILES IN A
SOUTHEASTERN POLICE DEPARTMENT

by

Kayce Lowe

A Thesis
Submitted to the Graduate School,
the College of Arts and Sciences
and the School of Criminal Justice, Forensic Science, and Security
at The University of Southern Mississippi
in Partial Fulfillment of the Requirements
for the Degree of Master of Arts

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ABSTRACT

Officer characteristics, situational factors, and organizational factors are common predictors in identifying and explaining police use of force (Friedrich, 1980). While these domains are important, the separation of juveniles in use of force studies is an essential component that is lacking in most use of force literature today. Some studies unintentionally imply that adults and juveniles present the same predictors of force by this lack of separation. Age, specifically the status of juveniles and adults, is not a common predictor of police use of force; however, it is one of the most influential factors in shaping a police officer's decision-making (Brown, Novak, & Frank, 2009).

The current study was designed to address the interactions of police use of force on juveniles. Through quantitative research, the study examined subject characteristics, situational factors, and organizational factors to grasp a better understanding of the types and levels of force police officers use on juveniles. The research concluded that police officers, in this department, only used force in 2.4 percent of the physical arrests and that less force was used on juveniles. The current study can help add to the gap in literature of explaining and understanding the relationships of police officers and juveniles. The study presents a need for further research to examine different avenues of why these police officers used less force on juveniles.

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DEDICATION

This is dedicated to the two people who have helped me get to where I am today, my parents, Alan and Lisa Lowe. I am truly blessed with two loving parents who have prayed for nothing but the best for me. I wouldn't be where I am today without them.

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CHAPTER I – INTRODUCTION

“There is a guy with a pistol, it’s probably fake but he’s pointing it at everybody...probably a juvenile” (Shaffer, 2014a). This statement was received by a 911 operator in Cleveland, Ohio on November 22, 2014. Just moments after two police officers arrived to the call, twelve-year-old Tamir Rice was shot and later died overnight at the Metro Health Medical Center (Shaffer, 2014c). According to the Northeast Ohio Media Group, the statements made about a “juvenile” with a “fake” gun were never relayed to the responding officers (Shaffer, 2014a).

Shortly after the shooting, reporters were given the pictures of the airsoft gun that Rice had been carrying, in which police officers described it looking similar to a “semi-automatic pistol” (Shaffer, 2014b). The airsoft gun had its orange safety indicator removed at the time of the shooting, increasing its resemblance to a real gun (Shaffer, 2014b). According to the two responding officers, when the young boy was asked to raise his hands, he lifted his shirt and reached for what officers thought was a gun. Once the boy removed the gun from his waistband, an officer fired his weapon (Shaffer, 2014d).

The following day, the family’s attorney launched an investigation into what transpired “before a rookie officer fired two shots at the BB gun-wielding child” (Shaffer, 2014d). This shooting became a national headline sparking the debate of police use of force and drawing attention to the amount of legitimate and illegitimate force used by police officers on juveniles (Chermek, McGarrell, & Gruenewald, 2006). The backlash intensified due to Cleveland’s historical problem with the use of excessive force by police officers (Lopez, 2017).

Though research has concluded the use of force to be rare (Adams, 1999; Bayley & Garofalo, 1989; Friedrich, 1980; Gardner, Mulvey, & Shaw, 1995; Holmes, 1997; Klinger, 1995; Lersch, Bazley, Mieczkowski, & Childs, 2008), most attention is focused on excessive force by police officers (Brandl & Stroschine, 2012; Friedrich, 1980; Klinger, 1995; McEwen, 1997). To prevent excessive force from occurring, one must be able to recognize when excessive force is being used. It is essential to be able to determine what constitutes excessive force to fully understand how force is classified among police departments. Terrill (2003) stated that force could be explained as a measure of "above and beyond simple restraint" (p.56).

Friedrich (1980) introduced three approaches used to identify force: individual, situational, and organizational. Excessive use of force can be eliminated by examining individual characteristics of the officer, examining the type of situation an officer is in, and examining the department's use of force policies. In addition to the organizational approach, it is vital that police departments develop policies that contain detailed strategies adaptable to a specific race, gender, and age of a citizen. By examining force in the context of these three categories, it is easier to classify the use of excessive force (Friedrich, 1980).

In an effort to decrease excessive use of force, the United States Supreme Court (USSC), in 1989, determined the limits of the legitimate use of force by police by creating a "standard of objective reasonableness" (*Graham v. Connor*, 1989). This "standard" holds any use of force less than "reasonable" to be deemed excessive. One way police departments ensure objective reasonableness is by implementing clear and concise policies (McEwen, 1997). One of the most notable policies is the application of a force

continuum, which determines the amount of force police officers are allowed to use based on situational factors (McEwen, 1997; Terrill & Paoline, 2012). Force continuum policies vary between police agencies, as do other use of force policies, but equip officers with a set of guidelines and limitations on the amount and type of lethal and non-lethal force (McEwen, 1997). These parameters direct officers to specific measures of force within each police department. According to McEwen (1997), “the usual continuum approach is to rely first on the officer’s presence to quell a situation, and if that fails, to move increasingly severe types of force” (p. 49).

Determining “reasonableness” can be difficult at times. Because of this, police departments implement use of force policies that focus on the dynamics of when to use force and which type of force is deemed appropriate based on the situation (Terrill & Paoline, 2012). Problems in determining reasonableness typically arise when a policy is ambiguous (McEwen, 1997). When a policy is not written and understood clearly, police officers and administrators will likely develop justifications for their actions, even if they are unlawful. In order to control the discretion of police officers, a department must have clear, unambiguous policies for officers to abide by (Walker, 1993).

Shortly after the Tamir Rice shooting, the “hactivist” group, *Anonymous*, released a video asking why the police officer that shot the twelve-year-old resulted to deadly force instead of using a Taser (Shaffer, 2014e). This incident came only eighteen months after the U.S. Department of Justice launched an investigation into the Cleveland Police Department to determine if their officers were too quick to rely on deadly force (Shaffer, 2014d).

One reason for the exorbitant attention after the Tamir Rice shooting was his

status as a juvenile. The offender's age is not often a primary focus in police use of force literature; however, according to Brown and colleagues (2009), the age of the offender is one of the most influential factors in shaping police officer's decision making. By being more lenient with juveniles, police officers' lives are more at risk. Thornton and Schweer (2016) uncovered multiple instances in which probation/parole officers were killed due to lack of force used primarily because of the parolee's status as a juvenile. These stories arise from agencies who implement policies that restrict or require minimal use of force on juveniles. Thornton and Schweer (2016) discussed the problem of how policymakers focused on the age of an individual and excluded the ability of that individual to cause harm. They concluded that law enforcement officers are placed at a greater risk of harm from juvenile delinquents (Thornton & Schweer, 2016).

In order to successfully study the relationship between juveniles and police, research must move beyond focusing predominantly on police use of force and adult offenders. Many factors differ between an adult and a juvenile offender. For instance, the developmental phases among adults and juveniles are tremendously different. Adolescence is described as the transition between childhood into adulthood and can have a significant impact on an individual's decision-making (Bonnie et al., 2013). Adolescents often have issues in the process of finding their identity, experiencing peer pressure, and testing limits. Most of the time, this type of behavior leads towards juvenile and police encounters (Bonnie et al., 2013). The offender's age is one of the most influential factors in police officer's decision making, which is why research on police behavior towards juveniles is crucial in order to supply police officers with the knowledge of how to interact with a juvenile offender (Brown et al., 2009).

This thesis seeks to answer the following research questions: Are police officers using an appropriate level of force on juveniles that complies with their departmental policy? What types of force are police officers using on juveniles? Does the department's use of force policy separate juvenile delinquent and adult offenders? Does the department's use of force training specify how to approach juveniles?

Chapter 2 will examine how research on police use of force has changed over the years through multiple court cases. The United States Supreme Court has provided a way to control officer discretion through cases that examined police officer's reactions to the use of deadly force. The infamous cases of Rodney King and Malice Green are examples of how police discretion and use of force grabbed the attention of the media and how this brought to light many problems with police agencies in regards to their use of excessive force. Through national headlines, these cases changed the way society views police use of force by emphasizing the failures of the criminal justice system in terms of its policy. Chapter 2 will also highlight the importance of use of force policies and examine the most common use of force policy: a force continuum.

Discretion is examined throughout Chapter 2 and will emphasize the need for restrictive policies in the 1970s in order to control officer discretion. The chapter will express the need for research on offender age and police behavior while examining the similarities and differences of officer interactions with juveniles compared to adults.

Chapter 3 identifies the methodology of the current study. The researcher examined the department's use of force policy, training requirements, use of force reports, and interviews to identify police use of force on juveniles. The researcher

interviewed a command staff officer, patrol officer, and a school resource officer to understand the scope of police officer's interactions with juveniles on a daily basis.

Chapter 4 includes the presentation of results from the current study through descriptive statistics, cross-tabulations, and multivariate analysis. A look into the department's use of force policy can be found within this chapter, paying special attention to the department's force continuum. The three interviews are discussed in the categories of schools, street-life, and community and policy concerns.

Chapter 5 interprets the results discussed in Chapter 4 and provides insight into how the department used force on juveniles. This chapter is designed to give readers a better understanding of the importance of adaptable policies and effective trainings focused on police use of force on juveniles. Also listed within the chapter are policy implications gathered, limitations, and future research.

CHAPTER II – LITERATURE REVIEW

The study on the use of force by police officers has changed dramatically over time, along with its definitions (Hickman, Piquero, & Garner, 2008). Use of force research has focused primarily on the use of excessive force by police officers (Brandl & Strohline, 2012; Friedrich, 1980; Klinger, 1995; McEwen, 1997), leaving a variety of factors unexplored. Because of this narrowed focus, little is known about the entirety of police use of force (Friedrich, 1980; Klinger, 1995). Historically, controversies have been presented due to society's endorsement of police officers' ability to use force – but only to a certain extent (Terrill, Paoline, & Ingram, 2012). Among these controversies, many researchers have explained the use of force differently, leaving room for police officers and administrators to justify their actions, whether lawful or not (Bolger, 2015; Buchanan, 1993; McEwen, 1997).

Westley (1953) described the use of force as a way for officers to control offenders to gain the respect of the public and peers and called it the “genesis and function of the illegal use of force by police” (p.34). This drew much unwanted attention to the misuse of police discretion within the use of force (Walker, 1992). Friedrich (1980) declared that use of force guidelines, of both lethal and less-than-lethal force, must rely on the judgment of experts in the field, calling a need for more use of force literature.

Reiss (1980) defined lethal force as any force used by police officers that resulted in a death, particularly including the use of a firearm; whereas, Lundstrom and Mullan (1987) defined lethal force as the use of any weapon, including an officer's fist. Reiss and Roth (1993) broadened the phenomenon and described the use of force, in general, as “behaviors by individuals that intentionally threaten, attempt, or inflict physical harm on

others” (p.2). Other researchers have defined the use of force by examining police records. For instance, Kavanagh (1994) used resisting arrest charges as a measure of force, while others only used threats of arrest (Smith, 1986; Terrill & Mastrofski, 2002). Unfortunately, due to police use of force's rarity, multiple definitions of the use of force and its concepts exist (Adams, 1999; Bayley & Garofalo, 1989; Friedrich, 1980; Gardner et al., 1995; Holmes, 1997; Klinger, 1995). Police administrators may become confused about how to set standards and guidelines for the use of force appropriately. The importance of clear and concise definitions is crucial for police departments to be able to convey use of force policy and procedures accurately.

While many researchers deem the use of force by police officers rare (Adams, 1999; Bayley & Garofalo, 1989; Friedrich, 1980; Gardner et al., 1995; Holmes, 1997; Klinger, 1995), it was still deemed an integral part of our policing system (Lersch et al., 2008). Researchers have identified the rarity of police use of force in multiple studies. For instance, Bayley and Garofalo (1989) found that only 8 percent of the police officers in their sample (n=467) used physical force. Friedrich (1980) and Worden (1995) both found that the amount of force used among police officers in their study was only 5.1 percent (Friedrich, 1980) and 3.6 percent (Worden, 1995) of their sample size, respectively. Whereas Friedrich (1980) and Worden (1995) distinguished between excessive and necessary force, Bayley and Garafalo (1989) did not. Only 1.8 percent (Friedrich, 1980) and 1.3 percent (Worden, 1995) of the instances in their sample were considered excessive force. The concept of excessive force quickly spiked after media pulled ample attention to several unlawful police actions, which caused law enforcement agencies to maintain a national spotlight on the amount of force police officers used.

Media coverage

Multiple USSC cases gave the public an idea of the extent of force that police officers have been able to use in the past. Two particular cases set standards and limitations that police officers today must abide by when force is used (*Graham v. Connor, 1989; Tennessee v. Garner, 1985*). Over the past thirty years, the discretion of police officers on whether to shoot or not shoot has steadily been reduced (Walker, 1992). In 1985, the USSC's *Tennessee v. Garner* (1985) ruling specified that police officers were not to resort to deadly force unless probable cause of threat or harm was evident. The ruling came in light of an incident in which a fifteen-year-old was being chased following a suspected home burglary (*Tennessee v. Garner, 1985*). The fleeing-felon doctrine that was in place at the time gave officers the discretion to shoot any suspected offender fleeing from a scene in order to arrest them and prevent further harm (Walker, 1992). During the chase, a police officer ordered the juvenile to halt, after which the suspect began to climb a six-foot fence to escape. The officer fatally shot the fifteen-year-old as he attempted the escape. The Court ruled that police officers must "have probable cause...to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others" (*Tennessee v. Garner, 1985*). The ruling limited the amount of discretion police officers were allowed to use (Walker, 1992).

Four years after the ruling of *Tennessee v. Garner* (1985), the USSC encountered another case that significantly restricted the conditions in which police officers were able to use force. The case of *Graham v. Connor* (1989) arose when Graham, a diabetic, hastily ran into a convenience store to purchase items that would counteract an insulin reaction. Taking note of the large number of people in the store, Graham ran back out to

the car. A police officer, who was sitting outside the convenience store, noticed his suspicious behavior, followed them, and pulled them over. Ignoring Graham's medical requests, the police officer waited patiently for backup to arrive. Once backup arrived, the officers lifted Graham and placed him face down on car's hood. Graham advised the officers to check for the diabetic decal in his wallet in which one of the officers slammed his face into the car and told him to "shut up." Once the officers received notice that nothing happened at the convenience store, they drove Graham home and released him. Graham sustained broken bones, cuts, and bruises to his body, along with a loud ringing in his ear that did not desist. The Court ruled that all claims of excessive force by government officials must be analyzed under the "objective reasonableness" standard seen in *Tennessee v. Garner* (1985). The impact of this case required police officers to have objectively reasonable facts to support their actions during an investigative stop (*Graham v Connor*, 1989). The Court's rulings set limitations on the amount of force used by police officers by requiring an "objectively reasonable" response to a threat.

While these cases generated much attention, more cases involving police use of force arose. The beating of Rodney King created a significant source of public debate in the realm of police use of force (McEwen, 1997). After a car chase, in 1991, four Los Angeles police officers struck King with batons, stomped, and kicked him repeatedly which resulted in physical injuries. Their acquittals sparked a national debate about the amount of force police officers should be allowed to use and the moment when force becomes excessive (McEwen, 1997; *United States v. Koon*, 1993). The King incident initiated the Los Angeles riots of 1992 which brought special attention to police use of

force cases nationwide, particularly those in which the officer and suspect are racially different (McEwen, 1997).

Shortly after the assault on Rodney King, two Detroit Police Officers were found guilty of second-degree murder after the beating of Malice Green during a traffic stop (McEwen, 1997). Green was fatally struck in the head multiple times with a police-issued metal flashlight after being uncooperative with the officer. The cases of Rodney King and Malice Green characterized the misuse of less-than-lethal weapons issued to police officers around the country (McEwen, 1997).

After these cases, public perceptions of the police were predominantly influenced by news media (Chermak, McGarrell, & Gruenewald, 2006; Skolnick & Fyfe, 1993). Graber (1980) claimed that media outlets highlight the failures of law enforcement to increase crime control, whereas Surette (1998) stated they use law enforcement to promote a heroic outlook on police officers, while simultaneously conveying law enforcement as incompetent. This controversy gives the public conflicting ideas and images of police officers, leaving them confused about whether to have a positive or negative attitude towards police officers (Chermak et al., 2006).

Measures of force

These cases, and others like them, began to create more specific guidelines on how and when the use of force is valid and appropriate (Terrill et al., 2012; Terrill & Paoline, 2012). One aspect that is difficult to classify is non-physical force, which is often overlooked in the literature (Alpert & Dunham, 1997; Garner, Schade, Hepburn, & Buchanan, 1995; Klinger, 1995). Many use of force policies focused on weapons used by police officers but failed to recognize other forms of force. Previously, the majority of

research was conducted with only the presence of gunfire (Klinger, 1995). With this focus, all less than lethal force was omitted. According to Klinger (1995), this was a significant problem because the majority of force used by police officers is less-than-lethal.

More recently, research has cultivated a broader examination of police use of force (Adams, 1995; Alpert & Dunham, 1997; Hickman et al., 2008; Klinger, 1995; Lumb & Friday, 1997; Terrill, 2003; Terrill & Paoline, 2017), including research on verbal forms of force (Alpert & Dunham, 1997; Garner et al., 1995; Klinger, 1995). Terrill (2003) indicated that force should be measured not only by the physical force exerted by police officers but by the verbal force as well.

Threats and voice commands made by police officers are often overlooked and not perceived as measures of force (Klinger, 1995; Terrill, 2003). Data obtained from the Metro-Dade Police Department in Florida identified the use of both physical and verbal force by police officers (Klinger, 1995). Of the 241 encounters, 144 (60 percent) of the cases did not indicate force used by a police officer. The remaining 97 cases indicated a presence of verbal and physical force. Verbal force issued by officers was present in 98 percent of the cases, while physical force indicated to be present in only 42 percent. A total of six measures of force including voice command, firm grip, pain hold, chokehold, baton, and hit or kick were examined in this analysis. From those measures, only one was a form of verbal force while the other five were a form of physical force. In many of these cases, multiple measures of force were used within individual encounters, leading to additional analyses to determine which level of force the encounter measured based on the department's use of force policy (Klinger, 1995).

Use of force policies

According to McEwen (1997), the purpose of departmental use of force policies is to ensure that police officers use as little amount of force per situation. Without clear departmental policies, the establishment of what is “objectively reasonable” is nonexistent (*Graham v. Connor*, 1989; Terrill & Paoline, 2012). When officers use more force than what is “reasonable,” the possibility of liabilities increases (*Graham v. Connor*, 1989). Therefore, a reduction in liabilities is a by-product of a favorable use of force policy (McEwen, 1997). An ambiguous policy allows officers to develop their own rules and justifications on the use of force, which may conflict with the law. Not only is it vital to promote clear policies, but it is just as important to train officers to take appropriate measures with force. “It does absolutely no good to have a well-written, up-to-date policy if your personnel does not know the policy or the proper method to apply it” (Buchanan, 1993, p. 22).

Less than two weeks after the Tamir Rice shooting, the Justice Department detailed their enactment of sweeping reforms within Cleveland's police department, specifically their use of force policy (McCarty, 2014). The need for reform was indicated after the Justice Department claimed Cleveland police officers used too much force (Heisig, 2016; McCarty, 2014). The problems found within the investigation of the Cleveland Police Department were "insufficient accountability, inadequate training, ineffective policies, and inadequate engagement with the community” (McCarty, 2014). The use of force problems that were cited were excessive force, guns being pulled too often, guns being fired at people who were not a threat, police officers punching

offenders who were handcuffed as a form of punishment, and the city not disciplining police officers who used excessive force (McCarty, 2014).

The change in Cleveland Police Department's use of force policy was designed to be more organized and clear (Heisig, 2016). The new policy, much like the old one, states that officers may use force when it is "objectively reasonable" (*Graham v. Connor*, 1989; Heisig, 2016). The updated policy plainly states that police officers shall use force "only to the degree which is reasonable to affect the intended lawful objective" (Cleveland Police Department, 2018). General procedures, deadly force procedures, and prohibitions of force are listed and are easier to comprehend. Prohibitions include the firing of warning shots, deadly force to protect property, the use of weapons not authorized or approved by the Division, and many others. A de-escalation section is specifically stated and bolded within the new policy, where it is missing from the old policy. This section indicates that de-escalation techniques must be used when it is safe to do so, stating that "officers shall reduce the level of force applied as the nature of the threat diminishes."

According to Assistant Attorney General, Venita Gupta, the Cleveland Police Department's need for reformation of their use of force policy is not the only policy in the United States that needs reformation (McCarty, 2014). Multiple researchers have pointed out faults within departmental use of force policies. An example of an ambiguous policy found within the use of force literature is the use of heavy metal flashlights to police officers (McCauley, 1996). Garner and Buchanan (1995) found that flashlights were used in arrests as a method of force by the officer. The departmental policy analyzed in the study claimed that the flashlight is not a weapon, but gives guidelines on how it can be used as one (Garner & Buchanan, 1995; McEwen, 1997). Contradictory

guidelines present a chance for misuse of less-than-lethal weapons and a chance for unfettered officer discretion (McEwen, 1997).

The circulation of police beatings in the media, such as those of Malice Green and Rodney King, highlighted issues within departmental issued less-than-lethal weapons along with the failure within the criminal justice system in which officers have abused their power and authority (McEwen, 1997). The leading cause of this misuse is directly related to a department's use of force policy (McEwen, 1997; Walker, 1993). In order to find a solution to this problem, two national organizations have attempted to create a set of guidelines for departments to implement into their policies (McEwen, 1997). These two organizations were the Commission on Accreditation for Law Enforcement Agencies (CALEA) and the International Association of Chiefs of Police (IACP). Both organizations expressed the necessity of use of force policies but developed their guidelines differently.

CALEA's (1994) main goal in their use of force policy was designed to increase crime control, to increase departmental effectiveness and efficiency, to increase partnerships between different criminal justice agencies, and to increase the public and the police officer's confidence in the criminal justice system. CALEA (1994) set standards for both lethal and less-than-lethal force and assisted in a department's development of policies, while the IACP's (1989; 1995) model policies allowed police departments to use theirs verbatim, in order to ensure set guidelines on the use of force, both lethal and less-than-lethal.

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CALEA's (1994) directives governing the use of force involved the firing of warning shots, the use of medical aid after deadly force had been used, use of less-than-lethal weapons, and pre-evaluations of officer's proficiencies in marksmanship with annual proficiency testing. Some policies have fixed standards while others have leeway among departments to determine how a given policy will be written. Many of these policies that vary across departments are guidelines on the appropriateness of one's actions. For instance, one department may allow police officers to fire warning shots, whereas another department may not permit them. The IACP (1995) has a standard for firing warning shots noting that they can only be fired if the officer believes that the warning shot can be fired safely and if that officer is authorized to use deadly force. The majority of police departments that McEwen (1997) sampled included a copied IACP model. However, Alpert & Smith (1994) found that there was little guidance on what reasonable force was defined as within the IACP's policy. While there were standards of police use of force, they were still ambiguous in its use (Alpert & Smith, 1994).

In order to assess what is reasonable, many police departments have adopted a force continuum into their use of force policies (Alpert & Dunham, 2004; Alpert & Dunham, 2010; Friedrich, 1980; Klinger, 1995; McEwen, 1997; McLaughlin, 1992;

Terrill & Paoline, 2012; Walker, 1993). Force continuums are some of the most commonly utilized use of force policies among departments due to their easily identifiable types of necessary or excessive force. Terrill and Paoline's (2012) study revealed that over eighty percent of the participating departments incorporated some type of force continuum.

Force continuums have many different designs, depending on the department's preference (Terrill & Paoline, 2012). The most popular design is the linear model which explains that in order to subdue a situation, an officer must start from the lowest level and increase its severity if it fails (McEwen, 1997). According to the NIJ (2009), one normative example of a use of force continuum has five levels. Level one is merely the presence of an officer in which force is not used. If the officer being present does not solve the situation, the officer will advance to level two, which is verbalization. In this level, force is not physical, but demands are made in which the suspect must comply, or further steps will be taken. The jump from level two to three moves into physical force. Level three is empty-hand control where the officer must attempt to seize the problem with restraints or physical contacts, such as punching or kicking. If not subdued, level four is the use of less-than-lethal force (NIJ, 2009). This level is where most departmental policies vary (Alpert & Dunham, 1997; Garner et al., 1995; Terrill, 2005; Terrill & Mastrofski, 2002; Terrill & Paoline, 2012). If officers cannot gain control of the situation using less-than-lethal force, lethal force is the final step to quell a situation (NIJ, 2009). Force continuums vary in structure and allow departments to better adapt police officers with the appropriate measures of force, specifically less-than-lethal force.

Types and levels of force

Less-than-lethal force has recently been a popular topic of discussion among use of force researchers. According to Terrill and Paoline (2012), the subject has taken three forms of study. First, researchers have focused on the extent of a department's use of force policy by examining the type of policy, in particular, whether or not they utilize a use of force continuum. Within use of force policies, researchers have attempted to identify written policies, types of weapons officers are given, and types of training (Alpert & Dunham, 2004; McEwen, 1997; Terrill & Paoline, 2012).

A second framework that use of force researchers have focused on is the theoretical background of force continuums (Terrill & Paoline, 2012). Difficulties have often arisen in research when attempting to generalize use of force. Because force continuums vary across departments, it is difficult to calculate the amount of force police officers can use when citizen resistance is present without having policies that specifically indicate which action should be taken per situation (Alpert & Dunham, 1997; Garner et al., 1995; Terrill, 2005; Terrill & Mastrofski, 2002; Terrill & Paoline, 2012).

The third framework explains the analysis of specific types of weapons within the force continuum (Terrill & Paoline, 2012). McLaughlin (1992) conducted a study that focused not only on the amount of excessive and necessary force but also examined the different types of force. McEwen and Leahy (1994) examined the different types of weapons police departments issued to their officers and found that of participating police departments, 90 percent provided batons, 34 percent provided metal flashlights, and 65 percent provided some type of chemical spray with 40 percent explicitly issuing OC spray.

According to the General Accounting Office, in 2005, seven police agencies were examined to identify which level chemical energy devices (CEDs) were permitted on a force continuum policy (Terrill & Paoline, 2012). Thomas, Collins, and Lovrich (2010) found that 60 percent (126 of 210) placed CEDs from levels five to seven. Thomas and colleagues (2011) expanded their previous research and found that 60 percent (75 of 124) of the participating police agencies placed CEDs on a level that requires the suspect to be resisting in order for the officer to use CEDs. Police departments have their own classification of weapons. Some place CEDs high on the continuum, where others may place it lower (Thomas et al., 2011). By comparing less-than-lethal weapons to each other, it is evident that the variation among departments can be misguided and difficult to generalize for police officers as a whole.

Alpert and Dunham (2010) compared the differences in the placement of CEDs and chemical sprays on the continuum. From their study, they found that 57 percent of the police agencies in the 2005 PERF study placed both CEDs and chemical sprays on the same level and found that 36 percent placed CEDs on a higher level than chemical sprays. An officer may transfer into another department that has opposite views of specific less-than-lethal weapon classifications which stresses the importance of training on specific use of force policies (Terrill & Paoline, 2012).

Walker (1993) noted that with an acceptable use of force policy, administrators are better able to control officer discretion. Omaha Police Department policies became amongst the most popular and well-developed use of force policies. They implemented a policy that required police officers to submit a written report every time a firearm was discharged. The reports are reviewed by higher-ranking officers within the department

(Walker, 1993). This strategy highlights Friedrich's (1980) explanation of the reasonableness of police use of force as based on expert judgment. This technique allowed experts in the field attempt to control police officer discretion by examining the specific situations in which force had been used (Walker, 1993).

Police discretion

Research within the criminal justice field is comprised of paradigms that play an essential role in the describing, observing, and fixing of problems within the system using guided research (Walker, 1993). One paradigm, discovered in the late 1950s, was the concept of discretion. By researching discretion within the criminal justice system, Frank Remington (1956) described that “to a large extent, the administration of criminal justice can be characterized as a series of important decisions from the time a crime is committed until the offender is finally released from supervision” (cited in Walker, 1992, p. 47).

Walker (1993) claimed that the most critical aspect of the discretion paradigm was the officer’s lack of recognizing the use of discretion in decision-making. Around this era of discovery, progressive reformers focused on political corruption within public institutions. Due to discretion, multiple offenders had been released on plea bargains, handed lesser charges, or their arrests were dismissed altogether. Many crime commissioners believed this was due to the failure of the criminal justice system, which was caused by political influences. Crime commissioners were oblivious to the actual problems of the criminal justice system, which were heavy workloads, the self-interest of the bureaucratic class, maintaining healthy relationships between institutions, and

upholding the law. Notably, Walker (1993) identified the idea that discretion itself is not the problem; the problems arise when police officers misuse discretion.

After the beating of Rodney King in 1991, the problem of police discretion surfaced again (Walker, 1993). This incident pointed to three significant problems within police departments. First, most police officers who used force did not have witnesses other than fellow officers. This low-visibility problem allowed officers to act any way they pleased knowing any charges brought up against the officer would be hearsay (Friedrich, 1980; Walker, 1993). Second, administrators recognized their failure in adequately punishing officers who use excessive force. Walker (1993) claimed that the Christopher Commission found that 44 guilty police officers were never punished for their multiple cases of abuse towards citizens. Third, the acknowledgment that low-income, black males are the prime victims of police violence became prominent in media nationwide. Due to these identifiers, police administrators acknowledged that little change had been made in the past thirty years (Walker, 1993).

One of the main difficulties in police discretion is that it is mostly based on the situation an officer is in (Walker, 1993). For instance, Black (1976) identified the complex nature of deciding whether or not to arrest someone. One of the most difficult and extremely controversial decisions is whether to shoot or not to shoot (Scharf & Binder, 1983; Walker, 1993). Scharf & Binder (1983) distinguished three predecessors of the decision: anticipation, initial contact, and information exchange. Throughout these three predecessors, the police officer must make critical decisions on whether to shoot or not.

In the mid-1960s, mandatory investigations were not required after a police officer fired a weapon; however, investigations were mandatory if a police officer damaged a patrol car (Jacobs, 1968). According to a 1964 survey, ten out of the forty-five participating departments implemented a good judgment rule when officers are faced with the choice of shooting the suspect or not. Three of the forty-five departments did not have any written policies at all (Fyfe, 1982). Not only did the shootings not require an investigation, but statistics verified that 97 percent (62 of 64) of the suspect deaths were ruled as a justified homicide. Of those 64 deaths, 39 percent (25 of 64) of the suspects were unarmed, and 42 percent (27 of 64) were shot in the back or side. Four suspects were identified as having not committed a crime at all (Jacobs, 1968).

The time to use deadly force varies across multiple factors, many of which are not discussed in the police academy. At the time of *Tennessee v. Garner* (1985), officers were trained in marksmanship but were not trained on when the use of deadly force is appropriate (Walker, 1993). This was the case until the courts began to intervene by establishing limitations on the use of deadly force (*Tennessee v. Garner*, 1985; *Graham v. Connor*, 1989; Walker, 1993; *United States v. Koon*, 1996). Walker (1993) claimed that the driving force for change in police discretion for the past thirty years has been the Supreme Court.

In 1972, New York City set in place a restrictive policy that would eventually become the most influential research in policing (Fyfe, 1979). These restrictive policies provided the following: police officers use the minimum amount of force, firearms should not be discharged where innocent lives may be endangered, the firing of warning shots are prohibited, the discharge of a firearm to summon assistance is prohibited unless

the officer is in danger, and discharging a firearm at a moving vehicle is prohibited unless those in the other vehicle are using deadly force towards the officer or any other person. The impact in New York City substantially kept the crime rate from increasing and reduced the number of shootings by almost 30 percent. The number of racial disparities in shootings decreased after the implementation of these restrictive policies. Walker (1993) believed the main reason for this is related to the number of black suspects killed while unarmed.

In Memphis, Tennessee, between 1969 and 1976, 41 percent (13 of 34) of those shot by police officers were cooperative and unarmed (Fyfe, 1982). Without a policy to restrict force, officers were able to justify racial stereotypes and claimed that the white man is harmless, but the black man is not (Walker, 1993). The number of people shot decreased, and the number of officers killed in the line of duty decreased by 50 percent (131 to 65) from 1972 to 1990 after the policy was implemented (Federal Bureau of Investigation, 1991).

Racial differences between officers and offenders are among the most commonly studied relationships in police use of force studies. Researchers claimed that the reason for the higher death rates of minorities by police was due to the higher arrest rates among minorities (Chapman, 1976; Stock, Borum, & Baltzley, 1996); whereas, other researchers claimed it was due to police misconduct and other irresponsible actions within police departments (Knoohuizen, Fahey, & Palmer, 1972; Kobler, 1975). Takagi (1974) explained the racial divide by stating “police have one trigger finger for whites and another for blacks” (p. 30). According to Chapman (1976), Kenneth Clark specified in a 1974 interview with the *New York Times* that minorities have higher arrest rates and are

typically located in the lower class where street crime is more prevalent. Police officers encounter an increase in arrests in minority neighborhoods due to higher unemployment rates and higher drug activity (Allen, 2005). According to Snyder (2002), drug activity increased by 145 percent in juvenile arrest rates. While an individual's race is significant in the probability of arrests, an individual's age played a factor in the officer's decision to arrest or not. These encounters shaped the police officer's discretion in detaining a juvenile or not (Allen, 2005).

Legally, there is no distinction between juveniles and adults when it comes to the use of deadly force. If a police department does not adopt a policy on deadly force, police officers must have guidelines on how to address a juvenile issue and be confident that the officers can resort to deadly force if the situation presents itself (Chapman, 1967). If the distinction is not stated and it is up to the discretion of the officer, some officers may decide to not use deadly force. This decision places their lives and the lives of others at risk (Thornton & Schweer, 2016). Chapman (1967) stated that "[t]he self-defense concept applies equally to overcoming attacks by juveniles since an assailant is not necessarily less desperate or dangerous simply because of his youth" (p. 237).

Policing juveniles

The juvenile justice system was created in order to divert juveniles away from adult criminal courts. A move towards deinstitutionalizing minor offenses, such as status offenses, began in the 1960s. Status offenses refer to crimes that are minor in its criminal nature. In 1974, the Juvenile Justice and Delinquency Prevention Act guaranteed that all persons, children, and minors in need of supervision (PINS, CHINS, and MINS) would

be guarded against the unforgiving adult criminal justice system (National Research Council & Institute of Medicine, 2001).

In most cases, the first point of contact for juvenile delinquents is law enforcement officers. Ultimately, officers decide whether to send the juvenile into the justice system or to be released back to a parent or guardian (DSO, 2014). An officer's decision on how to handle the situation of arresting a delinquent or not is weighed on various factors, such as prior contact with the juvenile, the parents, and/or other demographics such as the juvenile's age race, or sex (Allen, 2005; Black, 1976; Brick, Taylor, & Esbensen, 2009; Brown & Benedict, 2002; Brown et al., 2009; Cheurprakobkit, 2000; Conley, 1994; Eschhoolz et al., 2002; DSO, 2014; Flexon et al., 2009; McCluskey, Mastrofski, & Parks, 1999; Muir, 1977; Romain & Hassell, 2014; Taylor et al., 2001).

When police officers come in contact with juveniles, their discretion is known to increase (Bridges & Merritt, 1974; Brown et al., 2009; Walker, 1992; Walker 1993). Typically, if the crime committed is a status offense, police officers are more likely to use higher discretion and release the juvenile. However, if the crime is more violent, the officer's discretionary powers are almost nonexistent (Bridges & Merritt, 1974). There are other complications that aid in the juvenile's fate, such as a domestic dispute claim. Police officers are required to intervene if a juvenile is amid a domestic dispute or has a possibility of being harmed, so distinguishing between being expected to assist and maintaining law and order is often difficult or impossible (Brown et al., 2009). Police officers are faced with multiple obligations to both upholding the law and maintaining the welfare of the juvenile (Bridges & Merritt, 1974). The overlapping of these two events

imposes the use of discretionary power. Officers must ask the question of whether it is more beneficial to arrest or release the juvenile.

No formalized criterion on how to use discretion exists (Bridges & Merritt, 1974) According to Brown et al. (2009), the age of a suspect has been one of the most influential factors in shaping an officer's decision of arrest and use of discretion. Theoretically, police officers have a specific preconceived notion of juvenile suspects compared to adults, specifically for street crime offenses (Black, 1976; Brown et al., 2009; McCluskey, Mastroski, & Parks, 1999; Muir, 1977). This notion is that juveniles are perceived to be less respectful (Allen, 2005; Black, 1976), less rational in their decision making (Herz, 2001; Muir, 1977), less likely to be cooperative with the police (McCluskey et al., 1999), and more likely to engage in dangerous activities due to a vulnerability to peer-pressure (Brown, et al., 2009).

Juvenile arrests

Studies of juvenile arrests have concluded that the juvenile's demeanor is a vital arrest factor (Allen, 2005; Leeson & Snyder, 1981; Lundman, 1996; Schulenberg & Warren, 2009; Skolinick & Fyfe, 1993; Terry, 1967; Worden & Shepard, 1996). Schulenberg & Warren (2009) found that nearly 75 percent of police respondents indicated that the juvenile's demeanor was significant. Allen (2005) found that 76 percent of officers agreed to the statement "adolescents who disrespect police officers should be taken into custody." Disrespect was the strongest predictor of whether or not the police officer should arrest the juvenile (Allen, 2005). Klinger (1994) suggests that researchers conceived and measured the suspect's demeanor incorrectly and claimed two limitations could affect its validity. First, a person's demeanor is "legally permissible behavior" so

studies that measure demeanor based on instances in which a law is broken are invalid (p. 477). Second, the officer's approach to criminal conduct is skewed when the effects of demeanor are considered. The invalid measures caused researchers to reexamine their previous studies. After which, most researchers found very little change, indicating that a hostile demeanor does strongly affect police behavior and arrests (Lundman, 1996; Smith & Visher, 1981; Worden, 1989; Worden & Pollitz, 1984; Worden & Shepard, 1996).

While demeanor is a matter of perception, studies have indicated that it may be gender-related (Allen, 2005; Conley, 1994). Conley (1994) concluded that 86 percent of officers agreed that if more than one black male were seen together, they were more than likely committing some type of criminal activity. Apart from gender, Piliavin & Briar (1964) found racial influences by claiming that officer perception of suspicious behavior was based on the racial profiling of the type of clothing and hairstyles, that were unique to black juveniles, were indications of suspicious behavior. Because the number of African American police officers have tremendously increased since this study in 1964, the need for revisiting this notion is crucial to determine if those police perceptions are still indicators of suspicious behavior today (Allen, 2005; Lundman, 1996). Other studies have corresponded that the suspect's race is an indicator of juvenile arrests (Brick, Taylor, & Esbensen, 2009; Brown & Benedict, 2002; Brown et al., 2009; Cheurprakobkit, 2000; Eschhoolz et al., 2002; Flexon et al., 2009; Romain & Hassell, 2014; Taylor et al., 2001). Multiple studies indicated that black juveniles are stopped more frequently compared to whites, are consistently under closer scrutiny than whites, and are often detained longer in custody compared to white juveniles if arrested (LaFave, 1962; Piliavin & Briar, 1964; Goldman, 1963).

While juvenile arrest research is predominantly focused on criminal trends among gender and race, other researchers have studied eccentric factors, such as trends across population densities (Carrington & Schulenberg, 2003; Hurst & Frank, 2000). According to Snyder & Sickmund (1999), reports have suggested that juveniles committed substantial amounts of crime, particularly street crime. Carrington & Schulenberg (2003) focused on two objectives that police officers chose at the arrest of a juvenile: satisfy the requirements of the law or deliver informal actions. This decision was seen to have drastic differences between metropolitan and rural areas (Carrington & Schulenberg, 2003).

Carrington & Schulenberg (2003) examined the relationship of police officers and youth court officials and concluded that police officers were more likely to have more confidence in court officials in rural areas compared to metropolitan areas. This statement, overall, affected the decision-making process of police officers in metropolitan areas by giving more advantage to release the juvenile to disregard adjudication proceedings. However, in rural areas, police officers were more likely to place the child in the juvenile justice system because of the increased trust in that the youth court judge would give more appropriate sanctions (Carrington & Schulenberg, 2003). “While the arrest decision is important and should be studied carefully...one should be concerned theoretically and operationally with other actions that police take, recognizing that the use of authority varies even when police do not make an arrest” (Myers, 2004, p.16)

Use of force on juveniles

An officer's presence, seen on a lower level of a use of force continuum, was seen as a compelling force because of the authority they represent (Bittner, 1974; Black, 1980;

Myers, 2004; Worden, 1989). Officers used their authoritative power by making an arrest or using force when criminal behavior was more serious (Black, 1976; Klinger, 1996; Myers, 2004). While a majority of literature focused on the authoritative power police officers presented when making arrests, only a small amount of literature focused on the authoritative power officers present when using force.

Two studies in 2002 indicated that juvenile arrestees experienced some type of force used against them by police officers (Hickman et al., 2008). Youth arrestees from the Police-Public Contact Survey (PPCS), made up 31 percent of those who experienced force used upon them. The Survey of Inmates in Local Jails (SILJ), in 2002 indicated that 33 percent of inmates stated police officers used force upon their arrest. More recently, a 2018 study indicated that approximately 50 percent of juvenile arrestees experienced some type of force by police officers (Murrow, Nuno, & Mulvey, 2018). The most common predictors for the use of force on juveniles were resistance, disrespect/demeanor, and non-compliance, which could be explained by their developmental stages (Murrow et al., 2018). By separating juvenile and adult offenders, researchers can differentiate juvenile motivations and decision-making from adults. The understanding of these predictors will aid in more efficient police practices with juveniles. While literature specifies the police and adult interactions, the lack of research on the interactions with police and juveniles is a significant problem (Skaggs, 2013).

The gap in the literature is problematic considering police officers come in contact with juveniles daily (Murrow, et al., 2018; Skaggs, 2013). One solution to reducing the amount of force used by police officers towards juveniles is through training (Murrow, et al., 2018). According to Strategies for Youth, less than one percent of the

sampled academies train police officers in interacting with juveniles (Bostic, Thureau, Potter, & Brury, 2014). By training officers about adolescent psychology and allowing them to role-play different scenarios in which juvenile offenders were experiencing mental health problems, trauma, and/or cultural influences, the number of juvenile arrests decreased from 646 arrests in 1999 to 74 arrests in 2009 (Bostic, et al., 2014). Because police officers play a significant role in shaping a juvenile's perceptions of the criminal justice system, it is essential to provide adequate training so police officers can properly approach a juvenile. With proper training, unintended effects of preventing juveniles from reentering the system may occur (Murrow, et al., 2018).

One way that police officers help juveniles involved in delinquent situations is to place the juvenile in a community service project that works explicitly with delinquents (Bannister, Carter, & Schafer, 2001; Brown et al., 2009). Even though little information is known about what makes police officers choose to help juveniles or to arrest them, the interaction between juveniles and officers molds the juveniles' attitudes about the police (Brown et al., 2009; Skaggs, 2013). Other rehabilitation initiatives that aid in helping high-risk youth are seen to make an impact on juveniles' life choices. By engaging in relentless outreach and developing relationships between juveniles and institutions within the community, the police/juvenile relationship can be restored while providing appropriate guidance to the juvenile (Baldwin & Zeira, 2017). Specific programs that separate juveniles from adults are crucial to decreasing recidivism rates and building a strong relationship between law enforcement and juveniles.

The differences in policing juveniles and policing adults are difficult to draw conclusions from because age is typically not a factor that is studied consistently among

researchers (Brown et al., 2009). Studies have shown that juveniles are more likely to be reported for street crime when compared to adults. Some studies have related this back to the juvenile's social class (Brandl & Strohshine, 2012; Chapman, 1976; Dantzker, 2013; Friedrich, 1980; Lersch et al., 2008; Terrill & Reisig, 2003), race (Brick, Taylor, & Esbensen, 2009; Brown & Benedict, 2002; Brown et al., 2009; Cheurprakobkit, 2000; Eschhoolz et al., 2002; Flexon et al., 2009; Goldman, 1963; LaFave, 1962; Piliavin & Briar, 1964; Romain & Hassell, 2014; Taylor et al., 2001), gender (Allen, 2005; Conley, 1994), and location (Carrington & Schulenberg, 2003; Hurst & Frank, 2000), but other studies have found no significant difference or explanatory value in the discretion of police officers arresting juveniles versus adults (Lundman, 1974; Sun & Payne, 2004). Leiderbach (2007) explained that the reason for the increased amount of leniency towards juveniles was primarily due to the idea that the crimes that juveniles were committing were minor compared to the crimes adults were committing.

Though assuming the reason that police officers treat juveniles differently from adults is simple, there is no empirical evidence to support these assumptions (Brown et al., 2009). Little information is known about officer discretion and strategies towards juveniles in comparison to adults (Brown et al., 2009). Since the majority of research is based on the interaction between police and adults, it is difficult to generalize the relationship between juveniles and police officers (Skaggs, 2013).

Overall, literature examining the relationship between juveniles and police use of force is sparse. Two major problems arise from primarily studying the relationship between police and adults only (Skaggs, 2013). First, researchers are not able to comprehensively explain police and juvenile interactions because we are unaware if the

factors concluded from police and adult interactions can account for police and juvenile interactions. Second, it fails to provide a theoretical explanation for police administrators to provide enhanced training with juvenile delinquents. Police administrators and policy advisors cannot change or enhance what they do not know (Skaggs, 2013).

Future research should explore the interactions between police officers and juveniles more thoroughly so that researchers may understand the predictors of force and other types of police actions. Moving away from the notion that adult and juvenile offenders can be studied in the same manner is a crucial step in understanding juvenile's motivations for crime, their decision-making process, and to decrease the likelihood of police officers using force on juveniles.

Current study

The literature reviewed above suggests that researchers can identify trends among adult and police officer interactions and use this to define the interactions of police officers and juveniles. However, the small amount of literature that explored the juvenile/officer relationship states otherwise. Those who focus on these relationships specifically focus on police behavior with juveniles and identifying factors that lead to juvenile arrests. There is a significant gap in the literature on examining police officer's actions past arrest. The topic of police use of force on juveniles is often overlooked. Based on this knowledge, four main research questions guide the current study:

R1) Are police officers using an appropriate level of force on juveniles that complies with their departmental policy?

R2) What types of force are police officers using on juveniles?

R3) Does the department's use of force policy separate juvenile delinquent and adult offenders?

R4) Does the department's use of force training specify how to approach juveniles?

The current study contributes to the gap in the literature by comprehensively explaining interactions between police officer's use of force and juveniles. This is done by collecting use of force reports in a two-year span and examining key factors such as juvenile resistance and police officer's type and level of force. By examining this relationship, we can identify whether the appropriate type and level of force was used on juveniles in the participating southeastern police department. Results will provide theoretical explanations of how police administrators can enhance their department's use of force policy and training to produce more effective encounters with juveniles, and quantifiably explain the juvenile encounters with police. This study identifies departmental policies and training that may play a vital role in police use of force on juveniles. By being able to quantify the arrest and use of force factors towards juveniles, more appropriate policies, trainings, and programs can be put into effect to increase the juvenile's relationship with law enforcement and decrease the relationship with criminal behaviors.

CHAPTER III - METHODOLOGY

Data collection protocol for this study was based on Terrill, Paoline, and Ingram's (2012) study of police use of force in eight cities. The goal of this project was to identify influential factors that cause police officers to use force on juvenile delinquents, to identify use of force policies, to determine the types of force used on juveniles, and to establish if the same factors of force can be said for adults and juveniles alike. The current study is designed to identify factors that influence police use of force on juveniles.

Setting

A case study on a police department located in the southeast region of the United States, whose name will remain confidential, was performed for the current analysis. The city is composed of 59 percent Whites, 38 percent African Americans, and 3 percent other. Roughly 25 percent live in poverty, and nearly 20 percent are without health care insurance. Gang association is prevalent and is comprised of approximately ten different gang affiliations around the city. Gun prevalence is widespread and are tools of the trade for the gang population.

During the proposed time frame, the police department had a total of 22,292 arrests. This number was determined by the actual physical arrests of an individual and not by charges. If an individual was arrested for three charges, that individual is only counted once in the numbers in Table 1. The breakdown of these arrests by age ranges, race, and gender can be seen in Table 1.

Table 1

Total Physical Arrests from February 2, 2016 to March 13, 2018

Table 1 (continued).

	White		Black		Hispanic		Other		Total
	Male	Female	Male	Female	Male	Female	Male	Female	
0-17	126	57	387	151	13	5	1	1	741
18-24	892	372	2124	963	58	25	44	7	4485
25-34	1752	1045	3396	1310	137	27	48	17	7732
35-44	1245	775	1907	674	71	20	30	15	4737
45-54	849	358	1206	273	33	3	19	0	2741
55-64	414	110	524	128	19	3	18	3	1219
65+	121	21	88	11	2	0	393	1	637
Total	5399	2738	9632	3510	333	83	553	44	22292

Case studies provide empirical benefits for both the researcher and the practitioner. Over the past decade, the police department's difficulties in recruitment, paired with the impact of Hurricane Katrina, built a strong partnership with the university. This allowed the researcher to gain a high amount of trust from the police department which built a healthy, stable relationship which is consistent with Schein's (1999) theory of "process consultation" (Schein, 1999). The police chief for this department has requested the university's partnership through various research opportunities, including this study.

In the current study, the researcher acted as the police department's consultant (Schein, 1999). This concept of a client-consultant partnership is seen more often in businesses and can easily be overlooked in the field of civil service. Having a positive

relationship, this client-consultant partnership allowed the researcher to act as an embedded researcher, which provided advantages for data collection and research by obtaining greater access from the practitioner (McGinty & Salokangas, 2014). This partnership allowed the researcher to work one-on-one with the department to provide analysis on police use of force on juveniles that will be presented back to the department after completion.

Data collection

Use of force reports

A preliminary advisory meeting with the chief of police and an intelligence detective with the participating department was conducted prior to data collection. The department's use of force reports were presented to the researcher to ensure all proper redactions of suspect's personal information were known. All use of force reports in a two-year time frame, February 2, 2016 to March 13, 2018, were used in this study. The reports were obtained from a police officer and then redacted by the researcher before leaving the police department. The redactions included identifiable information that pertained to the subject and officer, including the name of the supervisor notified, other law enforcement officers, the subject's name and home address, and witness information. This information was redacted from the use of force report and its attached narrative, if applicable.

A total of 551 use of force reports were collected, examined, and included the following information: IA number, case number, offense classification (felony, misdemeanor, other), original offense, time of incident, date of incident, time supervisor was notified, incident location, subject race, subject sex, subject date of birth, alcohol

relation, drug relation, reason for officer use of force, subject's resistance level, level of force officer used, type of force used by the officer, officer injury/fatal, suspect injury/fatal, video, audio, charges after arrest, location of force on subject, compliance per department's policy, multiple officers involved, K9 involvement, and disposition of suspect.

Interviews

The current study also included interviews with police officers and administrative officers. The researcher interviewed one patrol officer and one school resource officer. The purpose of these interviews was to address the interactions of the officers and juveniles in this particular city. The school resource officer, employed full-time at one of the middle schools in the area, was interviewed to address problems he encountered in the classroom, while the patrol officer interview addressed problems with juveniles on the streets. Both of these officers meet juveniles at different times of the day and when they are in a different state of mind. Being able to apply both perspectives to the results from this study allowed the researcher to gain a broader scope of juvenile interactions with police, gangs, and education in this particular city.

The administrator interviews focused on departmental use of force policy, training, and juvenile crime prevention programs around the community. The chief of police for this department is invested in juvenile outreach, which is well-known to the public. The department has multiple programs that help juveniles have positive interactions with police officers. By using both quantitative and qualitative data, the researcher was able to better understand the relationships with police officers and juveniles.

Data Analysis

This research aimed to identify predictors of the level of force police officers use on juvenile delinquents. Following the collection and coding of the 551 use of force reports, the researcher added three more independent variables and removed one. On each report, the original offense was written out, making it difficult for analysis. The researcher coded each original offense into three categories: violent, non-violent, and drug. Offenses in which the subject caused injury, used force, or was considered a threat of force/injury were classified as a violent offense. Offenses in which the suspect did not cause injury or use force upon another individual were considered non-violent. Offenses in which drugs or alcohol were involved were classified as a drug offense.

The next two variables were added after a review of the department's use of force policy and their reports. These two additions were the distinction between soft/hard hands and the highest type of force police officers used. The use of force reports contained a checklist of different types of force for the officer to select: Firearm (handgun, rifle, shotgun), Impact weapon, K9, Chemical spray, PPCT, Hands, Taser, and Other. The department's use of force policy places the use of soft hands on a different level than hard hands; however, they are listed as only one on the report. Because of this, the researcher added a separate variable that identified the difference in soft and hard hands. This was done based on the department's policy of the police officer's actions. For this study, the researcher identified the highest level of force if an officer checked more than one level. Because of this, the researcher also took the highest type of force. If multiple types of force were used, the highest force per policy was recorded. If multiple types of force

were on the same force continuum level, the force that gained compliance of the subject was recorded consistently.

The researcher discarded one variable gathered from the use of force reports: the use of a K9. Originally, K9 officers were included in the analysis; however, they were taken out due to departmental policy changes. During the two years, a change that required police officers to complete a separate form for the use of a K9 was made. Based on this change, the number of K9 encounters would be invalid, so they were expunged.

Key independent variables were separated by individual characteristics of the subject, situational factors, and organizational factors based on Friedrich's (1980) approach to identifying force. Linear regression was conducted to identify predictors of the level of force. Three different models were run for the subject's characteristics, situational factors, and organizational factors. Model one contained the subject's characteristics which included the status of a juvenile, the subject's race (white, nonwhite), and the subject's sex. Model two contained situational factors such as offense classification, type of offense (violent, non-violent, drug), drug-related, alcohol-related, five reasons of use of force, subject's resistance, whether or not the officer was injured, subject injured, and if multiple officers were involved. Model three contained organizational factors such as compliance with departmental use of force policy, use of video, use of audio, and soft or hard hands. The department's reports listed five "reasons for use of force" officers could choose from and if none applied, they selected "other" and provided their own reasoning. The five reasons are self-defense of officer, defense of another individual, necessary to make an arrest, necessary to restrain individual for subject's own safety, and necessary to prevent the escape of a fleeing suspect. All five

reasons were included in the regression model. In regards to the subject's resistance, the researcher noted the highest resistance in correlation to using the highest level of force and type of force. Descriptive statistics can be seen in Table 2.

Table 2

Descriptive Statistics

Variable	N	Frequency	%	Mean	SD
Dependent Variable					
Level of Force	549			3.04	0.562
One		1	0.20		
Two		68	12.4		
Three		390	71.0		
Four		86	15.7		
Five		4	0.70		
Independent Variables					
Juvenile	548				
Yes		40	7.30		
No		508	92.7		
Subject's race	545				
White		180	33.0		
Non-white		365	67.0		
Subject's sex	545				
Male		495	90.8		
Female		50	9.20		
Offense classification	547			1.87	0.580
Felony		118	21.6		
Misdemeanor		396	72.4		
Both		14	2.60		
Other		19	3.50		
Violent, Non-violent, drug	550			0.55	0.759
Violent		124	22.5		
Non-violent		336	61.1		
Drug		90	16.4		
Alcohol related	548				
Yes		121	22.1		
No		427	77.9		
Drug related	548				
Yes		151	27.6		
No		397	72.4		

Table 2 (continued).

Self-defense of officer	550				
Yes		115	20.9		
No		435	79.1		
Defense of another individual	551				
Yes		36	6.50		
No		515	93.5		
Necessary to make arrest	551				
Yes		442	80.2		
No		109	19.8		
Restrain for subject's safety	551				
Yes		62	11.3		
No		489	88.7		
Prevent escape of subject	551				
Yes		208	37.7		
No		343	62.3		
Subject's highest resistance	548			2.14	0.448
Passive		21	3.80		
Active		427	77.9		
Assaultive		100	18.2		
Officer injured	551				
Yes		24	4.40		
No		527	95.6		
Subject injured	549				
Yes		165	30.1		
No		384	69.9		
Multiple officers involved	551				
Yes		386	70.1		
No		165	29.9		
Compliant with policy	537				
Yes		528	98.3		
No		9	1.70		
Video	551				
Yes		356	64.6		
No		195	35.4		
Audio	551				
Yes		368	66.8		
No		183	33.2		
Soft or hard hands	549				
Soft		18	3.30		
Hard		302	55.0		
N/A		229	41.7		

Conclusion

With the examination of quantitative and qualitative data, the researcher was able to contribute knowledge to police use of force on juveniles. By examining subject characteristics, situational factors, and organizational factors, the researcher was able to provide explanations on what factors increase or decrease police officer's level of force. After addressing the findings with administrative officers within the department, this study highlighted areas that could be enhanced to protect police officers and citizens of the community better.

CHAPTER IV – RESULTS

Data that were collected through use of force reports and officer interviews provided insight on the amount and types of force police officers use on juveniles and adults. By examining the use of force reports, the researcher was able to identify facts about police and suspect encounters as to why force was used. Police officer interviews allowed the researcher to get a glimpse of the mindset police officers have towards using force on juveniles. A total of 551 use of force reports were collected, illustrating that the police department used force in only 2.4 percent of physical arrests. Of the 551 reports, only 7.3 percent involved a juvenile, aged 17 years or younger.

The analytical plan consisted of five stages. First, the department's use of force policy was explored. Second, descriptive statistics were run to describe each encounter that resulted in the use of force by a police officer. Third, a cross-tabulation of force and suspect's resistance levels were examined to differentiate the resistance levels of juveniles and adults while identifying the levels of force used for each resistance type. Fourth, multiple regression was run to identify predictors of the level of force officers used. This was done by running three models: subject characteristics, situational factors, and organizational factors. Fifth, interviews of a patrol officer, school resource officer, and police chief were conducted to gain insight on how the officers interact with juveniles.

Use of force policy

The use of force policy is comprised of eleven domains: scope, policy, definitions, procedures, application of deadly force, use of deadly force restrictions, reporting the use of force, use of non-deadly force, weapons approval and use, post-

shooting, and conclusion. All eleven categories contain guidelines on how to use and report all uses of force, whether deadly or non-deadly.

The department declares the importance of human life and how it is sacred. This statement and the protection of human life, including the life of the officer, is highlighted throughout this policy. Officers will maintain a constant ability to act in instances that, in their perception, require the appropriate use of force. Any use of force beyond level one is required to be fully documented on a Use of Force report. The department requires use of force training to be provided annually with a policy that establishes guidelines and limitations on the use of force, in which all training is documented.

To prevent ambiguity, definitions for various phrases are listed and explained. For instance, the definition of authorized weapons and each weapon under that category is explained. Other phrases such as probable cause, officer-involved shooting incident, serious bodily injury, vascular neck restraint, etc. can be found within this section. The next section contains procedures of the use of force. De-escalation techniques are described as techniques that are not alternatives to the use of force, but if possible, they should be utilized. This protects the officers and allows for better understanding that if force is an appropriate measure, that he should use it.

A force continuum is used as guidance to the amount and types of force officers use based on the department's policy, state laws, and federal laws. The officer's use of force is based on a reasonable perception of a threat to the officer or another individual. The policy states that there is no reason for an officer to escalate through a variety of levels of force and explains the process of escalation by saying:

"If a mid-level response or the greater level of force is justified, then it should be used immediately. However, no higher level of force should be used than is appropriate to stop the subject's resistance. Before using a firearm, police officers will identify themselves and state their intent to shoot, where feasible...Use of force or deadly force is controlled by the basic elements of a *reasonable officer's perception* and a *reasonable officer's response*. Officers will use only the level of force that is reasonably necessary to stop the perceived threat." (p.3)

Police officer's actions are justifiable when they establish reasonable use of force, even if they must resort to using deadly force. Table 3 identifies the level of force, method of force, level of resistance based on the department's use of force policy.

Table 3

Department's level of force response

Level of Force		Level of Response	Level of Suspect Resistance
I	Cooperative Controls	Officer presence, hand signals, verbal commands and instructions, light touching or patting	Dialogue
II	Escort Techniques	Strong or forceful soft hands, hand and arm holds, pressured physical movement of the suspect, removal, etc.	Passive
III	Compliance Techniques	Chemical weapons, electronic weapons, use of restraints, forced movements, forcing suspect's limb behind his back, forcing suspect the ground or wall, pain compliance and mechanical control	Active

Table 3 (continued).

IV	Defensive Tactics	VNR, impact weapons, strikes, any other means to stop aggression and bring the suspect to compliance	Assaultive
V	Deadly force	Any force capable of causing death or serious injury, such as a firearm, knives, etc.	Deadly

Procedures on various tactics, such as the use of knives, chokeholds, and vascular neck restraints are thoroughly explained within the policy. Proper definitions are given for any term that may be ambiguous to the officer. The policy states that "the use of the Choke Hold is prohibited as a less-than-lethal force option." According to the Chief of Police, Vascular Neck Restraints (VNR) have become permitted within the last two years but only to those who are properly trained in its application. VNRs have been proven to be a safe technique, but if not properly trained, may result in death or severe injury and is not considered a use of deadly force (Use of Force Policy, 2016). The application of deadly force has a set of objectives that must be fulfilled to be proven a proper use of deadly force. Deadly force is explained in the policy by stating:

"The only policy guideline for the use of deadly force is an immediate threat of death or serious bodily harm to the officer or others. *No distinction shall be made relative to the age, sex, or race of the intended target of deadly force...* Deadly force is not to be used against a felon simply because of the crime he/she committed; rather, it is used because of the threat he/she poses to the officer's or public's safety if allowed to remain at large" (p.6)

This statement is followed by ten circumstances in which the use of deadly force is classified as necessary. The next section of the policy outlines restrictions of the use of deadly force and the exhibited weapon restrictions.

After an officer uses force, the officer must notify a supervisor who will immediately notify their chain of command. The officer is then required to complete a Use of Force report detailing the circumstances of the incident and the types and level of force they deemed appropriate based on their perception of the situation. The report consists of the variables discussed previously in Chapter 3. Officers are not required to provide a written police report if their actions that reflect their use of force are recorded on audio and video. Post-shooting assistance requires that all officers who resulted to deadly force must assist in every way possible in the investigation. The policy lays out a list of reporting requirement that the officer must abide by. This includes the officer who used the force, any witness officers, or any other officers who responded to the scene.

The use of non-deadly force explains appropriate measures of force, such as the use of handcuffs or restraints for officer's protection. Policy states that these may not be necessary in cases such as the elderly, young juveniles, crippled, etc. Section nine describes the list of approved weapons and how they are treated on- and off-duty. A procedural layout of a post-shooting incident is described in the next section. This section covers criminal and administrative investigations, handling of officers at the scene of the shooting, post-incident counseling and treatment, agency responsibility, and supervisory responsibility.

Overall, the department's use of force policy is strictly for sworn personnel and is not intended for use in criminal or civil proceedings. All use of force reports are routed

through the department's Professional Standards Bureau who investigates the allegations of improper use of force thoroughly.

Descriptive statistics

Individual factors

The purpose of the current study is to identify how force is used on juveniles. As such, the background of the juvenile is imperative. The three variables within this domain were the individual's status of a juvenile, race, and sex. For a better understanding of the age ranges for the entire data set, the researcher divided the ages and can be seen in Table 4. The age range still indicates the number of juveniles, age seventeen or younger (n=40). The majority of suspects for both juveniles and adults were African American males. 72.7 percent of all juvenile suspects were African American males.

Table 4

Descriptive Statistics of Subject's Characteristics

Variable	N	Frequency	%
Race	545		
White		180	34
Black		353	63.6
Hispanic		11	2.2
Other		1	0.2
Gender	545		
Male		461	91.7
Female		42	8.3
Age	548		
0-17		40	7.3
18-24		129	23.5
25-34		196	35.8
35-44		110	20.1
45-54		60	10.9
55-64		13	2.4
65+		0	0

Situational factors

The variables that comprised situational factors were offense classifications, type of crime, alcohol-related, drug-related, reasons for the use of force, subject's resistance level, officer/subject injured, and if multiple officers were involved. Overall, 70 percent of offenses were classified as misdemeanors with felonies following at 22.5 percent. Of these offenses, 61.1 percent were non-violent, 22.5 percent violent, and 16.4 percent were drug-related. When officers were asked for the reason for the use of force, the most common reason was for the use of force was necessary to make an arrest. Of the sample, 77.5 percent of the cases involved an actively resistant individual. Officers injured appeared in under 5 percent, while suspect injuries appeared in 30 percent of the sample. Suspect injuries accounted for 30.1 percent (n=165) of the sample. Police officers highest types of force resulting in suspect injuries were hard hands (53.9 percent) and the use of a Taser (33.3 percent) with minimal percentages for soft hands, chemical spray, PPCT, impact weapons, firearms, and VNR. 70 percent of the encounters involved multiple officers.

Organizational factors

Variables within this domain were compliance with policy, use of audio and video, and soft or hard hands. In total, 98.3 percent of the uses of force were compliant with departmental policy. Nearly 65 percent of the encounters were caught on both video and audio. On the department's use of force reports, the distinction between soft and hard hands is not listed for the officer to choose between. This distinction is vital because within their department's use of force policy, soft and hard hands fall on different levels of the force continuum.

Hard hands were the most commonly used type of force and accounted for 51.7 percent of the sample. The second most used type of force was the use of a Taser which was indicated in 36.8 percent. The level of force used by officers mirrors these two types of force being the most common. The department's use of force policy places both hard hands and Tasers on the same force continuum level, which is level three (71 percent). Table 4 shows the breakdown of juveniles and adults, level of resistance, officer's type of force, and officer's level of force.

Force and resistance types cross-tabulation

The results of the cross-tabulation can be seen in Table 5. Officers were more likely to use level three force and are seen more often with actively resistant individuals. However, level three is the highest level in assaultive adult cases, followed closely behind by level four. Level four types of force are more frequent in actively resistant individuals but are followed closely behind by assaultive individuals. The two most commonly used types of force are hard hands and tasers. In the two instances in which a juvenile was passively resistant, a taser was used. Table 4 depicts juveniles and their resistance with the level and type of force used by police officers. The highest type of force, the highest level of force, and the highest subject's resistance were recorded for each use of force report.

Table 5

Juvenile and Adult Resistance Levels Cross-Tabulation

Variable	Juvenile			Adult		
	Passive	Active	Assaultive	Passive	Active	Assaultive
Level of Force						
One	0	0	0	0	0	0
Two	0	9	0	9	44	5

Table 5 (continued).

Three	2	18	7	8	304	48
Four	0	4	0	2	45	35
Five	0	0	0	0	1	3
Total	2	31	7	19	394	91
Highest Type of Force						
Soft Hands	0	3	1	2	6	3
Hard Hands	0	19	4	7	197	56
Chemical Spray	0	0	0	1	5	2
PPCT	0	0	0	1	9	2
Taser	2	8	2	8	159	20
Impact Weapon	0	0	0	0	1	2
Firearm	0	0	0	0	1	3
VNR	0	0	0	0	2	1
Other	0	1	0	0	12	3
Total	2	31	7	19	392	92

Multivariate analysis

The following analysis was grouped by three domains: individual characteristics of the subject, situational factors, and organizational factors. Friedrich (1980) believed these three domains could better predict and classify use of force, particularly excessive force. To determine how well these groups predict the police officer's level of force, multiple regression analysis was conducted. Table 6 illustrates the results of the three domains below. The coding scheme for Table 6 can be found in Appendix F.

Table 6 .

Multiple Regression for the Level of Force

Variable	Model 1			Model 2			Model 3		
	B	Beta	t	B	Beta	t	B	Beta	t
Subject characteristics									
Juvenile	-0.181	-0.086	-1.973*	-0.199	-0.095	-2.281*	-0.198	-0.094	-2.392*
Subject's race	0.119	0.101	2.310*	0.138	0.117	2.810**	0.098	0.084	2.109*
Subject's sex	0.286	0.149	3.405***	0.207	0.108	2.584**	0.157	0.082	2.050*
Situational factors									
Offense classification				-0.025	-0.026	-0.619	-0.01	-0.01	-0.251
Violent, non-violent, drug				0.001	0.001	0.02	0.006	0.009	0.192
Alcohol related				-0.055	-0.041	-0.877	-0.017	-0.013	-0.284
Drug related				-0.064	-0.051	-1.186	-0.063	-0.051	-1.237
Self-defense of officer				0.134	0.099	2.152*	0.145	0.107	2.437*
Defense of another individual				-0.051	-0.023	-0.544	0.017	0.007	0.184
Necessary to make arrest				0.045	0.031	0.747	0.053	0.038	0.931
Restrain subject's safety				0.077	0.044	1.018	0.122	0.069	1.7
Prevent escape of subject				0.158	0.138	3.232***	0.127	0.111	2.752**
Subject resistance				0.322	0.262	5.920***	0.299	0.243	5.733***
Officer injured				-0.193	-0.07	-1.645	-0.198	-0.072	-1.764
Subject injured				0.173	0.143	3.436***	0.149	0.123	3.089**
Multiple officers involved				0.092	0.075	1.825	0.104	0.085	2.164*

Table 6 (continued).

Organizational factors

Compliant with policy

-0.252 -0.06 -1.537

Video

-0.151 -0.129 -2.401*

Audio

-0.244 -0.205 -3.719***

Soft or hard hands

0.002 0.004 0.106

R^2_{adj}

0.033

0.166

0.252

p<.05* p<.01** p<.001***

Model 1

This model includes whether or not the subject was a juvenile, the subject's race based on the coding of white and non-white, and the subject's sex. All three variables were significant predictors of force. This model illustrated that police officers use less force on juveniles and more force on non-white males. The strongest predictor of force in this model is the suspect's sex ($\beta=0.149$). The individual variables accounted for 3.3 percent of the variance in the level of force ($R^2_{adj}=.033$; $F=6.827$; $p<.001$).

Model 2

This model includes individual characteristics of the subject and situational factors. Like the previous model, all three subject characteristic variables were significant. This model also includes self-defense of officer, preventing an escape of the suspect, suspect's highest resistance level, and suspect injured are all significant predictors of force. Police officers' level of force increases by 0.134 when they are using force for self-defense reasoning and preventing the escape of a suspect. Suspects are 0.173 times more likely to be injured when an officer uses a higher level of force. When a suspect's resistance increases, police officers are .322 times more likely to use a higher level of force. The strongest predictor of force in this model is the suspect's resistance ($\beta=0.262$). This model accounted for 16.6 percent of the variance in the level of force ($R^2_{adj}=.166$; $F=7.298$; $p<.001$).

Model 3

The final model of multivariate analysis includes the suspect's characteristics, situational factors, and organizational factors. The significant predictors seen in both model one and two are significant predictors of force in this final model as well. The

organizational variables that significantly predict force are the use of video and audio. With the presence of video, the level of force decreases by 0.151 and decreases by 0.244 with the use of audio. The strongest predictor of force in the final model is the suspect's resistance level ($\beta=0.243$); however, it is followed by audio ($\beta =-0.205$) and video ($\beta=-0.205$). This model accounted for 25.2 percent of the variance in the level of force ($R^2_{adj}=.252$; $F=9.625$; $p<.001$).

Interviews

Interviews with three police officers were conducted to highlight the encounters the officers have with juveniles daily. From the interviews, three significant themes of juvenile policing were evident. Each theme has to do with the locations in which the encounters are made. The first theme encompasses juveniles in the school system. The second theme encounters juveniles on the streets, this could be from school not being in session, or the juvenile has dropped out. The third theme is policy and juvenile concerns throughout the community. In all three interviews, these themes were made prevalent and presented many concerns with the encounters of juveniles and police officers.

Schools

The particular school resource officer that was interviewed for this study works full-time at a local middle school that consists of over 1000 seventh and eighth graders. The most common problem the officer noted in this school is drugs. The police department attempts to have K9 officers come twice a week to crack down on the presence of drugs in the school. According to the officer, gang affiliation is largely seen among juveniles in this area who view themselves as "hardcore gang bangers" according to the officer.

De-escalation techniques are predominantly used within this school. The officer claimed he has to lay hands on students at least once a week for purposes of de-escalation. Though force is prevalent in the school, the highest type of force he has ever had to use in the two years he has been at the school was a Taser. According to the officer, the most crucial part in de-escalation is first building a relationship with the juveniles in order to show a sign of respect, in which the officer claims that de-escalation with adults is much quicker than with a juvenile, based on his experience as a patrol officer. Through his experience at the school, juveniles are much more aggressive and have a “cannot be touched” mentality, especially with females. Force is most often used on females rather than males in the school setting. School policy states that when juveniles are caught fighting, they are arrested. Last year, the school had 56 total arrests. As of March 2019, there were already a total of 67 arrests. One reason for this escalation is the increase in gang affiliation. The city has eight main gangs, and some are branched off into smaller affiliates. The officer interviewed has experience in both school and patrol, claiming that more juvenile delinquent activity occurs in the streets rather than in schools.

Street life

When juveniles are not in school, police officers often see them on the streets. The presence of juveniles is densely populated in the late evenings after school hours. Officers working on day-shift do not encounter many juveniles. From the encounters that the officer has had, the use of force does not change strictly because they encounter a juvenile. At the end of the day, that officer is going home. The same reaction to a juvenile

having a gun is thought to be the same reaction to an adult having a gun. When the situation permits the use of force, the officer's safety is primary.

When discussing use of force policy, the officer agreed that the department's policy is well written, easy to follow, and is not constricting. Officers are tested annually on all departmental policies. However, use of force training is not required or provided by the department as annual training. The only use of force training officers receive is from the police academy in which they are trained based on different scenarios and must choose the proper way to handle the situation and riding with a field training officer after graduation. Juveniles and adults are not separated in training on the proper use of force.

Community and juvenile concerns

Before the interview with the police chief, the researcher presented frequency statistics of the independent variables. The presentation of the data led to identifying concerns within the department's use of force. One of the major concerns in the community is the lack of rehabilitative or training programs for juvenile delinquents, and what they do have is not a well-organized system. Currently, the only juvenile programs are those sponsored by local churches and schools. The police department has one community program aimed at allowing juveniles to interact with the police officer and develop healthy relationships. The city encountered problems with the youth court system that would cause police officers to release juveniles rather than sending them through court proceedings. This in itself is a detrimental effect on the level of respect officers receive by juveniles in the community.

CHAPTER V – DISCUSSION/CONCLUSION

The current study used descriptive statistics, cross-tabulations, multivariate analysis, and interviews to determine the extent of police use of force on juveniles. Research has previously stated the rarity of police use of force (Adams, 1999; Bayley & Garofalo, 1989; Friedrich, 1980; Gardner et al., 1995; Holmes, 1997; Klinger, 1995). Indeed, the current study complies with that research. Out of the 22,292 physical arrests, only 551 (2.4 percent) instances involved force used by police officers. This low percentage was a shock to some juveniles within the community. Most believed police officers used force in approximately 70 percent of physical arrests. This outstanding difference in perception versus reality identifies the need for better community relations and transparency. If the community understands that police use of force is present in only 2.4 percent of arrests, the relationship between the community and the police has a chance to improve. The lack of transparency on police use of force amplifies concerns that the force is not justifiable (Brucato, 2017). This lack of transparency supplemented with the media's portrayal of violent police practices allows for a misinterpretation of the reality of police use of force.

The current study examined data partially based off of Friedrich's (1980) approach to police use of force. His approach uses characteristics of the officer, situational factors, and organizational factors to predict force. By taking this approach, the age of the offender is not identified as a potential factor of force used by police officers. The current study used subject characteristics such as the subject's status of juvenile or adult, subject's race, and subject's sex. By identifying the age status of the subject, the researcher was able to measure whether or not being a juvenile influenced

police officers to use a higher, lower, or equal amounts of force compared to adults. The current study indicated that police officers used less force on juveniles.

In use of force literature, it is common for researchers to examine subject characteristics, situational factors, and organizational factors independently (Skaggs, 2013). By studying these domains independently, research has failed to adequately examine factors of police use of force on juveniles. The current study shows a change in the situational factors when adding in the organizational factors, indicating the importance of layering the domains. As presented in the results, the multiple officers variable lost its significance when the organizational factors were introduced into the model.

Skaggs (2013) explained the importance of examining use of force data cumulatively to empirically assess factors that explain the interactions between juveniles and police officers independently. The current study separates juveniles from adults in the analysis, while still testing for subject characteristics, situational factors, and organizational factors together. The study found a difference in the predictors of force used on juveniles and adults. By examining predictors of force for both juveniles and adults, the researcher is assuming that the predictors for juveniles and the predictors for adults are the same.

Based on his experience, one officer stated that de-escalation with juveniles is much harder than with adults. He claimed, as an SRO, the juveniles he encountered daily believed they were “hardcore gang bangers.” According to the officer, this mentality in adolescents makes them believe they are untouchable. He claimed that a relationship with the juveniles must be established in order to gain respect before de-escalation is

achievable without resorting to a higher level of force. This is an indication that the factors that predict force on adults cannot be the same as juveniles simply because the adolescent mind is different from the adult mind.

The adult mind and the adolescent mind have developmental differences that may impact the interactions of police officers and juveniles (Bonnie et al., 2013).

Conversations with adults are most of the time on different maturity and intelligence levels than conversations with juveniles. If these conversations are so drastically different, then interactions between police officers and adults and police officers and juveniles are likely to be different as well. This should deter researchers from studying juvenile and adult predictors of force simultaneously. By attempting to predict force in both juveniles and adults simultaneously, the results failed to adequately explain the interactions between juveniles and adults. In order to adequately explain the predictors of police use of force on juveniles, juveniles must be studied individually.

The identification of less force used on juveniles prompts debates on whether or not this is ideal. On one hand, research has explained multiple cases in which officers were killed due to underestimating juveniles' abilities to overtake the officers (Thornton & Schweer, 2014). If these officers used equal amounts of force as they would have an adult offender, the outcome might have been different. On the other hand, communities often become more involved when officers are seen using higher force on juveniles. This influence creates pressure to protect the youth of the community from higher amounts of force. This statement circles back to the public's misinterpretation of use of force caused by media outlets.

Research has stated that police officers are more likely to use a higher amount of discretion towards juveniles compared to adults (Bridges & Merritt, 1974; Brown et al., 2009; Walker, 1992; Walker 1993). Situational factors are major influencers in the use of officer discretion (Bridges & Merritt, 1974). Cumulatively, the strongest situational factor in the current was the subject's level of resistance. However, when analyzing juveniles independently, their resistance levels were not predictors of the level of force used by police officers. While subject resistance is the strongest factor cumulatively, it still does not aid in the explanation of why police officers use less force on juveniles.

The significance of the subject's level of resistance highlights the importance of having a well-written use of force policy. As seen in Table 3, the subject's level of resistance determines the level of force used by police officers. Based on the interview of officers, the department's use of force policy is adaptable to their everyday experiences with offenders. By having a policy that is not very adaptable, police officers are likely to use unjustifiable and illegitimate force. After the Tamir Rice shooting, Cleveland's Police Department claimed to have "insufficient accountability, inadequate training, ineffective policies, and inadequate engagement with the community" (McCarty, 2014). All of these are potential reasons why force is being abused. When you have a department that exceeds in those things, force should decrease altogether. The Cleveland Police Department and the department in the current study both explain how important it is to have sufficient accountability, proper training, effective policies, and a strong engagement with the community.

Few police academies provide training on how to effectively interact with juveniles (Murrow et al., 2018). According to Bostic and colleagues (2014), properly

training officers on adolescent psychology decreased the number of juvenile arrests tremendously. Some departments have juvenile officers, specifically trained in juvenile courts, schools, and social service aspects (IJA-ABA, 1979). It is important that officers share the same race, ethnicity, and social status as the juveniles they work with. These officers are versed in the science of adolescent psychology so that effective policing of juveniles will overall have a positive effect on the department and the surrounding community (IJA-ABA, 1979). The current study examined police use of force training through interviews with officers. An agreement was made between the officers that the department lacks an effective use of force training towards juveniles. If juvenile officers were implemented into any department, training other officers would be more accessible and would have the benefit of increasing the perceptions juveniles have towards the police.

Juveniles' perceptions of the criminal justice system are based on police officers' actions (Murrow et al., 2018). The way in which an officer interacts with a juvenile delinquent can affect the juvenile in more ways than one. This is not to say that less force is an appropriate tool for delinquents, however, it is essential to effectively interact with the juvenile. According to White (2014), a useful training tool includes reviewing old footage to analyze the officer's behavior and interaction with the subject. This can be beneficial in explaining the dos and don'ts of interacting with a juvenile. This training tool not only provides officers with an effective teaching mechanism but also highlights the importance of having audio and video devices within the police department.

The use of audio and video were the second and third strongest predictors of a decrease in force by police officers. The current study provides evidence that, overall, if

the encounter was caught on video and audio, police officers used less force. A study on the first time effects of cameras found a 50 percent reduction in the use of force by police officers and presented a decrease in citizens' complaints to the previous year (Farrar, 2013). Since then, research has mirrored the result of decreasing uses of force among police officers nationwide (Garrick, 2017; University of Nevada at Las Vegas, 2017). The current study supports this claim by indicating a change in police behavior when video and audio were in use. Not only is it possible to present whether or not the force is appropriate, but the footage shows exactly what happened during the encounter which eliminates false accusations. Audio and video footage affect both police and public behavior. Studies have shown decreases in physical aggression on police officers who are wearing body cameras (Edmonton Police Service, 2015; Garrick, 2017). While the use of audio and video are essential tools for police departments, the expense is often a downfall for many departments.

In conclusion, the current research successfully answered the research questions presented at the beginning of the study. Police officers used a lower amount of force on juveniles. Determining why these officers are using lower amounts of force is crucial in fully understanding the relationship between police officers and juveniles. The two highest types of force used on juveniles was hard hands and tasers, which are reasonable due to the majority of the juveniles being actively resistant. In this department's use of force policy, juveniles and adults are not specified as having different use of force techniques or tactics in place, nor do they distinctly separate them in their use of force training. This in itself can be problematic when police officers are not properly trained on how to interact with a juvenile. If an unexperienced police officer is attempting de-

escalation techniques on a juvenile, he/she must know that the action may require a different tactic than it would with an adult offender. By understanding how the juvenile mind works, police officers are better able to adapt if a high-risk situation occurs.

The current study has provided insight into the gap of literature on police use of force on juveniles. This research presents significant predictors of force that aid in the explanation of police use of force and equip officers on how to effectively approach use of force situations. An important note in the current study addresses the fact that juveniles and adults do not have the same predictors of police use of force, therefore, cannot be examined the same. This is a glaring concern for use of force literature. The current study was able to identify predictors of police use of force, in general, and was able to fill a gap in literature by providing empirical evidence that police officers indeed use less force on juveniles.

Policy Implications

The current study yields policy implications that add suggestions for improving police use of force tactics on juveniles. The first implication is the type of training police officers undergo for use of force specifically to juveniles. Though training was not identified in any of the quantitative research, the identification for better training was discussed throughout the interviews with officers. Based on previous research, the addition of juvenile officers provides the chance for more effective training for other officers within the department (IJA-ABA, 1979). By understanding the mind and how juveniles and adults differ, police officers are able to adapt to the situation based on their knowledge of adolescent psychology.

Reviewing audio and video footage is a training tool for both new recruits and established police officers. These are tools for showing an officer a video of a use of force complaint and identifying where the officer used appropriate or excessive force. Officer interaction is a crucial component of training. By visually seeing what the officer in the video did right or wrong, the officer will more than likely not make the same mistake if presented in the future.

One problem that was identified in the data collection process was the amount of human error within the use of force reports. According to officers within the department, this is mainly due to laziness, carelessness, or ignorance. It is important that when these mistakes are seen that the officer is confronted so that it does not happen again on any future reports. Having police officers receive a college education is becoming prevalent in the United States. By having a college degree, graduates are typically better at report writing compared to someone who does not have a degree. Proper training on technical and report writing is crucial for any department who may be experiencing these problems.

The second implication is to provide juveniles with multiple rehabilitative programs. According to one of the officers, the trust in the youth court process has been obsolete due to the unfair sentencing of juveniles. This has led to police officers to use higher amounts of discretion on lower types of crimes. Because this particular city does not have many programs for juveniles, delinquents were being released to their parents more frequently.

By having an array of programs specifically designated to juveniles, the community has a better chance of seeing an increase in youth back in schools and

involved in other community activities apart from gangs. By analyzing juveniles into different risk classifications, many advantages arise. First, lower status offenders are separated from higher risk juvenile delinquents, thus decreasing any chance of modeling the behavior of the higher-risk individual. Second, each program can cater specially to the needs of each category of juveniles. Rehabilitation programs for a status offender should be much different from that of a high-risk offender. By educating the community, police officers, and court officials of the importance of juvenile justice programs and its separation, the relationship of police-juveniles can increase thus leading to an overall decrease in police use of force.

Limitations

The current study yielded several limitations associated with the collection of police use of force data. First, there are some notable limitations concerning the police officers within the department reporting use of force. Officer's characteristics were not taken into consideration for this study. Important characteristics such as the officer's race, sex, and age would be beneficial components in identifying predictors of police use of force. Other characteristics such as neighborhood contexts and social, economic statuses are limitations for this study as well (Skaggs, 2013). By identifying these components of each suspect, a more thorough explanation of police use of force can be derived

Second, the sample size for this study is an important limitation of this study. Only 7.3 percent of the sample contained force used on juveniles. A larger sample size will allow for a better understanding of police use of force on juveniles. The larger sample size plus more independent variables dealing with officer's characteristics and neighborhood contexts will allow the study to produce more significant predictors of

force. Along with the sample size, this research was a case study containing only one police department. While case studies are preferred, it is also considered a limitation. A larger sample size in a larger area including more police departments can make the data more generalizable.

Third, part of the data clean-up included the researcher categorizing multiple variables so that analysis could be performed. For one, the use of soft and hard hands was not established in the Use of Force reports. The researcher identified whether the officer used soft or hard hands based on the department's use of force policy. This can lead to researcher error in the data. The same was done for violent, non-violent, and drug offenses. On the Use of Force report, the officer had to write the offense in him/herself. In order to better analyze the data, the researcher converted each offense into one of the three categories. The researcher explained in the methodology the process of recoding these offenses but is still considered a limitation for this study.

Fourth, limitations of self-reporting lies within the use of force reports since they are completed by the police officers. Police officers respond to multiple calls a day and may not be able to fill out the appropriate forms needed for each incident. If this is the case, police officers must be able to take thorough field notes in order to successfully complete the forms at the end of the shift. There is also concerns about the police officer's honesty when dealing with cases that involved the officer to use force. By utilizing the data from the use of force reports, the validity of the information is questionable.

Finally, while interviews were conducted with the police chief, a patrol officer, and a school resource officer, the data was limited. The interviews were not recorded;

therefore, they were not coding qualitatively. The researcher took notes of all three interviews and reported their opinions and statements throughout parts of the methodology, results, and discussion of this study. A better system of conducting these interviews would be beneficial for a qualitative portion of this research.

Future Research

Based on the limitations of this study, much can be said regarding future research. First, officer and suspect characteristics need to be included when identifying predictors of police use of force on juveniles. By adding more independent variables into the data, police use of force research can gain a better understanding of what causes police officers to use force. Though a large extent of literature focuses on officer and suspect characteristics, the separation of juveniles and adults is a vital component that must be addressed to properly understand the interactions between police and juveniles. By doing so, future research can identify factors that specifically lead to an increase or decrease in the amount of force used on juveniles, which can aid in development on policies and training specifically tailored to address this.

Second, future research should identify specific ways to train police officers on how to interact with juveniles and provide evidence of which training is effective. Training officers on the use of force is an essential component in decreasing excessive or unnecessary force used by police officers. Future research should explore the use of audio and video footage for training purposes to determine if examining past footage with new recruits is beneficial for decreasing the use of force. Also, research should examine whether the use of audio and video plays a role in an officer's use of force on juveniles or

the juvenile's level of resistance. This should focus on determining whether or not being recorded is a deterrent to assaultive behavior from juveniles, or for all police encounters.

Lastly, this study only explains 25 percent of the variance in the level of force police officers used. Other variables not included in this study may influence the officer's use of force. An expansion of this model including more officer characteristics, neighborhood contexts, social economic statuses, and qualitative data would significantly improve the explanation of how much force officers use. Such research has the potential to expand our knowledge on what predictors cause police officers to use less force on juveniles and why.

APPENDIX A – Department Letter Example

Chief [REDACTED]:

My name is Kayce Lowe and I am a Criminal Justice graduate student at The University of Southern Mississippi. During my time at the university, I have worked as a graduate teaching assistant in forensic analysis, drug identification, and forensic toxicology labs and have been working as the School of Criminal Justice's laboratory coordinator since August 2017.

I am currently working on my Master's Thesis regarding the use of force by police officers and characteristics of offenders. The focus of this research pertains to the amount of force police officers use on juveniles compared to adults, the difference in use of force policies across police departments, and the identification of various types of force used by police officers on juveniles. Little research has been conducted on these topics.

I would like to meet with you and Commander [REDACTED] so that I can explain my project in greater detail. I will be accompanied by my Thesis advisor, Dr. Laura Gulledge, and potentially other members of my committee from The University of Southern Mississippi. I am specifically requesting your participation in this project and would like to discuss ways in which my project can potentially help [REDACTED] Police Department.

Please respond back to my email with a list of possible dates and times when the two of you would be able to meet with me at your office. I am flexible as far as times to meet with you for this purpose; however, I will not be available from June 4 – June 20. Thank you for your time and I look forward to your reply.

Sincerely,

Kayce Lowe
Graduate Student, The University of Southern Mississippi
Email: Kayce.Lowe@usm.edu
Phone:

APPENDIX B – Permission Letter

Chief [REDACTED]

[REDACTED] Police Department

7/25/2018

To Whom It May Concern:

Ms. Kayce Lowe from the School of Criminal Justice, Forensic Science and Security at The University of Southern Mississippi has been permitted to analyze police use of force reports, disseminate questionnaires to patrol officers and supervisors, and arrange ride-alongs with patrol officers.

Once the project has been approved, I will allow Ms. Lowe to set up times to visit the department to copy the use of force reports, disseminate the questionnaires, and participate in ride-alongs. Patrol officers and supervisors that volunteer to participate will be permitted to take part in the research.

Sincerely,

Chief [REDACTED]

APPENDIX C – IRB Approval Letter



INSTITUTIONAL REVIEW BOARD
118 College Drive #5147 | Hattiesburg, MS 39406-0001
Phone: 601.266.5997 | Fax: 601.266.4377 | www.usm.edu/research/institutional.review.board

NOTICE OF COMMITTEE ACTION

The project has been reviewed by The University of Southern Mississippi Institutional Review Board in accordance with Federal Drug Administration regulations (21 CFR 26, 111), Department of Health and Human Services (45 CFR Part 46), and university guidelines to ensure adherence to the following criteria:

- The risks to subjects are minimized.
- The risks to subjects are reasonable in relation to the anticipated benefits.
- The selection of subjects is equitable.
- Informed consent is adequate and appropriately documented.
- Where appropriate, the research plan makes adequate provisions for monitoring the data collected to ensure the safety of the subjects.
- Where appropriate, there are adequate provisions to protect the privacy of subjects and to maintain the confidentiality of all data.
- Appropriate additional safeguards have been included to protect vulnerable subjects.
- Any unanticipated, serious, or continuing problems encountered regarding risks to subjects must be reported immediately, but not later than 10 days following the event. This should be reported to the IRB Office via the "Adverse Effect Report Form".
- If approved, the maximum period of approval is limited to twelve months.
Projects that exceed this period must submit an application for renewal or continuation.

PROTOCOL NUMBER: 18080902
PROJECT TITLE: A Case Study of Police Use of Force on Juveniles in a Southeastern Police Department
PROJECT TYPE: Master's Thesis
RESEARCHER(S): Kayce Lowe
COLLEGE/DIVISION: College of Arts and Sciences
SCHOOL: Criminal Justice
FUNDING AGENCY/SPONSOR: N/A
IRB COMMITTEE ACTION: Expedited Review Approval
PERIOD OF APPROVAL: 9/26/2018 to 9/26/2019

Edward L. Goshorn, Ph.D.
Institutional Review Board

APPENDIX D – Administrative Interview Questions

Administrative Questionnaire

1. Let's talk about your use of force policy. I have reviewed your policy and I have a couple of questions.
2. Does your use of force policy differentiate between juveniles and adults?
3. What type of trainings do the officers undergo in regards to use of force?
4. What is the protocol for policing juveniles?
5. Do you feel like something should change within your policy?
6. Do you think incarcerating juveniles will stop others from committing crimes?
7. What is the relationship between your police department and the detention center?
8. Do you think it's important to provide rehabilitative treatment to juvenile offenders?
9. How important is it for police officers to build relationships with juveniles?

APPENDIX E – Patrol Interview Questions

Patrol Questionnaire

1. I have questions to ask you about your department's use of force policy and the training you go through.
2. How often do you train for use of force incidents?
3. Over the last two years, has the number of juvenile arrests decreased or increased?
4. What is the most common crime for juvenile arrests? Adult arrests?
5. Is gang affiliation common in juveniles
6. How important is it for police officers to build relationships with juveniles?
7. Do you think it's important to provide rehabilitation to juvenile offenders?
8. Is there a difference on how you police juveniles versus adults?
9. Do you often run into a lot of juveniles on patrol?
10. If a juvenile commits a serious crime, should he/she be charged as an adult?
11. Which part(s) of the city have the most juvenile criminal activity? What do you think is the reason for this?
12. Is there a specific season that has a higher number of criminal activity?
13. What is the most common type of force used on delinquent juveniles? Adults?
14. Are juveniles more likely to resist more or less compared to adults?
15. How often do you use TASERS on juveniles?
16. I know that presenting your firearm has to happen under specific circumstances, in your opinion what are some situations that you would do that?
17. What is your opinion on the adequacy and fairness in the department's use of force policy?

APPENDIX F – Multivariate Coding Scheme

Variable	Definitions
Level of Force	5=Deadly, 4=Assaultive, 3=Active, 2=Passive, 1=Dialogue
Juvenile	0=No, 1=Yes
Race	1=White, 2=Non-white
Sex	1=Female, 2=Male, 3=Other
Offense classification	1=Felony, 2=Misdemeanor, 3=Other, 4=Both
Violent, Non-violent, Drug	0=Non-violent, 1=Violent, 2=Drug
Alcohol related	0=No, 1=Yes
Drug related	0=No, 1=Yes
Self-defense of officer	0=No, 1=Yes
Defense of another individual	0=No, 1=Yes
Necessary to make arrest	0=No, 1=Yes
Necessary to restrain subject for own's safety	0=No, 1=Yes
Necessary to prevent the escape of a fleeing subject	0=No, 1=Yes
Subject's highest resistance	1=Soft hands, 2=Hard hands, 3=Chemical spray, 4=PPCT, 5=Taser, 6=Impact weapon, 7=Firearm, 8=VNR, 9=Other
Officer injured	0=No, 1=Yes
Subject injured	0=No, 1=Yes
Multiple officers involved	0=No, 1=Yes
Compliant with policy	0=No, 1=Yes
Video	0=No, 1=Yes
Audio	0=No, 1=Yes
Soft or hard hands	0=N/A, 1=Soft, 2=Hard

APPENDIX G – Department's Use of Force Policy



Subject: FORCE RESPONSE POLICY		
Distribution: All Police Personnel	Effective Date: December 11, 2014	Number of Pages: Page 1 of 14
October 19, 2007, January 15, 2011, April 26, 2012, December 11, 2014, January 15, 2016, August 30, 2016, September 28, 2016, October 26, 2017, November 7, 2018		

1. SCOPE

This policy is directed to all sworn police personnel.

2. POLICY

The [REDACTED] Police Department recognizes and respects the value and special integrity of each human life. Human life is sacred. Protecting human life is the most important mission of our agency. Apprehending criminals is less important than protecting innocent human life, including the lives of our officer's. Investing police officers with the lawful authority to use force to protect the public welfare requires a careful balancing of all human interest is required.

Therefore, it is the policy of the [REDACTED] Police Department that police officers will use only that force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer or another and enforce the law under guidelines established in this policy manual.

Officers will maintain a constant readiness and ability to act in instances where, in *their perception*, the use of force or deadly force may be appropriate. By maintaining readiness and capacity, officers reduce the likelihood of opposition and of the actual need for a forceful response of any kind. While *officer discretion* is critical, the need for accountability and control of police activities is necessary to prevent potential abuses of authority.

All sworn personnel will be trained annually on the use of force continuum and provided with a precise departmental policy that establishes guidelines, proscriptions, and limitations on the use of force generally and the use of force in particular. Additionally, officers will be trained in the appropriate and proficient use of force, control and management of firearms and other less-lethal weapons. All use of force training will be documented.

The [REDACTED] Police Department recognizes that extreme or unusual circumstances may occur that would cause an officer to deviate from this Use of Force policy. Officers are frequently required to make immediate judgment calls that may not comply with the use of force policy.

In the event the officer must take an action and use force, the officer will fully articulate and justify, in writing, the reasons for his or her actions. Any use of force, above Level One, will be fully documented on the Department's Use of Force report.

3. DEFINITIONS

- A. *Authorized Weapon* — a weapon approved by the department for sanctioned use by its officers. No weapon will be authorized for carry or use by an officer unless the department expressly approves it and the officer has demonstrated proficiency with the weapon type in accordance with department guidelines.
- B. *Impact Weapons* — an impact weapon is any weapon capable of inflicting bodily injury by striking with a portion of the weapon. Only batons authorized by the department will be carried and used. The carrying or using of *Saps, Nun Chucks, Billy Clubs or Slapjacks* is prohibited.
- C. *Chemical Weapon* — a weapon capable of temporarily incapacitating a person through the controlled release of some chemical irritant or agent.

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"Use of Deadly Force & Force Continuum"

- D. *Certification with Weapon* — the officer must demonstrate proficiency with a particular weapon, and been tested in its safe care and use. All weapon training must be documented and conducted by a certified Instructor. The officer is thereby authorized to carry and use the weapon in the performance of his official duties regardless of whether the officer is on-duty or off-duty. Without such certification, the officer will not carry or use this or a similar weapon. At least biennially, agency personnel authorized to carry less lethal weapons will demonstrate proficiency will all authorized less lethal weapons.
- E. *Deadly Force* — an action, with or without the use of a weapon, that may cause death or serious bodily injury; or, the use of any object in a manner that may cause death or serious bodily injury.
- F. *De-escalation* — Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.
- G. *Electronic Weapon* — a weapon using small bursts of electrical energy to temporarily incapacitate a person without causing death or serious bodily injury.
- H. *Firearm* — any device designated, made, or adapted to expel a projectile through a barrel by using energy generated by rapidly expanding gases, or any device readily convertible to that use; including all handguns, rifles, and shotguns.
- I. *Fixed blade knives* — any knife in which the blade and the grip or handle are permanently fused in some manner with a blade sharpened on one or more edges for cutting, or possessing a sharpened point intended for stabbing.
- J. *Immediate measure of defense* — taking that action or using any implement to defend the officer's life or safety, or the life or safety of another, with implements or devices not normally intended to be weapons or issued as public safety equipment.
- K. *Knives* — a bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing a person.
- L. *Less than Lethal Force* — actions not reasonably calculated under the circumstances to cause death or serious bodily injury.
- M. *Physical Strength and Skill* — any physical actions by one or more officers (e.g., holding, restraining, pushing, and pulling) which may include special skills (e.g., boxing, karate, and judo) but do not include the use of *deadly force* or any authorized/other weapon.
- N. *Probable Cause* — the total set of apparent facts and circumstances based on reasonably trustworthy information, which would warrant a prudent person to believe something. Example: *that a particular person has committed some criminal offense.*
- O. *Serious Bodily Injury* — harm that creates substantial risk of death, serious permanent disfigurement, or loss or impairment of any body function or organ.
- P. *Post-Traumatic Stress Disorder* — An anxiety disorder that can result from exposure to short-term severe stress, or the long-term buildup of repetitive and prolonged milder stress.

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Q. *Officer-Involved Shooting Incident* — A line-of-duty incident where a shooting causes death or serious bodily injury to an officer or other person.

R. Vascular Neck Restraint (VNR)

The Vascular Neck Restraint is a physical restraint that inhibits blood flow through the carotid arteries by exerting pressure to both sides of the neck. The VNR is intended to incapacitate an assaultive person by rendering them temporarily unconscious.

4. PROCEDURES

De-escalation is not an alternative to the use of force when use of the use of force is required, but whenever possible, de-escalation techniques should be utilized whenever appropriate.

The ability to use force is one of the most basic factors that distinguish police officers from the rest of society. Because of this responsibility, the use of force is under constant scrutiny by the public and the courts.

A *Level of Force* or *Use of Force Continuum* can never provide specific officer responses to every conceivable offender action. The purpose of the Use of Force Continuum is to provide guidance to the officer in the use of force based on Department policy, state law, and federal law.

The officer's use of force is based on reasonable perception of a threat to the officer or a third party.

➤ For example, a subject may pull out a replica gun, which later proves to be a replica, point it at the officer, and threaten to kill the officer. If the officer perceives the threat as real, Deadly force is justified even though it was later determined that, the gun was in fact a replica.

There is no requirement that the officer escalate through the various levels of force. If a mid-level response or the highest level of force is justified, then it should be used immediately. However, no greater level of force should be used than is appropriate to stop the subject's resistance. Before using a firearm, police officers will identify themselves and state their intent to shoot, where feasible.

A. Levels of Force Response

Use of force or deadly force is controlled by the basic elements of a reasonable officer's perception and a reasonable officer's response. Officers will use only the level of force that is reasonably necessary to stop the perceived threat.

Officer's general perception and corresponding force options are:

- 1). **Level 1 – Dialogue** — The suspect is perceived by the officer to be *compliant*. The appropriate level of response is *cooperative controls*, including *officer presence, hand signals, verbal commands and instructions, light touching or patting, etc.*
- 2). **Level 2 – Passive Resistance** — The suspect is perceived by the officer to be *passively resistant*. The appropriate level of response is *contact controls*, including *strong or forceful soft hand, hand and arm holds, pressured physical movement of the suspect, removal, etc.* *Escort Techniques (hands-on techniques with minimal pressure applied)* are a means of providing a low level, non-threatening and nonviolent compliance procedure used to remove an individual from an area that may present danger to the officer or the subject.

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3). **Level 3 – Active Resistance** — The suspect is perceived by the officer to be *actively resistant*. The appropriate response is *compliance techniques*. This is the threshold for any reasonable officer to consider this suspect to be a potential threat to himself, the officer or other citizens. Compliance techniques may include *all reasonable means to cause the suspect to comply as soon as reasonably possible*. These techniques may include *use of chemical weapons, electronic weapons, use of restraints, forced movement, forcing a suspect's limbs behind his back, forcing a suspect down on the floor or against a wall, or using other forms of pain compliance, to include brachial stuns, and mechanical control*. Once suspects are perceived as *actively resistant*, officers should not relax care until the subject is fully secured

These techniques may include *use of chemical weapons, electronic weapons, use of restraints, forced movement, forcing a suspect's limbs behind his back, forcing a suspect down on the floor or against a wall, or using other forms of pain compliance and mechanical control*. Once suspects are perceived as *actively resistant*, officers should not relax care until the subject is fully secured. Strikes to the face, throat, back of neck or head are prohibited unless the level of force rises to Level 4 (Assaultive).

4). **Level 4 – Assaultive** — The suspect is perceived by the officer to be assaultive – *and a threat to bodily harm*. The appropriate level of response is immediate *defensive tactics*. The original assaultive behavior may have been directed at a fellow suspect, apparent victim or the officer. *Defensive tactics* may include the Vascular Neck Restraint (VNR), *impact weapons, hard fists, strikes, or any other reasonable means available* and at hand to stop the aggression, defend against the attack, and bring the suspect into compliance. It is contemplated and understood that reasonable officers, while employing defensive tactics, may cause injury, serious injury, and in some isolated instances, death without intending such consequences.

5). **Level 5 – Deadly Force** — The suspect is perceived by the officer to be *assaultive – serious bodily harm or death*. The appropriate level of response is *deadly force*. Deadly force includes firearms, knives, or any other means immediately available that a reasonable officer, in the same circumstance, would consider as potentially causing death or serious bodily injury.

B. Knives

Officers are authorized to possess and use duty knife/knives both on and off duty. Officers are reminded that the duty knife is primarily a cutting tool to assist them in their duties and is not intended to be a primary weapon of defense.

Extraordinary circumstances, however; may dictate that a response with the duty knife be used as an immediate measure of defense of life. Responding with a duty knife against an aggressive, life-threatening subject may be undertaken only when the officer has an objective or reasonable belief that his or her life or the lives of others are in imminent danger of death or serious bodily injury.

Officers are cautioned that while any deadly force is a grave undertaking, the use of any knife against another human being will be viewed as an extraordinary defensive measure and should be reserved for those extreme situations justifying this type of action.

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Except for specialty assignments where the use of a fixed blade knife is specifically provided (i.e. S.W.A.T.), the possession or use of a fixed blade knife by on duty uniformed personnel is permitted only under the following conditions:

1. The blade is carried or contained within a protective scabbard or carrier
2. Blade length must be five (5) inches or less
3. The entire knife and sheath is entirely concealed from view of the general public
4. The officer shall take care not to exhibit or handle the knife in a careless manner.

All departmental personnel may possess and carry folding knives while on duty for general use. The use and employment of any folding knife shall be done as unobtrusively as possible as to not alarm any bystander.

Switchblade knives and stiletos are strictly forbidden.

C. Choke Hold

The "Choke Hold" is a technique, which cuts off the person's air supply by constricting the windpipe.

The use of the Choke Hold is prohibited as a less-than-lethal force option.

D. Vascular Neck Restraint (VNR)

The Vascular Neck Restraint will only be used by officers who have been properly trained in its application by a certified instructor. Officers will recertify annually on the proper usage and application of the Vascular Neck Restraint.

The Vascular Neck Restraint has been proven to be a safe technique for both officers and suspects. Officers will exercise caution when applying the Vascular Neck Restraint on elderly, children, pregnant women and the morbidly obese due to the increased risk of injury.

Medical personnel will be called to the scene to evaluate all suspects who were temporarily rendered unconscious as a result of the application of the Vascular Neck Restraint.

Only when there is a reasonable expectation that altered or damaged property may place others in imminent risk of death or serious bodily injury may deadly force be appropriate to protect property. For example, stopping a suspect from setting a fire, or throwing a bomb.

Officers will not intentionally use more force than is necessary and reasonable under the circumstances. Officers will never use force in response to mere verbal provocation or abusive language directed at the officer. Officers shall never use deadly force, except to protect his life, or the life of other human being.

After the use of any force, the officer shall administer basic first aid and/or request emergency medical assistance, through dispatch, for the arrested person if any injury is visible or if the ar-

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rested person complains of any pain or medical condition that may require treatment beyond basic first aid.

5. APPLICATION OF DEADLY FORCE

A. Deadly Force

The application of *deadly force* is authorized by a police officer only to achieve the following lawful objectives:

- 1). To defend himself, or others against serious threats of serious bodily injury or death.
- 2). To stop dangerous felony flight, where there is serious imminent risk to the public of death or serious bodily injury.

The only policy guideline for the use of deadly force is an immediate threat of death or serious bodily harm to the officer or others. No distinction shall be made relative to the age, sex or race of the intended target of deadly force.

Deadly force is not to be used against a felon simply because of the crime he/she committed; rather, it is used because of the threat he/she poses to the officer's or public's safety if allowed to remain at large.

B. ██████████ Police officer's are authorized to use only such force as necessary, including deadly force, to effect an arrest when the following circumstances exists:

- 1). The officer has probable cause to believe that the suspect has committed a crime involving the infliction or threatened infliction of serious bodily harm and continues to present an immediate threat of death or serious bodily harm to others; or
- 2). The officer has probable cause to believe that a fleeing felon poses an immediate threat of death or serious bodily harm to the officer or others; or
- 3). The officer has probable cause to believe that a fleeing felon is armed with a deadly weapon and poses an immediate threat of death or serious bodily harm to the officer or others; or
- 4). When attempting to recapture a felon, who has escaped, the officer has probable cause to believe that if the apprehension were delayed, there would be an immediate threat of death or serious bodily harm to the community.
- 5). Suspicion and/or flight alone is an insufficient basis for shooting a suspect, therefore, when there is a doubt, the value of human life outweighs the importance of immediate apprehension.
- 6). Officers are not justified to use deadly force to affect the arrest of a misdemeanor offender. Should a misdemeanor arrest escalate to the point the officer must defend himself or another person from death or serious bodily injury, then other sections of this policy would apply.
- 7). Whenever possible, the officer will announce his/her intention to arrest, with appropriate notice.
- 8). Officers are prohibited from employing deadly force when it appears likely that an innocent person may be injured except in a situation that is imminently life threatening to the officer or another.

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- 9). Except for maintenance or during training, police officers will not draw or exhibit their firearm except in compliance with the guidelines of this policy.
 - 10). Nothing in this policy; however, shall preclude an officer from unholstering and displaying his/her firearm when the possibility of danger to himself/herself or another person exists.
- C. Force Response - Animal Control
- 1). Emergency Response Options
Officers of the ██████████ Police Department may use a firearm:
 - a). To prevent roaming at large by obviously mad or vicious animals
 - b). To relieve animals so badly injured that it cannot reasonably survive from injuries causing prolonged suffering.
 - 2). Non-Emergency Response Options
 - a). In the event, an officer is called upon to destroy an animal, in a *non-emergency* situation; the officer should request assistance from the on-duty animal control officer.
 - b). If the animal control officer is unavailable, the officer may continue with the humanitarian destruction of the animal. If the animal control officer is on the scene, the officer should relinquish control of the call to animal control and the destruction of the animal will be the responsibility of animal control.
 - c). The animal control officer's judgment shall be weighed heavily before any decision to destroy the animal.
 - d). Officers are expected to use their best judgment and good common sense when forced to destroy an animal that is obviously vicious or an immediate threat to the officer or other citizens.
- D. Less than Lethal Force
- The application of *less than lethal force* but not *deadly force* is authorized by a police officer only to achieve the following lawful objectives:
- 1). To preserve the peace.
 - 2). To defend themselves, or others against unlawful violence.
 - 3). To prevent the commission of self-inflicted injury, or suicide by any person.
 - 4). To make lawful arrests or searches; to overcome resistance to such arrests or searches; and to prevent escape from custody.
 - 5). To prevent or interrupt an intrusion on, or interference with the lawful possession of property.
- E. Before using any force against a suspect, time permitting, officers will:
- 1). Have *probable cause* to arrest that suspect;
 - 2). State his intentions to arrest, and identify himself as a peace officer; and
 - 3). State the reason for the arrest.

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- F. Before officers use force (but not deadly force) for the purpose of protecting a person from self-inflicted bodily injury [suicide attempt] or from uncontrollable circumstances, the officer will consider other available alternatives to protect that person from harm.
- G. Officers may use unauthorized objects as weapons, or use weapons in unauthorized manners if emergency circumstances make it necessary to protect human life and prevent serious injury.
- H. Officers may draw and ready any authorized weapons for use only when they reasonably anticipate that they may have to use such weapon(s). This does not require officers to use the weapons.

6. USE OF DEADLY FORCE - RESTRICTIONS

- A. Deadly force may not be used under the following circumstances:
 - 1). As a warning or threat, warning shots are prohibited.
 - 2). With the intent to maim or cripple a person.
 - 3). On a person who has not caused or threatened to cause serious bodily injury or death to another person, including the officer.
 - 4). On a person who simply flees or evades arrest.
 - 5). At a moving vehicle that does not present a deadly force situation.
 - 6). Merely to prevent the destruction or theft of property.
 - 7). When the officer has some doubt as to the justification for using deadly force.
- B. Force Response – Exhibited Weapon Restrictions
Police officers will adhere to the following restrictions when their weapon is exhibited:
 - 1). Firearms will never be used as an instrument of investigation.
 - 2). The wearing of a sidearm in plain view in public by plain-clothed or off-duty officers must be accompanied with a clearly visible badge, handcuffs, and extra magazine.
 - 3). Horseplay and unsafe acts with weapons are strictly prohibited. When weapons are handed from one officer to another for examination or inspection, they will be unloaded and have the cylinder or slide locked open. Shotguns will be transferred from one person to another with the action open and rifles will have the bolt back or action open also.

7. REPORTING THE USE OF FORCE

- A. Supervisor Notification
Officers, who discharge firearms, use chemical weapons, electronic weapons, impact weapons, special weapons, knives, or who cause bodily injury or death to other persons by use of force or deadly force will notify their direct supervisor immediately. Upon notification of the use of deadly force, the supervisor will immediately notify their chain of command.
- B. Administrative Written Report

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Officers are required to complete an administrative written report detailing the circumstances surrounding the use of force incident. This written use of force report requirement will be met even though other required reports may have already covered the situation.

C. Report Details

While reports may vary from officer to officer in form, the following details shall be included in every report:

- 1). The type of call that first brought the officer in contact with the subject.
- 2). The number of persons involved in the situation.
- 3). The time of day and physical setting of the call.
- 4). What the subject said to the officer.
- 5). The subject's general demeanor and attitude.
- 6). What the officer said to the subject.
- 7). The subjects' actions and reactions and those of the officer.
- 8). A detailed report of all injuries sustained by the officer and the subject, including photographs, if practical.
- 9). The names, addresses, and telephone numbers of all neutral witnesses not involved in the confrontation.
- 10). Officers are not required to provide a written police report reflecting their actions and observation if they provide a recorded audio or audio/video statement. This deviation will only be permitted when deemed necessary by the investigative supervisor.

D. Post Shooting – Crime Scene Requirements

In incidents where officers cause serious bodily injury or death through the application of deadly force, they will first call for medical assistance, secure the scene as well as possible, and then notify their direct supervisor. Upon arrival, the supervisor will take charge of the scene along with any investigation concerning the incident and report the incident to the Command Staff.

E. Post Shooting Assistance

In incidents involving the use of force, all officers will assist in every way possible with the investigation. Any report required by this policy will receive executive review in an effort to:

- 1). Protect the integrity of the facts and the evidence;
- 2). Ensure that the officer's use of force complied with all appropriate state and federal laws, and department policy;
- 3). Determine if the officer's use of force indicates a need for special counseling, training, or disciplinary action; and
- 4). Determine whether the situation requires further action.

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F. Reporting Requirements

- 1). The Chief of Police and the Command Staff will be notified immediately when any type of deadly force is used and there are resulting *serious physical injuries or death*.
- 2). Each officer who witnessed the incident or responded to the scene may be interviewed about the incident. If the officer is interviewed prior to filing a written report, a written report will not be required.
- 3). The employee(s) who actually used or employed the deadly force may be relieved of duty and directed as needed. At the time the officers are relieved of their duty weapon(s) used in the incident, they will be collected and tagged as evidence. The event OIC or next senior supervisor at the scene will instruct the officer(s) who used deadly force to:
 - a). Refrain from making any statements to the news media, other officers, or supervisors;
 - b). Refrain from discussing the matter between officers or witnesses [if more than one officer];
 - c). Refrain from completing any reports or non-administrative statements for at least twelve [12] hours.
 - d). Unless circumstances dictate otherwise, permit the officer(s) involved to review videos of the incident prior to giving statements.
- 4). When the officer arrives at the station, investigators will debrief the officer and advise the event OIC of their findings. Thereafter the officer(s) will be transported home. Upon return to duty the next day, if applicable under the circumstances, the officer(s) involved in the deadly force incident will complete his report and make all required statements. The officer(s) will provide all required information as if a witness to the incident, first hand *perception of events* at the time, and the *corresponding force options used*. Special attention will be given to any deviation from this policy.
- 5). All reports completed by the officers using force, other officers or witnesses, will include the following:
 - a). A description of the events leading to the use of force or deadly force;
 - b). The original offense or *probable cause* for the stop or action;
 - c). An accurate description of the incident and reasons for employing force;
 - d). A description of the weapon or device used and the manner in which it was used;
 - e). A description of the injuries suffered, and the treatment given or received;
 - f). A list of all participants and witnesses to the incident; and
 - g). A copy of all incident reports compiled as a result of the incident.

8. USE OF NON-DEADLY FORCE

Police officers are constantly being confronted with situations where control must be exercised to affect arrests and protect the public safety. Law enforcement officers are permitted to use the degree of force that is reasonably necessary to accomplish their lawful objectives.

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In these situations, an officer should attempt to exhaust all alternatives before resorting to physical force or the use of less-lethal weapons, if at all possible. Officers must be reasonable in their actions and demonstrate good common sense when using this type of force.

Officers will use physical strength and skill, restraint devices, chemical weapons, electronic weapons, or impact weapons to apply non-deadly force only.

Officers have no obligation to *retreat* or *back down* before resorting to approved use of force, including deadly force. Officers may consider retreat or withdrawal where delay could make a more peaceable arrest or stop likely if such tactics would not increase risk to himself or others. In some cases, an increased show of force may reduce the amount of force necessary to accomplish the officer's objective.

Officers will not attempt to affect arrests alone if there is substantial risk to himself from the arrestee or another party unless there are no available reasonable alternatives.

Officers will use handcuffs or other restraining devices on all arrestees unless it is obviously unnecessary or impractical (e.g. the elderly, young juveniles, amputees, crippled, injured, or other applicable subjects). Officers will take reasonable precautions to protect arrestees from injury caused by handcuffs or other restraining devices. Only restraining devices and techniques approved by the department may be used.

Officers may use chemical weapons for self-protection, or to subdue person's unlawfully resisting arrest. Any person on which a chemical weapon has been used will be treated or decontaminated for exposure to the chemical agent as soon as practical and thereafter monitored for possible latent effects.

Officers may use approved electronic weapons in accordance with this policy. An electronic weapon may only be used to protect persons from assault or to subdue person's unlawfully resisting arrest.

Officers may use impact weapons to protect him or another from assault or to arrest a person who unlawfully and violently resists arrest if lesser methods have failed, or if circumstances warrant the immediate use of the impact weapon.

However, officers should:

- Avoid baton blows that are capable of inflicting serious bodily injury;
- Not deliberately strike the *face, head, throat, collarbone, spine, kidney area, solar plexus, knees, or elbows.*

9. WEAPONS APPROVAL & ISSUE

Officers will register all firearms carried on-duty or off-duty, and will only carry or use authorized duty weapons, firearms and ammunition under these standards:

- A. Firearm is registered with the department.
- B. Specific firearm and ammunition *manufacturer, type, and caliber* is approved for use by the Chief of Police.
- C. Firearms have been inspected, fired, and certified safe by the department's firearms instructor.

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- D. The officer has demonstrated proficiency and been certified in the last twelve [12] months in the use of all weapons and ammunition he carries on-duty or off-duty.
- E. Officer qualifies with the same weapon and type of specific ammunition [caliber, bullet weight, bullet design, and powder load] actually carried on duty.
- F. If a different firearm is carried off-duty, the conditions of A-E above apply to the off-duty weapon(s).
- G. Officers may not modify or alter an authorized weapon in any material way without Agency approval.

10. POST SHOOTING

When an officer, either on or off duty discharges a firearm (except during qualifying or target practice), the shift OIC shall be notified immediately followed by a written report submitted as soon as practical to the officer's immediate supervisor. The report shall explain the circumstances and reasons surrounding the discharge as outlined in this policy.

A. Investigations

- 1). Criminal - The ██████████ County District Attorney's Office shall be responsible for conducting an independent investigation of all shootings involving officers of the ██████████ Police Department. The Chief of Police may request other independent criminal investigations by an agency of his choice.
- 2). Administrative - The ██████████ Police Department's Office of Professional Standards will conduct all internal investigations.

Law enforcement duties can often expose officers and support personnel to mentally painful and highly stressful situations that cannot be resolved through normal stress coping techniques. Unless adequately treated, these situations can cause disabling emotional and physical problems. Officer-involved shootings resulting in death or serious bodily injury to citizens or fellow officers may trigger stress disorders.

It is the responsibility of the ██████████ Police Department to provide personnel with information on stress disorders, and to guide and assist in their prevention. It is our policy to take immediate action, after traumatic incidents, to safeguard the mental health of all involved personnel.

B. Handling of Officers at Scene of Shooting Incident

The supervisor on the scene of the incident will:

- 1). Request necessary medical assistance as needed, then notify a PEER support counselor if available;
- 2). Move the officer(s) involved to a quiet location when appropriate;
- 3). Prohibit use of stimulants, or depressants by the officer(s) involved, unless directed by medical personnel;

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- 4). Interview the officer(s) involved regarding facts of the incident, although a more detailed debriefing will be conducted at a later time;
 - 5). Notify the officer(s) involved that an investigation will occur concerning the incident, and that they may seek legal counsel;
 - 6). Advise the officer(s) involved to refrain from discussing the incident with anyone, except a personal or agency attorney, or department investigator, until the preliminary investigation is concluded;
 - 7). Determine whether the circumstances of the incident require the officer's duty weapon be taken for laboratory analysis.
 - 8). When the duty weapon is taken, the supervisor will:
 - a). Discretely take custody of the officer's weapon; and
 - b). Replace the officer's weapon with another weapon, or advise the officer that it will be returned or replaced at a later time, as appropriate.
 - c). Allow the involved officer(s) to notify their families about the incident as soon as possible. When the officer(s) is unable to do so, an agency official will personally notify the family, and arrange for their transportation to the officer(s) location if feasible.
- C. Post-Incident Counseling & Treatment

Where a police officer's use of force causes death or injury, the officer shall be placed on modified duty pending the completion of all internal investigative requirements. The Chief of Police will retain the right to immediately allow any officer on modified duty prior to the completion of the internal investigation to return to normal duty.

Post-traumatic stress disorders may not arise immediately, and officers may attempt to hide problems.

All officers directly involved in the shooting incident will be required to undergo a fitness for duty evaluation by a mental health professional as soon as practical after the incident before his or her return to normal duties. Involved support personnel are also encouraged to contact the mental health professional after shooting incidents.

After the fitness for duty evaluation, the mental health professional will advise the agency:

- 1). Whether it is in the officers' best interest to return to unrestricted duty, be placed on modified or light duty, and for how long;
 - 2). The best continued course of action going forward.
- D. Agency Responsibility
- The ██████████ Police Department will:
- 1). Encourage the families of the involved officers to take advantage of available counseling services;
 - 2). Investigate the incident as soon as practical;

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- 3). Brief other agency members concerning the incident to minimize rumors. Agency members are encouraged to show the involved officers their concern;
 - 4). Respond to media inquiries, and release information regarding the incident as described in the Media Relations procedures; and
 - 5). Require each officer directly involved in the incident to re-qualify with his or her duty weapon prior to re-assignment to duty.
 - 6). Officers should consider having phone calls answered by someone else for several days, if their names are released to the public.
- E. Supervisor Responsibility
- Supervisors are responsible for:
- 1). Monitoring the behavior of unit members for symptoms of the disorder; and
 - 2). Reporting any behavior changes that might indicate a need for the effected officer to seek assistance or counseling from a mental health professional upon a reasonable belief that stress may be disrupting job performance.

11. CONCLUSION

This policy is for departmental use only and is not intended for use in any criminal or civil proceeding. The department policy should not be construed as a creation of higher legal standards of safety or care in an evidentiary sense with respect to third party claims. Violations of this policy will only form the basis for departmental administrative sanctions.

All use of force reports are routed through the officers chain of command for review with a copy going to the department's Professional Standards Bureau. The Office of Professional Standards will investigate all allegations of improper use of force & deadly force, at the direction of the Chief of Police. In cases where possible criminal acts are involved, the appropriate law enforcement agency or prosecutor office will be notified. ❖

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