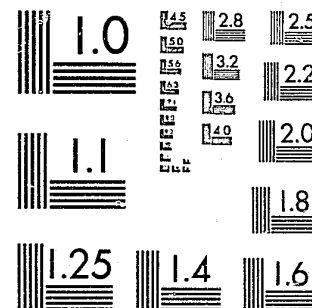


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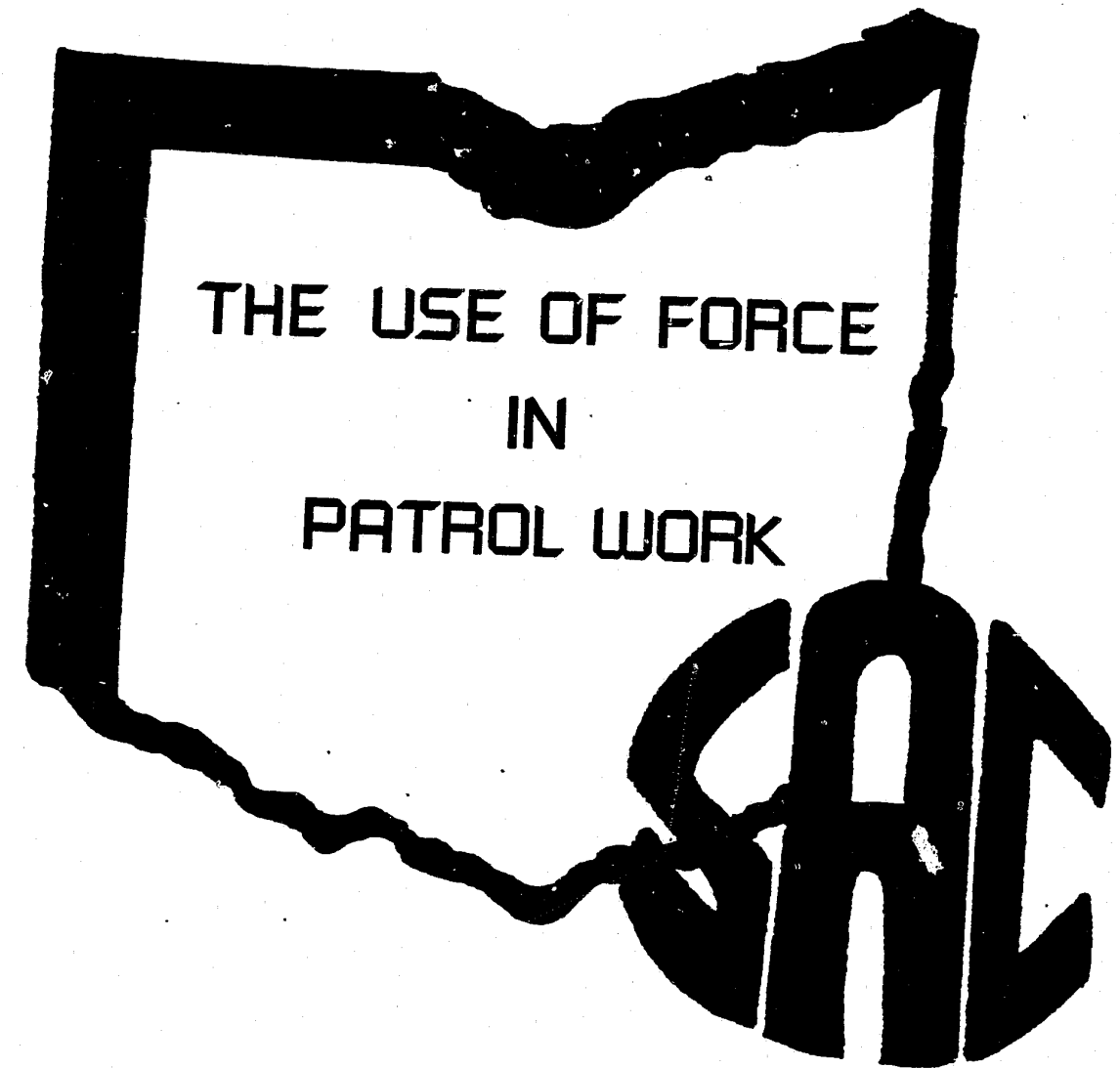
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92238

OHIO DEPARTMENT OF DEVELOPMENT

THE USE OF FORCE
IN
PATROL WORK

An examination of the exercise of force by Ohio peace officers
during the performance of routine patrol duties.

STATE OF OHIO
Richard F. Celeste, Governor

DEPARTMENT OF DEVELOPMENT
Alfred S. Dietzel, Director

Office of Criminal Justice Services
Statistical Analysis Center

March, 1983

U.S. Department of Justice
National Institute of Justice

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I. INTRODUCTION

Discretion is an inherent part of law enforcement work. Peace officers must decide who to arrest, who should simply be warned, who should receive a citation ticket, who should be stopped and questioned, and when and where to search, to name only a few decisions. Furthermore, police officers also must decide when and where to use force in the course of their work. The type of force to be used as well as the circumstances justifying the use of such force are discretionary decisions often made without the luxury of time to consider all possible consequences.

Because peace officers are more visible than prosecutors, judges, and some of the other actors in the criminal justice system, they are subject to an extra measure of public scrutiny. This translates into considerable attention from the various communications media. And in publicized cases of the use of force by police, public reactions usually range from empathy to outrage. These reactions are important since these same citizens vote for the public officials who either influence or make criminal justice policy. It therefore is crucial that both the public layman and the policy maker be well-informed on all criminal justice issues, including the use of force by peace officers.

While definitive answers to the use of force question are not yet available, many of the central issues already have been addressed by previous research efforts. Most of these studies have employed methodologies which examine individual or aggregated incidents as revealed through newspapers or police department files. Such methods of inquiry can yield much data and answer some central questions on this controversial issue. One has to bear in mind, however, that approaching the issue in this manner could highlight the use of force by peace officers, inadvertently leading the public to believe that such behavior is more prevalent and routine than is actually the

case. This could result in the derogation of officers who have legitimately and justifiably used force in the performance of their duties.

In an attempt to avoid this type of distortion, the present study examines both the incidence and prevalence of the use of force among a random sample of 3,155 Ohio law enforcement officers. Although most of the past research efforts have concentrated on the use of deadly force, the current work examines not only the use of firearms by law enforcement officers but also the use of non-lethal force including night sticks, chemical mace, and personal defense tactics. More than simply an inventory of types of force used and their frequency, this information will be set against selected characteristics of the officers and the encounter. In this way the reader will be able to discern who among Ohio's law enforcement officers uses force, and how often these activities become necessary in the routine performance of police work.

It is hoped that these results will have substantive meaning for law enforcement policy makers. Armed with an understanding of the use of force in Ohio, law enforcement officials may be in a position to revise old policies and shape new ones in an effort to better serve and protect the citizenry.

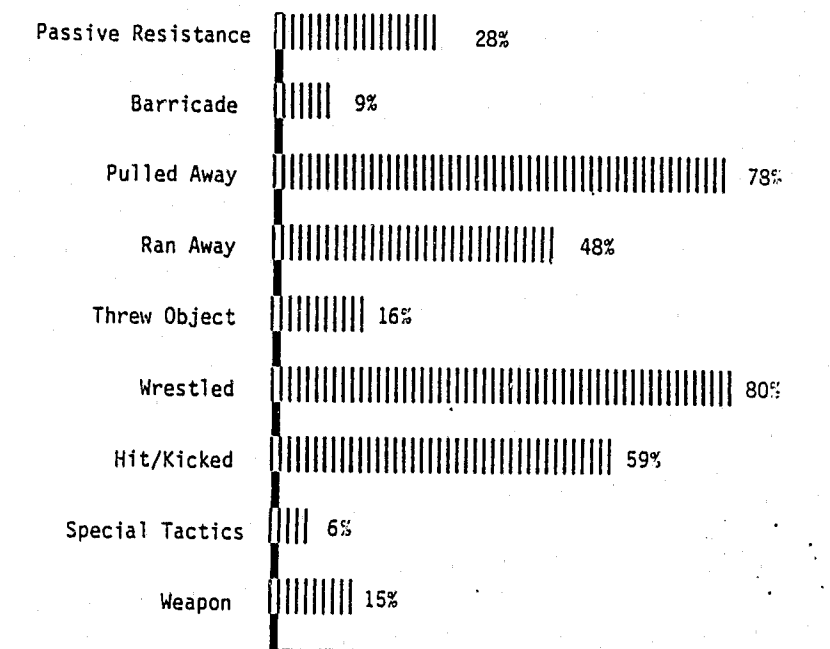
II. SUSPECT CHARACTERISTICS

In any study of the exercise of force by peace officers it is crucial to know something of those against whom the force is used. Some studies have collected detailed data on police-citizen interactions, including information regarding perceived events or actions which precipitated the use of force.

While it was not possible to glean information about the motives and intentions of those engaged in these encounters, it was possible to collect some interesting descriptive data. For example, of the more than 700 patrol officers claiming to have encountered resistance within their past five work shifts, almost three-fourths confronted only one male suspect. The majority of the remaining resisted officers confronted from two to four male suspects. Since only about one-in-five of the resisters encountered by the study's respondents was female, it is evident that males by far constitute the greater threat to law enforcement officers.

Just exactly what kind of threat a resister poses, however, often depends upon the means by which he effects his resistance. Between the polar extremes of passive resistance and the use of firearms lie a number of means by which suspects can resist an officer. Figure 1 shows the various ways in which suspects resist Ohio's peace officers.

FIGURE 1
TYPES OF RESISTANCE ENCOUNTERED BY OFFICERS



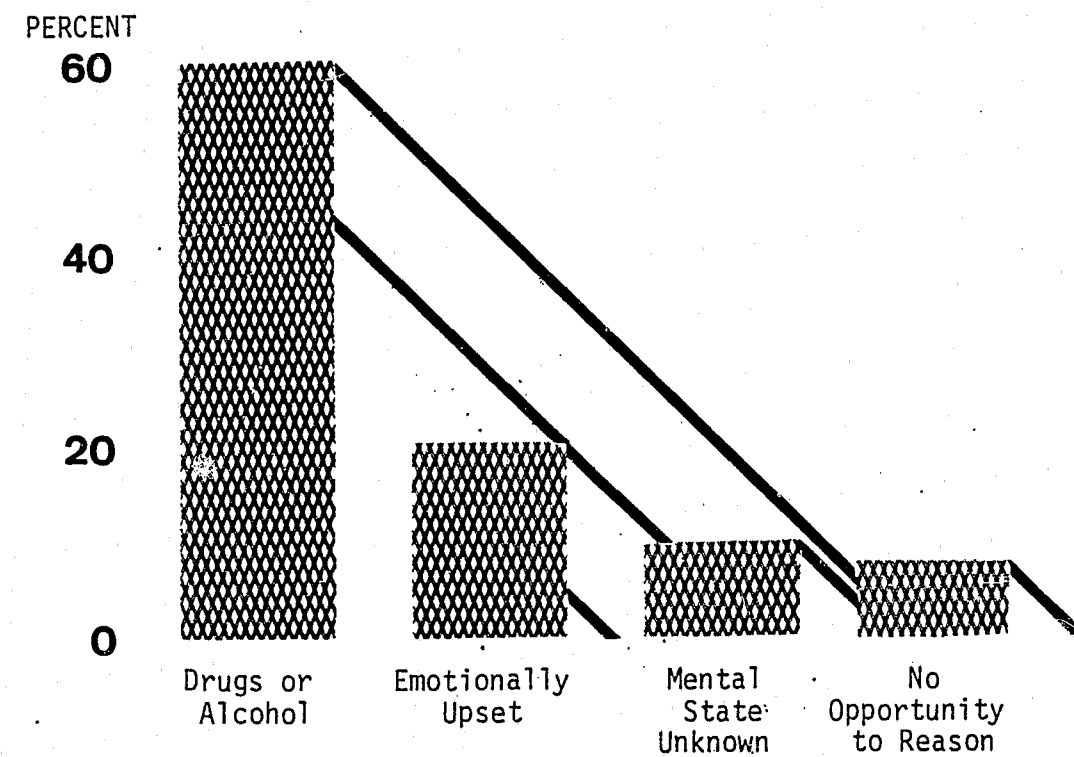
It is clear that the peace officer respondents most often encountered resistance which, while troublesome and capable of causing injury, was not potentially life-threatening.

Law enforcement officers generally make attempts to bring suspects under control short of exercising physical force. The vast majority of officers encountering resistance did, in fact, issue a verbal order to the suspect. As one might assume, the resisters did not defer to the authority of the officers. In fact, 80% of the patrol officers claiming to have met resistance indicated their suspects refused to submit to the verbal orders of the former.

The task analysis data suggest that the same percentage (80%) of officers were unable to reason with their suspects. And mentally disordered suspects are not the only ones incapable of reasoning. Figure 2 compares the various emotional states of those with whom the Ohio officers were forced to contend.

FIGURE 2

EMOTIONAL STATES OF SUSPECTS

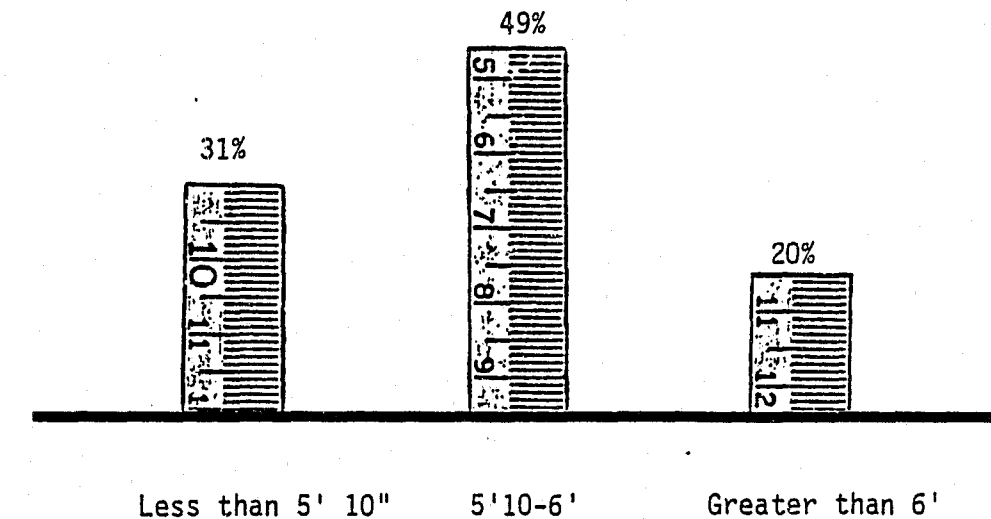


Those under the influence of either alcohol or drugs posed, the greatest problem to the officers meeting resistance.

The physical stature of criminal suspects is thought by many to affect the amount of force with which a peace officer must respond. That is, the more physically imposing a suspect, the greater potential threat he may be to an officer's safety. Figure 3 shows the suspect height range in instances where one or more suspects were encountered by the officer.

FIGURE 3

HEIGHT RANGE OF PRIMARY RESISTERS*



Some might interpret this as evidence that officers of slight build and small stature are being placed at a distinct disadvantage. These people might argue that future peace officers recruits should have to meet arbitrary height requirements. Such requirements, of course, would necessarily exclude many men and women who otherwise would be qualified. Perhaps it should be remembered that law enforcement officers have at their disposal a variety of techniques and weapons to prevent injury not only to themselves but also to others. These self-defense methods will be analyzed in Sections III. and IV. of this report.

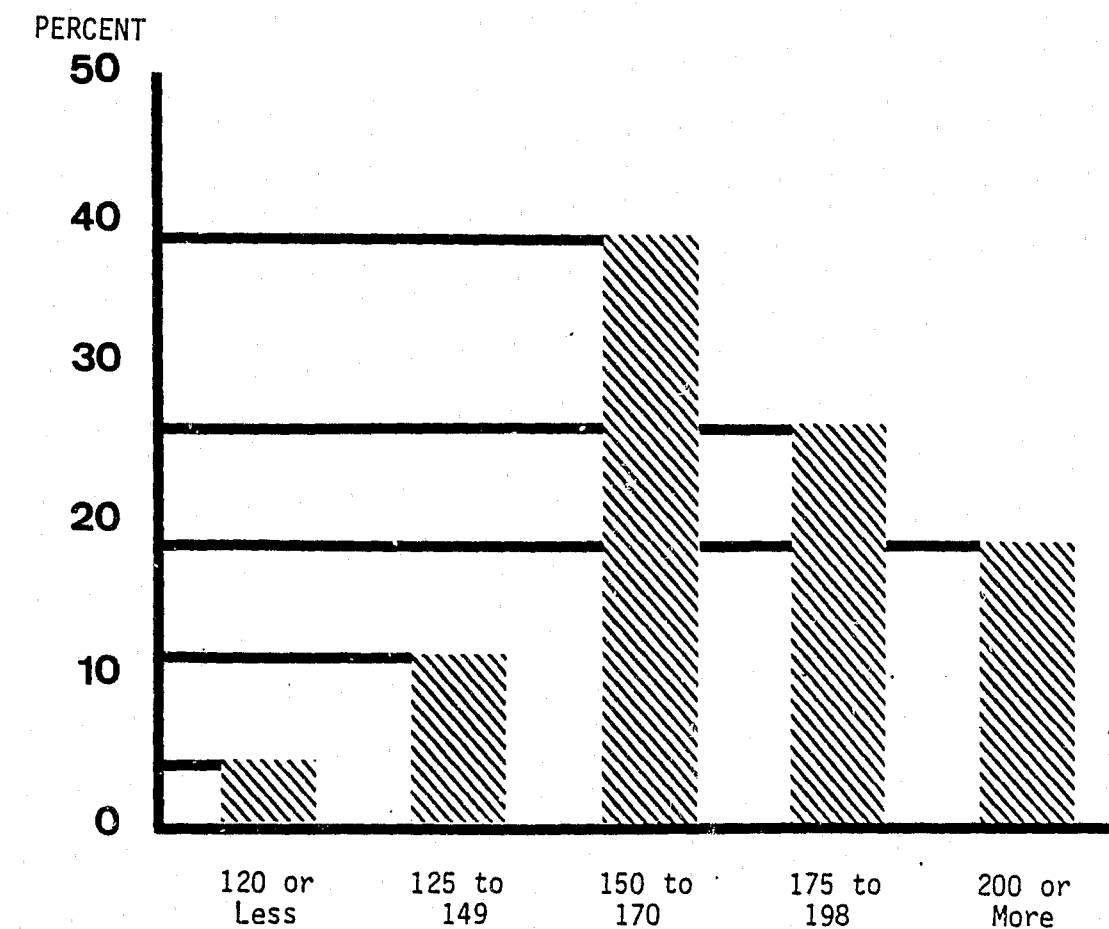
* Defined here as the only resister encountered or the one central to the altercation.

To the extent that a resister's height may give him an unfair advantage, his weight may also make the law enforcer's job a more difficult one. Although the modal* weight for resistive suspects was 150 pounds, the typical resister most likely encountered by an Ohio peace officer was 150 pounds or larger, with a plurality of primary resisters falling in the 150-170 pound range.

* Denotes the value most frequently encountered.

FIGURE 4

WEIGHTS OF PRIMARY RESISTERS*



Such data may be of interest to law enforcement training officers who are charged with the responsibility of designing relevant defense courses for recruits. It also may serve as somewhat of a justification for the use of non-lethal weapons for the purpose of offsetting any physical imbalance between the officer and suspect.

* Some numbers in range were not reported by survey respondents, causing it to appear incomplete.

III. WEAPONLESS RESPONSES TO RESISTANCE

Fortunately for officers and suspects alike, most altercations are resolvable without resorting to the use of weapons. Peace officers, as a part of their formal training, are familiarized with a variety of tactics specifically designed to bring resisters under control. There are also tactics which, while not part of their training, are nevertheless employed by officers forced to subdue a resistive suspect. Table 1 shows the percentage of officers encountering resistance who used each type of weaponless force.

TABLE 1

OFFICERS EXERCISING WEAPONLESS FORCE

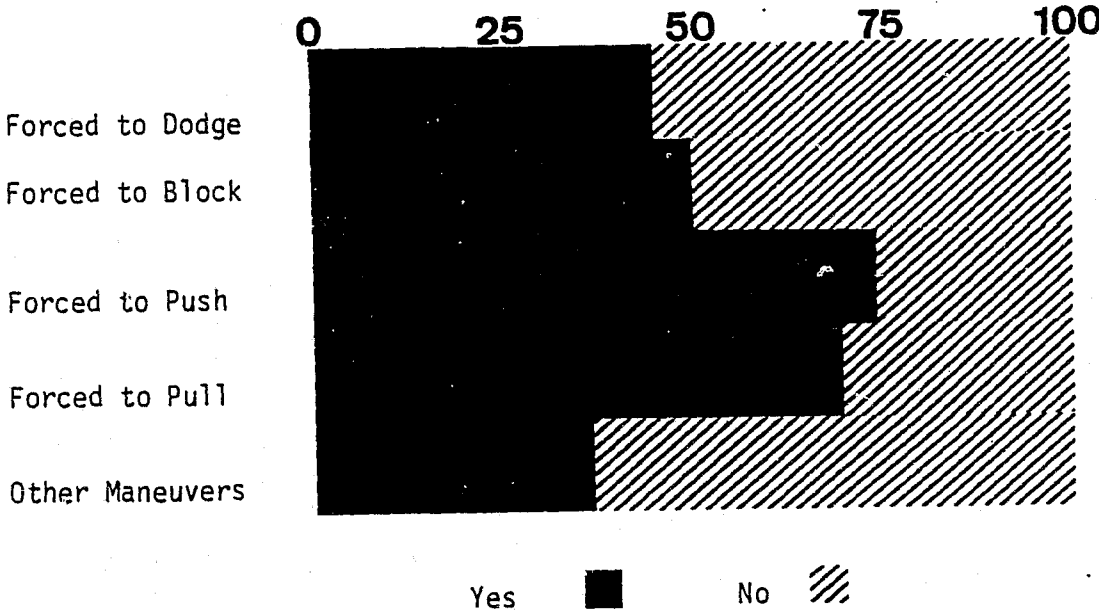
| | <u>Number of Respondents</u> | <u>Percent of Resisted Officers</u> |
|-------------------|------------------------------|-------------------------------------|
| Block | 350 | 51% |
| Dodge/Duck | 308 | 44% |
| Hit/Kick | 216 | 31% |
| Pull | 490 | 70% |
| Push/Shove | 514 | 74% |
| Restraining Holds | 539 | 75% |
| Wrestled | 548 | 76% |

It is evident that "hitting" and "kicking", the two types of weaponless force most likely to cause the greatest amount of injury to a suspect, were used least often by Ohio's task analysis respondents.

Simply to protect themselves from obstreperous suspects, law enforcement officers must employ a variety of evasive maneuvers. These do not involve the overt use of injurious force but instead enable the officer to avoid injury while attempting to bring the suspect under control. This data also tends to corroborate other evidence that the resister was combative. Below are the proportions of officers having to employ these evasive techniques.

FIGURE 5

EVASIVE MANEUVERS USED AGAINST RESISTERS



Confronted with a suspect unwilling to acquiesce, the officer must attempt to bring the encounter to an end. Unless the offender is armed or otherwise dangerous, the officer will attempt to accomplish his task without the aid of weapons. That is, the officer has to rely on his or her strength as well as on special defense and apprehension techniques. The three principal means of weaponless force used by the survey respondents are restraining holds, wrestling, and hitting.

Of these three modes of coping with resistance, hitting is perhaps the most interesting both in terms of its use and in terms of public and media perceptions. Hitting was employed least frequently of the three types of weaponless force. Given much general misunderstanding of this issue, it might be instructive to look more closely at those who found it necessary to strike resisters.

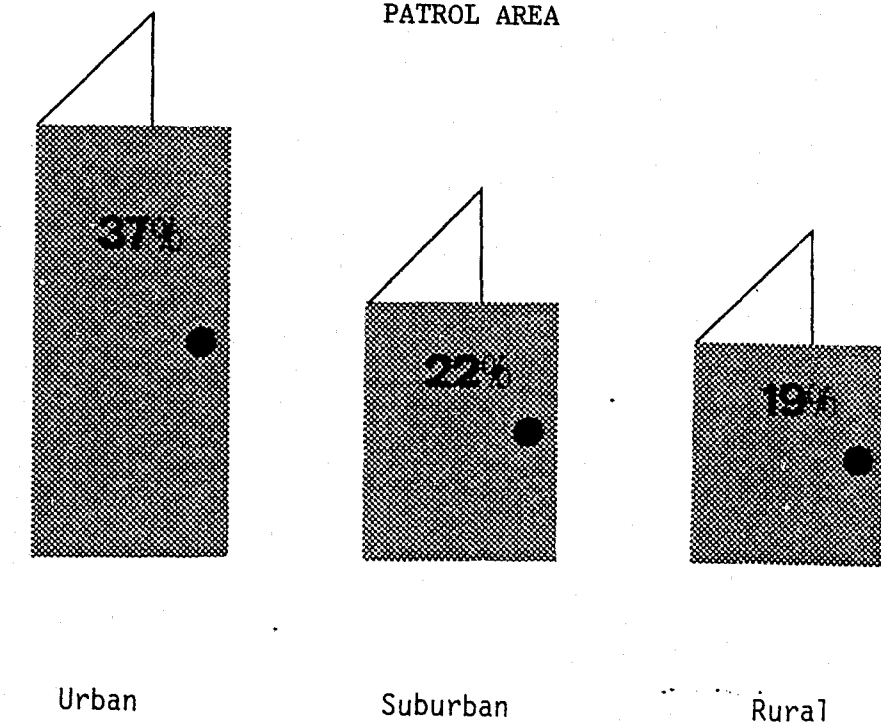
Police officers, regardless of their gender, apparently use force when it is deemed appropriate. The difference that does exist perhaps can be explained by the ways in which males and females are socialized; that is, aggression and physical power being emphasized for the former with passivity and gentleness the case for the latter. As mentioned earlier, small numbers prevent too much being read into these figures.

Black and white officers seem to strike resisters in roughly the same proportions. The data, moreover, do not reveal significant differences in the "hitting" behavior of various age groups. The same can be said of officers from cities of various sizes.

Rural peace officers exhibit a tendency to hit suspects slightly more than their urban and suburban counterparts. The data also indicate that officers on assignment alone are about as likely to strike resisters as their colleagues assigned to two-person vehicles. The shift an officer works evidently has no bearing on this kind of behavior.

If force is defined broadly enough to include breaking down doors, the analysis will show that relatively few peace officers actually use this sort of law enforcement tactic. For example, less than one-third of the surveyed officers claimed they break down doors a few times per year. But while the incidence of door-breaking is relatively small, some noteworthy, though expected, findings emerge when the type of patrol area is examined.

FIGURE 6
BREAKING DOORS
BY
PATROL AREA



One finding of the Ohio Peace Officer Task Analysis was that female officers compared favorably with their male counterparts in regard to physical activities. A dramatic difference surfaced, however, on the issue of breaking doors. Twice the proportion of females as males claimed to have never broken down a door by force. Further, more than twice the proportion of males engage in door breaking at least a few times per year.

In summary, the data presented herein suggest that some peace officers in Ohio do find it necessary to physically hit suspects offering resistance. They do break down doors during the course of their work. But they generally employ non-lethal techniques for bringing resisters under control. While officers may, at times,

behave eccentrically in extreme circumstances, it appears as though these reactions are the exception rather than the rule. A look at the use of weapons against suspects will provide yet a more comprehensive look at the exercise of force by law enforcers in Ohio.

IV. THE USE OF NON-LETHAL FORCE

Ever since the 1960's, when civil disobedience reached its peak in this country, social scientists and the media have focused considerable attention on the extent to which police officers use excessive force. Highlighted by film clips of the 1968 Democratic National Convention in Chicago, the use of force by peace officers has become the subject of both sympathetic and critical analyses. The subject has generated, and will continue to generate, controversial debate.

The issue of excessive force by law enforcers defies easy understanding. George Kirkham, a criminology professor turned police officer, admits to covering for a partner who mercilessly pummeled a verbally abusive suspect. On another occasion, the former liberal protester found himself prepared to shotgun a group of angry ghetto blacks. Clearly, the police get a view of the resister rarely afforded the average citizen.

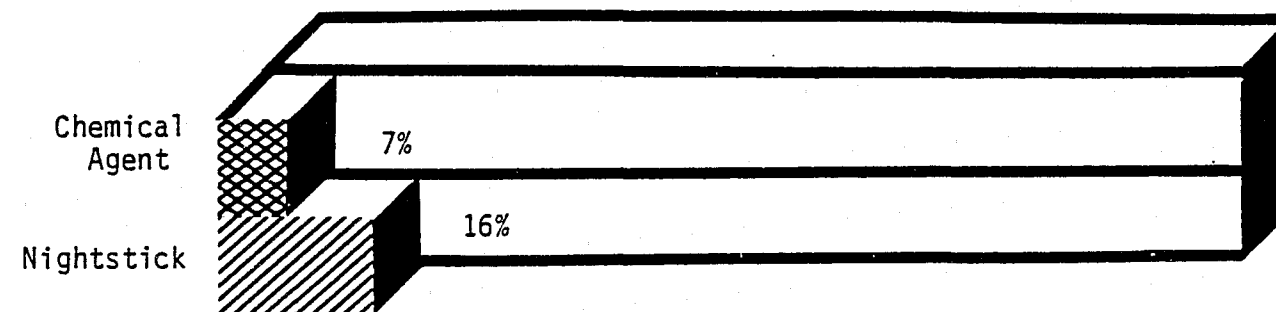
On the other side of the issue is a staunch group of civil libertarians who feel police conduct should be closely scrutinized, especially in light of relatively recent scandals and abuse of discretion (e.g., McDuffy incident in Miami in 1980).

The task analysis data presents a unique opportunity for allowing researchers to examine the use of force as it occurs during the course of routine patrol work. That is, instead of looking at those incidents on which the law enforcement agencies collect statistics (those found in official reports) it is now possible to take a look at the use of armed force as it is reported by the officers themselves.

None of the weapons available to peace officers--chemical agents, nightsticks, or firearms--is used frequently by a majority of officers. Chemical agents, for example, experienced very little use by the officers who encountered resistance. Figure 7 is a comparison of the use of non-lethal weapons in dealing with resisters.

FIGURE 7

PERCENTAGE OF RESISTED OFFICERS USING
NON-LETHAL WEAPONS



It would not be very instructive to spend a lot of time on the use of chemical agents, simply because so few of the surveyed officers used them.

The nightstick, including its most recent manifestation--the PR-24--has received its share of both positive and negative publicity. In the hands of the prudent and even-tempered, the nightstick permits the control of truculent suspects. But when wielded by irresponsible officers, it has the potential of causing senseless, serious injury.

Of the 743 peace officers encountering resistance, only 106 (16%) indicated that they had to use a nightstick against their suspects during their previous five workshifts. That is, of the 2620 patrol officers surveyed in the task analysis project, only four percent claim they found it necessary to use a nightstick during that time period. Perhaps it should be noted that an officer need not strike a suspect to make effective use of a baton. A wide range of offensive and defensive techniques has been developed for use with the baton and the PR-24.

V. THE USE OF DEADLY FORCE

A perennially discussed criminal justice topic is the shooting of suspects by police officers. Clearly it is one thing to strike an incorrigible suspect with a nightstick and quite another to fire a .38 at him. The public is confident that the police exercise their discretion appropriately in most instances; nevertheless, there are those unfortunate cases in which lethal force was not, but might have been, avoided.

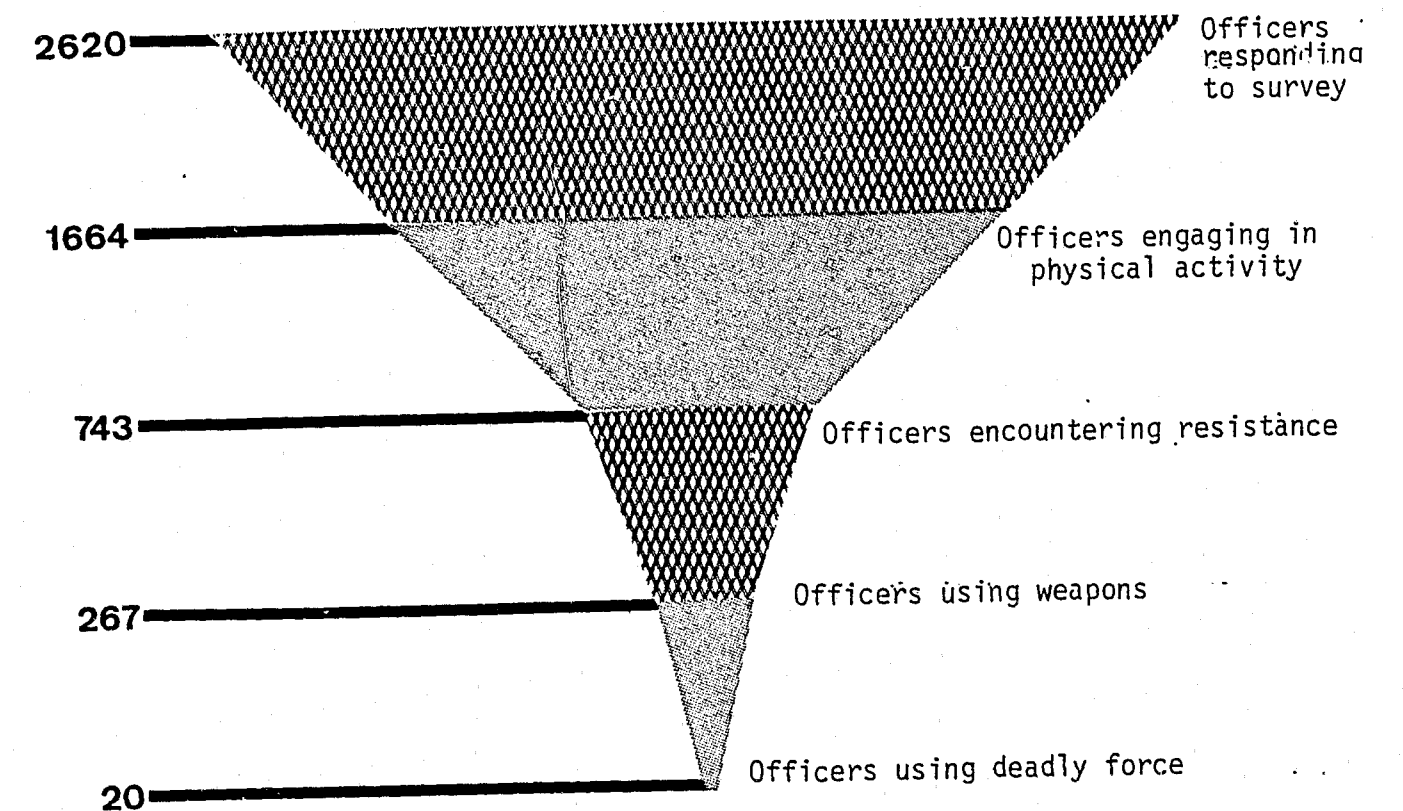
Are law enforcement officers trigger-happy self-appointed executioners who carry out sentences of death anticipating the obvious guilt of criminal suspects? Or are the officers dedicated public servants whose role necessitates split-second life or death decisions? While it is not within the scope of the study to examine officer attitudes and beliefs, some relevant Ohio data may shed light on this issue. For example, recent Ohio data reveal that 96% of Ohio's citizens feel that peace officers are justified in firing their weapons at suspects, at least under certain circumstances.* It can be inferred, therefore, that the public at large has faith in law enforcers' ability to appropriately exercise their discretion.

The fact is that the public should be concerned, though not alarmed, about the excessive use of force in routine patrol work. The percentage of police-citizen encounters resulting in the use of deadly force is relatively low, especially if one considers only those cases in which police firearms are discharged. The figure below helps to put Ohio law enforcement firearm discharges into perspective.

* Ohio Citizen Attitudes Concerning Crime and Criminal Justice.
Ohio Department of Development. November, 1982.

FIGURE 8

SURVEY RESPONDENTS USING DEADLY FORCE



Since the "use of force" portion of the task analysis survey instrument expressly dealt with encounters with resisters, it can be assumed that the firearm discharges were neither accidental nor did they involve the killing of animals. The data do not reveal, however, whether or not the firearm was fired at a suspect or discharged as a result of a warning for a suspect to stop.

All the survey respondents who claimed to have discharged a weapon at their suspect were male. Fourteen were white, four were black, and one was a native American.* These figures, or rather the proportions they represent, are not particularly meaningful since so few officers are involved.

Lethal force can also be interpreted as that which potentially can bring about the death or serious bodily injury of a suspect. When a lethal weapon is drawn, the potential exists for someone to be seriously injured or killed. Of the 743 Ohio peace officers claiming to have encountered resistance 16% deemed it necessary to display their firearms.

Earlier it was noted that officers confronting suspects tend to receive assistance. Officers who are members of two-person assignments seem to be more likely to display their weapons than officers working alone ($X^2=3.72$, $p < .05$). One explanation for this finding is that two-person patrol teams are more apt to be dispatched to calls more frequently requiring use of force.

The level of education offered somewhat surprising finding as it related to the gun-drawing behavior of peace officers. Twenty-three percent of the resisted officers with 16 years of education drew their firearms versus 16 percent of those claiming to have a high school education (i.e., 12 years of education). This is of interest since some observers feel that the college-educated officer is less authoritarian and thus possibly less likely to resort to the use of weapons. It is, however, important to note that the difference is not statistically significant.

Some observers might expect more experienced officers to draw their weapons more than their less experienced counterparts. In

* One of the officers who discharged a firearm neglected to report his EEOC status.

looking at those resisted officers with from one to six years of experience, it was found that within this experiential range, there exist no significant differences whatsoever. That is, the seasoned veteran, who may be expected to be more authoritarian and hence more violence-prone, is really no more likely to draw a gun than his less experienced colleagues.

Of substantial interest to law enforcement officials and laymen alike is the exercise of deadly force by peace officers. Law enforcement agents, like the members of any occupation, are subject to excesses and errors in judgment. But when human life is the cost of these discretionary decisions, the public rightfully demands that informed and responsible policy guide these acts. Furthermore, once committed, these acts require a certain measure of scrutiny to ensure that those with the power over life and death do not, willfully or otherwise, abuse it.

As mentioned earlier, there were not many firearm discharges by survey respondents. This is, of course, in a relative sense since it is difficult to state exactly what number constitutes "too many." Twenty officers, or three percent of those resisted, deemed it necessary to fire their weapons during the encounter. The task analysis data do not, reveal whether or not the firearms were discharged in issuing a warning shot or in attempting to hit the suspect. Since many law enforcement agencies either discourage or prohibit the firing of warning shots,* it is probably safe to assume that the officers were attempting to shoot a suspect.

* One standard reason for this rule is that the officer firing the warning shot has less firepower to use against his adversary. The other is that the bullet fired as a warning may come down and strike an innocent person.

METHODOLOGY

The data for this report was generated through the Task Analysis Project, a joint effort of the Ohio Division of Criminal Justice Services and the Ohio Peace Officer Training Council. A survey instrument containing more than 1000 questions was sent to a 15 percent stratified random sample of 3,155 Ohio peace officers in an attempt to discover what activities officers perform as well as how often they do so in the performance of routine patrol work. All geographical regions of the state were represented as were all the various types of law enforcement agencies.

The central purpose of this report is to provide a description of the routine exercise of force by Ohio law enforcement agents. That is to say, the data should not be taken further than the limits permitted by the canons of social science research. Often due to the nature of the current state of police work, the numbers of subjects under analysis preclude the confident use of some of the more sophisticated inferential statistical methods. Race and sex differences, for example, often are difficult or impossible to disentangle when table cell sizes fall below recommended strengths.

Further questions concerning the methods of data collection or analysis should be addressed to:

Statistical Analysis Center
Office of Criminal Justice Services
P.O. Box 1001
30 East Broad Street
Columbus, Ohio 43215

(614) 466-3887

OTHER SAC PUBLICATIONS

March 1983

Use of Force By Ohio Peace Officers. An analysis of the use of force by Ohio law enforcers during the performance of routine patrol work. Examined are personal defense tactics as well as non-lethal and lethal force.

March 1983

The Ohio Statistical Analysis Center: A User's Profile. This administrative report highlights SAC's setting and function in Ohio government, the federal SAC network, and the field of criminal justice. It profiles SAC's structure, research priorities, information users, and similarities to other state and territorial SACs.

March 1983

OCJS Research Requests and Responses: An Analysis. An analysis of 346 research data requests received and responded to by SAC in 1982, as well as the nearly 1,000 requests received to date, by type and source of request.

Spring, 1983

The following series of eight reports are modular summaries, each about 40 pages in length, profiling the results from each of the jurisdiction levels (based on populations) represented in 1981-82 Ohio Law Enforcement Task Analysis Survey. These reports highlight the frequency of task performance, equipment usage, physical activities, as well as other facets of the peace officer's job. Also included are supervisors' assessments of importance and learning difficulty.

Law Enforcement In Ohio Cities Serving Over 100,000 People: A Task Analysis.

Law Enforcement In Ohio Cities Serving 25,000-100,000 People: A Task Analysis.

Law Enforcement In Ohio Cities Serving 10,000-25,000 People: A Task Analysis.

Law Enforcement In Ohio Municipalities Serving 2,500-10,000 People: A Task Analysis. (forthcoming)

Law Enforcement In Ohio Municipalities Serving Under 2,500 People: A Task Analysis (forthcoming)

Law Enforcement In Ohio Counties Serving Over 250,000 People: A Task Analysis. (forthcoming)

Law Enforcement In Ohio Counties Serving 100,000-250,000 People: A Task Analysis. (forthcoming)

November 1982 Law Enforcement In Ohio Counties Serving Under 100,000 People: A Task Analysis. (forthcoming)

October 1982 Survey of Ohio Citizen Attitudes Concerning Crime and Criminal Justice. the third annual report of this series, this study focusing on attitudes toward law enforcement officers, public crime-fear levels, handgun ownership, and the informational resources which mold public opinion in this area.

May 1982 Peace Officers Task Analysis Study: The Ohio Report. A two-and-one-half year study involving a survey of 3,155 Ohio peace officers in some 400 law enforcement agencies concerning the types of investigation, equipment, informational resources, tasks and physical activities associated with law enforcement in Ohio.

April 1982 OCJS Research Requests and Responses: An Analysis. An analysis of 308 research data requests received and responded to by SAC in 1981, as well as the 625 total requests received to date, by type and source of request.

July 1981 Fact and Fiction Concerning Crime and Criminal Justice in Ohio (1979-1982 data). A look at twenty-five popularly-believed myths about crime and criminal justice in the State, accompanied by appropriate factual data.

June 1981 Ohio Citizen Attitudes: Concerning Crime and Criminal Justice (Report #2, 1980 data). The second in a series of reports concerning Ohioans' attitudes and opinions about contemporary issues affecting law enforcement, courts, corrections, juvenile justice, crime prevention, and criminal law.

May 1981 A Stability Profile of Ohio Law Enforcement Trainees: 1974-1979 (1981 records). A brief analysis of some 125 Ohio Law Enforcement Officers who completed mandated training between 1974 and 1979. The randomly selected group was analyzed in terms of turnover, advancement, and moves to other law enforcement agencies.

May 1981 A Directory of Ohio Criminal Justice Agencies (1981 data). An inventory of several thousand criminal justice (and related) agencies in Ohio, by type and county.

April 1981 Property Crime Victimization: The Ohio Experience (1978 data). A profile of property crime in Ohio highlighting the characteristics of victims, offenders, and the crimes themselves; based on results of the annual National Crime Survey victimization studies in Ohio.

March 1981 Profiles in Ohio Law Enforcement: Technical Assistance, Budgets, and Benefits (1979 data). The second report emanating from the 1979 SAC survey of 82 sheriffs' departments and 182 police departments in Ohio; discusses technical assistance needs and capabilities among these agencies, as well as budgets and fringe benefits.

December 1980 The Need for Criminal Justice Research: OCJS Requests and Responses (1978-1980). An analysis of some 300 research requests received and responded to by the OCJS SAC Unit between 1978 and 1980, by type, request source, and time of response.

September 1980 State of the States Report: Statistical Analysis Centers (Emphasis Ohio) (1980 data). An analysis of the criminal justice statistical analysis centers located in virtually every state and several territories.

September 1980 Survey of Ohio Prosecuting Attorneys: Report (1979 data). An operational overview of 46 county prosecutors' offices.

September 1980 In Support of Criminal Justice: Money and Manpower (1977 data). Analysis of employment and expenditures within Ohio's criminal justice system, by type of component (police, courts, corrections, etc.), and type of jurisdiction (county, city, township and state).

June 1980 Concerning Crime and Criminal Justice: Attitudes Among Ohio's Sheriffs and Chiefs of Police (1979 data). Opinions and attitudes of 82 Ohio sheriffs and 182 chiefs of police, analyzed by jurisdictional size.

May 1980 Ohio Citizen Attitudes: A Survey of Public Opinion on Crime and Criminal Justice (1979 data). An analysis of public opinion and attitudes on a wide range of issues concerning law enforcement, courts, corrections, juvenile justice, crime prevention, and other areas of crime and criminal justice.

END