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Use of Force By Police

Overview of National and Local Data

POLICE-PUBLIC CONTACT SURVEY

U.S. DEPARTMENT OF COMMERCE
BUREAU OF ECONOMIC ANALYSIS
U.S. DEPARTMENT OF JUSTICE

CASE No. _____ Approval (Date) _____

NOTICE - Your report to the Census Bureau is confidential by law and will be used only by persons engaged in and for the purposes of the survey, and may not be disclosed or released to others for any purpose.

We estimate that it will take from 8 to 15 minutes to complete this interview with 10 minutes being the average time. If you have any comments regarding these activities or any other aspect of this survey, send them to the Associate Director for Management Services, Room 2027, Bureau of the Census, Washington, DC 20223.

Sample _____ Control number
PSU _____ Segment _____ CK _____ Serial _____

FIELD REPRESENTATIVE - Only administer this supplement to persons aged 12+ in 7th Enumeration Households

A. Field representative code [] [] [] []

B. Respondent Line number [] [] [] []

C. Age [] [] Name _____

D. Reason for noninterview
006 Refused PPCS
 Not available for PPCS
 NCVS noninterview
 Other - Specify _____

E. Type of PPCS interview
001 Personal (Self)
 Telephone (Self)
 Personal (Proxy)
 Telephone (Proxy)
 Noninterview - FILL ITEM D

FIELD REPRESENTATIVE - Read Introduction

INTRO: Now think back to the last 12 months. I want to ask you a few questions about any contacts you may have had with the police during the last 12 months, that is since 1999. By police I mean, for example, city, county, state police or federal police, housing or transit police, or any other type of law enforcement officer. This does not include private security guards. Also, please do not include contacts with police officers whom you may see on a social basis or who may be related to you or to contacts that occurred outside the U.S.

E. CONTACT SCREEN QUESTIONS

1a. During the last 12 months, did you have any contact with a police officer?
006 Yes
 No - END INTERVIEW
 Don't remember - END INTERVIEW

1b. Were any of these contacts with a police officer(s) in person?
007 Yes
 No

1c. How would you best describe the reasons for these in-person contacts with the police over the last 12 months?
As I need some reasons, tell me if any of the following apply:
You saw a police officer
(a) to report a crime
(b) to ask a question
(c) you were involved in a traffic accident
(d) you were involved in a parking violation
(e) you were asked questions about a traffic accident
(f) in which you had been involved
(g) in which you had been asked questions about a traffic accident
(h) you thought you were involved in a traffic accident

008 MORE THAN ONCE
009 MORE THAN ONCE
010 MORE THAN ONCE
NOT AT ALL

National Institute of Justice

Research Report

Jointly published with the Bureau of Justice Statistics

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The logo for the National Institute of Justice (NIJ), consisting of the letters 'NIJ' in a stylized, outlined serif font.

The logo for the Bureau of Justice Statistics (BJS), consisting of the letters 'BJS' in a bold, blue serif font with a drop shadow effect.

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Points of view expressed by contributors to this report do not necessarily represent the official positions or policies of the U.S. Department of Justice.

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Foreword

Law enforcement officers are authorized to use force in specified circumstances, are trained in the use of force, and typically face numerous circumstances during their careers when use of force is appropriate—for example, in making some arrests, restraining unruly combatants, or controlling a disruptive demonstration. When the level of force exceeds the level considered justifiable under the circumstances, however, the activities of the police come under public scrutiny.

Incidents involving the use of excessive force by the police frequently receive attention from the media, legislators, and, in some instances, civil and even criminal courts. Whether the excessive force is aberrant behavior of individual officers or is a pattern and practice of an entire law enforcement agency, both the law and public opinion condemn such incidents.

This report is one in a series of publications by the National Institute of Justice (NIJ) and the Bureau of Justice Statistics (BJS) that seek to inform public discussion by examining police use of force from many perspectives. The report provides an overview of the state of research knowledge about police use of force, updates progress on the national BJS Police-Public Contact Survey (PPCS) and the database project of the International Association of Chiefs of Police, provides the latest findings from NIJ-supported use-of-force research projects in several local

jurisdictions, and offers a researcher's suggestions for a future research agenda on police use of force, with special attention given to issues of excessive force.

Research consistently demonstrates that a small percentage of police-public interactions involve use of force. Various data sources, including police use-of-force reports, civilian complaints, victim surveys, and observational methods, confirm this basic finding. For example, the 1996 pilot test of the PPCS found that about 1 percent of people reporting contacts with police said that officers used or threatened force. Beginning in July 1999, the PPCS is being fielded to a much larger sample than responded to the 1996 test, and the results will be presented in a report next year. In the years ahead, it is expected that the PPCS will provide the basis for a legislatively mandated annual report by the Attorney General documenting the prevalence of the use of excessive force.

NIJ-sponsored research at the local level found that, in the context of the subset of police-public contacts involving adult custody arrests, police used physical force (handcuffing excluded) in less than 20 percent of 7,512 arrests studied (chapter 4). Even in those instances, police primarily used weaponless tactics, such as grabbing or holding, which is consistent with the view that relatively minor types of force dominate statistics on police use of force. That view

is further supported by research indicating that in incidents involving resistance by suspects, their injuries resulting from police use of force were typically minor (chapter 5).

Ongoing research by NIJ and BJS seeks to provide the perspective, insight, and factual data needed by police and others to address use-of-force issues constructively. Through this and other policing research, we seek to advance our goal of assisting law enforcement agencies in protecting the

public, enhancing the safety of the community and officers, and building widespread support among those they serve.

Jeremy Travis

Director
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Director
Bureau of Justice Statistics

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Executive Summary

Recent developments have heightened concern about police use of force. They range from well-publicized incidents involving allegations of excessive force to the onset of “aggressive” policing, whose frequent emphasis on zero-tolerance enforcement is sometimes regarded as encouraging use-of-force abuses. No matter what specific event triggers concern about police use of force, how is the public to assess whether such force is, in the aggregate, a major problem? One way is to examine what research has unearthed.

Overview: What Do We Know About Police Use of Force?

As discussed in chapter 1, research-based knowledge about police use of force can be placed into three categories. The first pertains to knowledge that can be accepted with substantial confidence as “fact.” The second relates to use-of-force knowledge that can be accepted only with modest confidence because, for example, additional research is warranted. The third category consists of knowledge yet to be developed through research—that is, what is not yet known.

Known with substantial confidence

Known with substantial confidence is that police use force infrequently. The data indicate that a small percentage of police-public encounters involve force.

For example, about 1 percent of people who had face-to-face contacts with police said that officers used or threatened force, according to preliminary estimates based on the Bureau of Justice Statistics’ 1996 pretest of its Police-Public Contact Survey (chapter 2). In 7,512 adult custody arrests, another study (chapter 4) notes that fewer than one out of five arrests involved police use of physical force (defined as use of any weapon, use of any weaponless tactic, or use of severe restraints). That can be considered a low rate in view of the study’s broad definition of force.

Also known with substantial confidence is that police use of force typically occurs at the lower end of the force spectrum, involving grabbing, pushing, or shoving. In the study focusing on 7,512 adult custody arrests, for instance, about 80 percent of arrests in which police used force involved use of weaponless tactics. Grabbing was the tactic used about half the time. About 2.1 percent of all arrests involved use of weapons by police. Chemical agents, such as pepper spray, were the weapons most frequently used (1.2 percent of all arrests), with firearms least often used (0.2 percent).

From a police administrator’s point of view, these findings are predictable. Officers are trained to use force progressively along a continuum, and policy requires that officers use the least amount of force necessary to

The organization of the executive summary parallels that of the report as a whole; that is, the order of topics highlighted in this summary tracks the chapter sequence. Occasional cross-references to specific chapters are intended to assist readers in locating more detailed information.

accomplish their goals. The kinds of police actions that most arouse the public's concerns—such as fatal shootings, severe beatings with fists or batons that lead to hospitalization, and choke holds that cause unconsciousness or even death—are not typical of situations in which police use force.

When injuries occur as a result of the use of force, they are likely to be minor. In one study (chapter 5), researchers found that the most common injury to a suspect was a bruise or abrasion (48 percent).

Another research finding that can be accepted with substantial confidence is that use of force typically occurs when police are trying to make an arrest and the suspect is resisting. This conclusion is based on four types of data: arrest statistics, surveys of police officers, observations of police behavior, and reports by the public about their encounters with police.

The foregoing findings leave open the issue of excessive force because issues of proportionality are not clearly addressed. Research findings suggest, however, that many debates over excessive force will fall into gray

areas where it is difficult to decide whether an officer acted properly, given credible evidence that use of force was necessary.

Known with modest confidence

Regarding what is known with modest confidence about police use of force, chapter 1 identifies three conclusions suggested by research data:

- Use of force appears to be unrelated to an officer's personal characteristics, such as age, gender, and ethnicity. This conclusion should be accepted with caution, however. Additional verification is needed.
- Use of force is more likely to occur when police are dealing with persons under the influence of alcohol or drugs or with mentally ill individuals. Research findings in this area are inconsistent, however. Further investigation, with an emphasis on implications for training, could lead to a reduction in the risk of force and injury for both police officers and civilians.
- A small proportion of officers are disproportionately involved in use-of-force incidents. More research is needed.

About this report

This report is one of a series of use-of-force publications (see Bibliography, page 75) generated by research supported by the National Institute of Justice or Bureau of Justice Statistics. The data and findings herein contribute to a better understanding of the extent and nature of police use of force and of the circumstances under which such force is applied.

A major objective of chapter 1 is to provide an overview of what is known (and not known) about police use of force and thereby help readers put the issue in perspective. The next two chapters are updates of two national projects. One is designed to collect data on police-public contacts, including those involving police use of force, from a nationally representative sample of per-

sons age 12 or older. The other seeks to encourage as many local law enforcement agencies as possible to submit voluntarily and anonymously use-of-force data to a central database for analysis.

Chapters 4 and 5 focus on the local level. They present use-of-force findings based on data acquired from nine police agencies.

The final chapter looks ahead by proposing a research agenda on police use of force, with special attention given to issues of excessive force.

Thus, this report begins with an overview of what is known about police use of force, proceeds to outline what is being learned, and concludes with a proposed plan for future research.

Among what is not known

As stated in chapter 1: “The incidence of wrongful use of force by police is unknown. Research is critically needed to determine reliably, validly, and precisely how often transgressions of use-of-force powers occur.”

Researchers and practitioners both tend to presuppose that the incidence of excessive force by police is very low. If use of force is uncommon, and civilian complaints are infrequent, and civilian injuries are few, then excessive force by police must be rare. That conclusion may indeed be correct, but to the extent that it hinges on official police statistics, it is open to serious challenge.

Current indicators of excessive force, such as civilian complaints and civil lawsuits, are all critically flawed. The difficulties in measuring excessive force with complaint and lawsuit records have led academics and practitioners to redirect their attention to all use-of-force incidents. Theoretically, understanding all use-of-force incidents helps put wrongful use of force in perspective.

As one example of how understanding all use-of-force incidents can help put excessive force in perspective, the study of 7,512 adult custody arrests (chapter 4) makes this observation:

“ . . . most arrests involve no force, excessive or otherwise. When force is used, it typically involves less severe forms of tactics and weapon use. These findings provide a context for understanding excessive force, which we know can involve low-level acts of force . . . as well as the acts of force that result in physical injury or death of civilians. Arrests that involve no force, however, cannot involve excessive force and arrests that involve low levels of force are less likely to involve excessive force.”

Additional gaps in use-of-force knowledge include the following:

- The impact of differences in police organizations, including administrative policies, hiring, training, discipline, and use of technology, on excessive force is unknown. Although many conditions that arguably

lead to excessive force by police seem obvious, or appear to be a matter of common sense, a great need for systematic research in this area exists.

- Influences of situational characteristics on police use of force and the transactional nature of these events are largely unknown. For example, little is known beyond research indicating that situations most likely to involve police use of force are interpersonal disturbance and violent personal crime, and situations when suspects attempt to flee or physically resist arrest. Those findings, however, do not address the transactional, or step-by-step unfolding, of police-public encounters. Was suspect resistance the result of police use of force, or did police use force after experiencing suspect resistance?

Updates on Two National Projects

In 1996, the Bureau of Justice Statistics (BJS) and the International Association of Chiefs of Police (IACP) initiated projects involving collection of data encompassing police use of force. Both are currently ongoing.

The BJS survey

To learn more about police use of force requires an understanding of the reasons for and the results of police-public encounters. As a step toward developing that understanding, BJS supplemented the National Crime Victimization Survey with a pilot test of its Police-Public Contact Survey (PPCS) in 1996 (chapter 2).

Among the findings was a preliminary estimate that about 1 percent of people reporting contacts with police indicated that officers used or threatened force. In the majority of those instances, respondents said that their own actions, such as threatening police, may have provoked officers.

In July 1999, a second test of PPCS was fielded to a much larger sample than that used in the 1996 pilot test. In addition, BJS anticipates adding items to its periodic surveys conducted among nationally representative samples of those confined in local jails

“NCVS is based on interviews conducted with a nationally representative sample of U.S. households and has become a highly useful platform for testing new questionnaires and periodically implementing supplements.” —Greenfeld, et al., page 15 of this report.

and prisoners held by State and Federal authorities. The new survey items would provide, for the first time, information about respondents' interactions, including use of force, with police during the arrest preceding incarceration.

The IACP database project

Initiated in 1996, the IACP database project is designed to collect use-of-force information from law enforcement agencies across the Nation (chapter 3). To promote accurate reporting and overcome potential reluctance of agencies to participate, IACP decided that provision of data would be both voluntary and anonymous.

Collected data pertain to reported use of force stemming from police responses to calls for service, whether or not those responses resulted in arrests. About 150 agencies are expected to contribute data for the 1998–99 data year. Among preliminary findings:

- Based on 1995 data reported by 110 agencies, the police use-of-force rate was 4.19 per 10,000 responded-to calls for service, or 0.0419 percent.
- Based on data reported for 1996–97, 87 percent of 62,411 use-of-force incidents involved officers using physical force. Officers used chemical force in 7 percent of the incidents, firearms in about 5 percent.
- Based on available data for 1996–97, about 10 percent of 2,479 officers using force sustained injuries, less than 1 percent serious. About 38 percent of subjects were injured due to police use of force, with 1.5 percent sustaining major injuries.

Because the data are not yet nationally representative, conclusions about national use-of-force trends should not be attempted.

Two Local-Level Studies

One of the local-level studies measured the amount of force used by and against police in six jurisdictions. The other measured and assessed police use of force and suspect resistance in three jurisdictions and developed

the force factor, a measure of the level of force used by officers relative to the level of resistance by suspects.

Study on the amount of force used in six jurisdictions

The six-jurisdiction study (chapter 4) gathered data about officers' and suspects' behaviors in connection with 7,512 adult custody arrests (arrests in which suspects are transported to a detention facility, in contrast to being issued a summons to appear before a judicial officer). The researchers focused on the amount of force used by and against police, with the expectation that this information would inform issues surrounding the use of excessive force. For instance, excessive force is typically but not necessarily associated with more severe forms of force that could or do result in injury or death.

Emerging from the research is a more complete understanding of the frequency with which certain types of tactics are used and what types of weapons are displayed, threatened, or actually used. The consistent findings across all six jurisdictions are that most arrests (more than 80 percent) did not involve force by police (excluding handcuffing) or by suspects. In 98 percent of arrests where force was used, no weapon was used, threatened, or even displayed. When police used some form of weaponless tactic (hitting, kicking, wrestling, etc.), the most frequent tactic involved only grabbing (about half the time).

In addition to providing data on the use of weapons and weaponless tactics, the study identified three other elements, sometimes included in the concept of use of force:

- *Restraints.* In about 82 percent of all 7,512 arrests, officers reported use of handcuffs. Leg cuffs were used in 0.9 percent of arrests. Officers used more severe restraints in 0.4 percent of arrests. Restraints were not used in approximately 16 percent of arrests.
- *Motion.* Pursuit on foot and by car occurred in 3 percent and 2.4 percent, respectively, of all arrests. Pursuit did not

*"...IACP designed the project from the outset to reflect operational realities of modern, street-level law enforcement, including the very meaning of 'police use of force,' defined as the amount of force required by police to compel compliance by an unwilling subject."
—Henriquez, page 20 of this report.*

occur in 94.4 percent of arrests. Suspect flight most frequently occurred by foot (in 4.7 percent of arrests). In 93.5 percent of arrests, suspects did not flee.

- *Voice.* In 61.2 percent of arrests, police reported they used a conversational tone with suspects.

Among the measures of force used by police officers that were developed by the researchers are physical force and physical force plus threats. The study found that 17.1 percent of arrests involved physical force (use of a weapon, weaponless tactic, or severe restraint) and that 18.9 percent entailed physical force or the display or threatened use of any weapon.

To better distinguish between different types of force—such as between grabbing and kicking—the researchers developed a maximum force measure, which involved officers’ ranking 60 hypothetical types of force in terms of their severity on a scale from 1 (least forceful) to 100 (most forceful). When the measure was applied to the types of force officers reported using, the study found that the ranking score for commanding a suspect to do something (1.3 percent of all arrests) was 22; for using handcuffs (57.3 percent of arrests), 28.2; and for displaying a handgun (2.2 percent of arrests), 55.4. The average ranking score for the types of force used in all arrests was 30.

The researchers state that their findings are beginning to provide a stable picture of police behavior and the amount of force that police use in arrest situations, but they note the findings remain tentative given the small number of jurisdictions involved in the research, among other reasons.

Study on police use of force and suspect resistance

The study collected use-of-force data from three law enforcement agencies— police departments in two Oregon cities and one county department in Florida (chapter 5). The areas served by the Oregon departments were considered one site.

The two-city Oregon site of Eugene/Springfield. Researchers analyzed 562 police actions, 57 percent of which were taken by officers responding to calls for service and 33 percent by officers reacting to situations they had observed. The most common type of incident (25 percent) confronting officers was street violence. Most police action (76 percent) was taken to apprehend or control a person.

Officers often used more than one verbal or physical control tactic per incident. For instance, 93 percent of 546 incidents involved at least two tactics; 87 percent, at least three; and 41 percent, at least four. The pattern of tactic use that emerged corresponds to the traditional use-of-force continuum. The first tactic used in an incident is nearly always the least severe use of force on the continuum; the second is almost always the second-most lenient; and so on, with very few exceptions.

Of 504 reported incidents in which force was used, 1.8 percent resulted in injury to officers. They were most at risk for injury when wrestling, striking, or taking a suspect to the ground.

The level of force used by the department’s officers relative to the amount of the suspects’ resistance—the force factor—averaged slightly higher than the amount of resistance encountered. On average, more force than resistance was used. This does not necessarily imply that the level of police force was excessive. For example, an officer may justifiably use more force than does a suspect to gain control of a situation.

The Florida site. The study focused on data in 882 official Control-of-Persons Reports prepared by officers’ supervisors in the Miami-Dade Police Department. Ninety-seven percent of suspects resisted.

The type of resistance most often reported was actively resisting arrest (36 percent), followed by assaulting the officer (25 percent). Twenty one percent of suspects attempted to escape or flee the scene. The most common type of force used by suspects was striking or

hitting the officer (44 percent). Initially calm suspects were least likely to resist officers but were the most likely to flee and the most likely to resist with a gun or assault officers with a vehicle.

The most common type of suspect injury was a bruise or abrasion (48 percent of those injured), followed by lacerations (24 percent), and gunshot injuries (4 percent). The chance of suspect injury was significant no matter what type of force was used by police. For example, officer use of fists entailed an 81 percent chance of suspect injury; use of a PR-24 baton, a 67 percent chance; and use of a handgun, a 48 percent chance.

Suspects who were reportedly impaired by alcohol or drugs were no more likely to resist officers than sober suspects. When they did resist, however, they were more likely than nonimpaired suspects to directly assault the officer and more than twice as likely to use a gun.

The most common type of force used by officers was use of hands and arms (77 percent of use-of-force incidents). In 64 percent of incidents, officers grabbed or held suspects. There were no statistically significant differences in the level of force used by male and female officers. The ethnicity of an officer did not affect the general level of force used or whether force was used.

Data suggest that officers are significantly at risk for injury when they use force, particularly when they strike a suspect with their fists (48 percent chance) or use their hands and arms to control a suspect (43 percent chance). Because most use-of-force incidents involved use of hands, arms, or fists by officers, they are most at risk for injury when using precisely the types of force that they report using most frequently.

Police officers' use of force in relation to suspect resistance—the force factor—averaged slightly less force than the resistance encountered. Data indicate that officers are more likely to be injured when using less force than that used by resisting suspects.

A Proposed Research Agenda

The development of a research agenda on police use of force, with special attention given to issues of excessive force, should be guided by these general considerations.

- Research should provide new knowledge that significantly increases our understanding of the problem.
- Research should be policy relevant.
- Research activities, taken as a whole, should be comprehensive and systematic.

Within that general framework, more work is required on what various people—general public, minorities, police administrators, patrol officers, judges, offenders, etc.— have in mind when they refer to excessive force and how they adjudge specific instances of police behavior when questions of excessive force arise. This research is important because social problems often require shared solutions, and shared solutions require a common basis of understanding and mutual respect for differences in views.

Also needed is more and better data on police use of force. Most discussions occur in an empirical vacuum where arguments are made without the benefit of solid, useful information.

Research is required on how use of force by police varies across time, cities, and individual police departments. Research also is needed on individual, situational, and organizational factors related to variations in use-of-force levels, along with excessive force levels and should focus on the relation between excessive use of force, meaning the frequency with which police use force, and excessive force, meaning instances in which police use more force than is necessary.

Finally, interventions, changes, and reforms that may mitigate police use-of-force problems should be identified, documented, and evaluated.

1

What We Know About Police Use of Force

by Kenneth Adams

Ambrose Bierce, a social critic known for his sarcasm and wit, once described the police as “an armed force for protection and participation.”¹ In this pithy statement, Bierce identifies three critical elements of the police role. First, by describing the police as “armed,” their ability to coerce recalcitrant persons to comply with the law is emphasized. Because police carry weapons, it follows that the force they use may have lethal consequences. The capacity to use coercive, deadly force is so central to understanding police functions, one could say that it characterizes a key element of the police role.

Second, the primary purpose of police is protection, and so force can be used only to promote the safety of the community. Police have a responsibility for safeguarding the domestic well-being of the public, and this obligation even extends in qualified ways to protecting those who violate the law, who are antagonistic or violent toward the police, or who are intent on hurting themselves. In dealing with such individuals, police may use force in reasonable and prudent ways to protect themselves and others. However, the amount of force used should be proportional to the threat and limited to the least amount required to accomplish legitimate police action.

Third, the concept of participation emphasizes that police and community are closely interrelated. Police are drawn from the community, and as police they continue to

operate as members of the community they serve. The community, in turn, enters into a solemn and consequential relationship with the police, ceding to them the power to deprive persons of “life, liberty, and the pursuit of happiness” at a moment’s notice and depending on them for public safety. Without police, the safety of the community is jeopardized. Without community support, police are dispossessed of their legitimacy and robbed of their effectiveness.

This three-element definition of police makes it easy to understand why abuse of force by police is of such great concern. First, there is the humanitarian concern that police are capable of inflicting serious, even lethal, harm on the public. Second, there is the philosophical dilemma that in “protecting” the whole of society, some of its constituent parts, meaning its citizens, may be injured. Third, there is the political irony that police, who stand apart from society in terms of authority, law, and responsibility, also are part of society and act on its behalf. Thus, rogue actions by a few police, if condoned by the public, may become perceived as actions of the citizenry.

Recent developments in policing have elevated concerns about police use of force beyond ordinarily high levels. In particular, community policing, which is becoming widespread as a result of financial incentives by the Federal Government, and “aggressive” policing, which is becoming widely adopted as a solution to serious crime problems, have

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come to the fore as perspectives of choice by policing experts. Community policing emphasizes the role of the community as “coproducers” of law and order in conjunction with the police. Communities naturally vary in attributes, and they vary in how they are defined for the purposes of community policing. Consequently, some communities look to add restrictions on police use of force, while others are satisfied with the status quo, and still others seek to ease current restrictions. Regardless of the community’s orientation on this issue, community policing means increased levels of accountability and responsiveness in key areas, such as use of force. Increased accountability hinges on new information, and new information stimulates debate.

The other emerging perspective is “aggressive” policing, which often falls under the rubric of broken windows theory, and, as a strategic matter, is concerned with intensifying enforcement against quality-of-life and order maintenance offenses. The influence of aggressive policing can be seen in the proliferation of “zero tolerance” enforcement strategies across the Nation. The concern is that the threat posed by petty offenders may be exaggerated to the point that use of force becomes more commonplace and abuses of force more frequent.

The Violent Crime Control and Law Enforcement Act of 1994 mirrored congressional concern about excessive force by authorizing the Civil Rights Division of the U.S. Department of Justice (DOJ) to initiate civil actions against police agencies when, among other conduct, their use of force reaches a level constituting a pattern or practice depriving individuals of their rights. DOJ exercised that authority when, for example, it determined that an urban police department engaged in such conduct and negotiated a consent decree that put in place a broad set of reforms, including an agreement by the department to document its use of force and to implement an early warning system to detect possible abuses.²

Use-of-force concerns also are reflected in the attention the media give to possible instances of police abuse. An accumulation of alleged abuse-of-force incidents, widely reported in the media, encourages over-generalization by giving the impression that police brutality is rampant and that police departments across the Nation are out of control. For example, Human Rights Watch states, “Allegations of police abuse are rife in cities throughout the country and take many forms.”³

Before considering the details of recent research efforts on police use of force, it is useful to summarize the state of our knowledge.⁴ We know some details about police use of force with a high degree of certainty. These items represent “facts” that should frame our understanding of the issues. Other details about police use of force we know in sketchy ways, or the research is contradictory. These items should be subject to additional research using more refined methods of inquiry. Finally, there are some aspects of police use of force about which we know very little or next to nothing. These items represent critical directions for new inquiry.

As is often the case with important policy questions, the information that we are most confident of is of limited value. In many cases, it does not tell us what we really need to know, because it does not focus squarely on the important issues or is subject to competing interpretations. Conversely, the information that is most critical for policy decisions often is not available or is very difficult to obtain. Such is the case with police use of force. The issues that most concern the public and policymakers lack the kinds of reliable and solid information that advance debate from the realm of ideological posturing to objective analysis. Nonetheless, it is important to take stock of our knowledge so that it is clear which issues can be set aside and which should be the target of efforts at obtaining new knowledge.

What, then, is the state of knowledge regarding police use of force? We begin with issues about which we have considerable information and a high degree of confidence in our knowledge. Discussed next are issues where knowledge is modest and considerably more research is merited. Finally, we conclude with issues that are critical to debates over police use of force and about which little knowledge exists.

What We Know With Substantial Confidence About Police Use of Force

Police use force infrequently.

Whether measured by use-of-force reports, citizen complaints, victim surveys, or observational methods, the data consistently indicate that only a small percentage of police-public interactions involve the use of force. As Bayley and Garofalo observed, police-citizen encounters that involve use of force and injury are “quite rare.”⁵

Because there is no standard methodology for measuring use of force, estimates can vary considerably on strictly computational grounds. Different definitions of force and different definitions of police-public interactions will yield different rates⁶ (see sidebar “Working definitions”). In particular, broad definitions of use of force, such as those that include grabbing or handcuffing a suspect, will produce higher rates than more conservative definitions. The Bureau of Justice Statistics’ (BJS) 1996 pretest of its Police-Public Contact Survey resulted in preliminary estimates that nearly 45 million people had face-to-face contact with police over a 12-month period and that approximately 1 percent, or about 500,000 of these persons, were subjected to use of force or threat of force⁷ (see chapter 2). When handcuffing is included in the BJS definition of force, the number of persons increases to 1.2 million.

Expanding and contracting definitions of “police-public” interactions also work to affect use-of-force rates but in an opposite way from definitions of force. Broad definitions of

police-public “interactions,” such as calls for service, which capture variegated requests for assistance, lead to low rates of use of force. Conversely, narrow definitions of police-public interactions, such as arrests, which concentrate squarely on suspects, lead to higher rates of use of force.

The International Association of Chiefs of Police (IACP) is in the process of compiling statistics on use-of-force data being submitted by cooperating agencies (see chapter 3). These data indicate that force is used in less than one-half of 1 percent of dispatched calls for service. From this point of view, one might well consider police use of force a rare event. This figure is roughly consistent with the preliminary estimate reported by BJS, although the IACP figure is subject to the reporting biases that may exist in police agency data. Furthermore, IACP data are not yet representative of the national picture because of selection bias; the estimate is based on a small percentage of police departments that voluntarily report information on use of force.

Garner and Maxwell found that physical force (excluding handcuffing) is used in fewer than one of five adult custody arrests (see chapter 4). While this figure hardly qualifies as a rare event, it can be considered low, especially in light of the broad definition of force that was used.

In characterizing police use of force as infrequent or rare, the intention is neither to minimize the problem nor to suggest that the issue can be dismissed as unworthy of serious attention. Society’s ends are best achieved peaceably, and we should strive to minimize the use of force by police as much as possible. However, it is important to put police use of force in context in order to understand the potential magnitude of use-of-force problems. Although estimates may not completely reassure everyone that police are doing everything they can to minimize the use of force, the data do not support the notion that we have a national epidemic of police violence.

“Thus, the Commission concludes that factors substantially contributing to misperceptions about use of physical and deadly force by law enforcement officers include...[f]ailure to appreciate the relative infrequent use of physical and deadly force by law enforcement personnel....”
—New York State Commission on Criminal Justice and the Use of Force, Report to the Governor, Vol. 1, New York: New York State Commission on Criminal Justice and the Use of Force, May 1987: 6.

Another purpose for emphasizing the infrequent nature of police use of force is to highlight the methodological challenges of trying to count or study infrequent events. In this regard, methodological approaches can vary considerably in terms of cost efficiency, reliability, and precision of information obtained. In BJS's 1996 pilot household survey of 6,421 persons, 14 respondents, or roughly 1 in 450, said that they were subjected to use of force or threat of force by police over a year's time. The household survey approach has the benefit of providing national-level estimates based on data that are free of police agency reporting biases. However, as noted by BJS, the preliminary estimates

derived from such a small number of respondents are subject to a wide margin of error. This issue is particularly important if one is interested in tracking changes over time, because a very small change in reporting can have a very large impact on estimates. In the survey's continuing development, the next pilot test will use a sample about 10 times the size of the 1996 pilot test as well as involve a redesigned questionnaire.

Police use of force typically occurs at the lower end of the force spectrum, involving grabbing, pushing, or shoving.

Relatively minor types of force dominate statistics on police use of force. Garner and

Working definitions

Police use of force is characterized in a variety of ways. Sometimes, these characterizations are functionally interchangeable so that one can be substituted for another without doing injustice to the factual interpretation of a statement. At other times, however, differences in terminology can be very consequential to a statement's meaning. For example, "deadly force" refers to situations in which force is likely to have lethal consequences for the victim. This type of force is clearly defined and should not be confused with other types of force that police use.

In contrast, "police brutality" is a phrase used to describe instances of serious physical or psychological harm to civilians, with an emphasis on cruelty or savagery. The term does not have a standardized meaning; some commentators prefer to use a less emotionally charged term.

In this report, the term "excessive force" is used to describe situations in which more force is used than is allowable when judged in terms of administrative or professional guidelines or legal standards. Criteria for judging excessive force are fairly well established. The term may also include within its meaning the concept of illegal force.

Reference also is made to "excessive use of force," a similar, but distinctly different, term. Excessive use of force refers to high rates of force, which suggest that police are using force too freely when viewed in the aggregate. The term deals with relative comparisons among police agencies, and there are no established criteria for judgment.

"Illegal" use of force refers to situations in which use of force by police violated a law or statute, generally as determined by a judge or magistrate. The criteria for judging illegal use of force are fairly well established.

"Improper," "abusive," "illegitimate," and "unnecessary" use of force are terms that describe situations in which an officer's authority to use force has been mishandled in some general way, the suggestion being that administrative procedure, societal expectations, ordinary concepts of lawfulness, and the principle of last resort have been violated, respectively. Criteria for judging these violations are not well established.

To varying degrees, all of the above terms can be described as transgressions of police authority to use force.

Maxwell (see chapter 4) observed that police use weaponless tactics in roughly 80 percent of use-of-force incidents and that half the time the tactic involved grabbing the suspect. Alpert and Dunham (see chapter 5) found that in Miami 64 percent of use-of-force incidents involved grabbing or holding the suspect. In the BJS pilot national survey, it was estimated, preliminarily, that about 500,000 people were “hit, held, pushed, choked, threatened with a flashlight, restrained by a police dog, threatened with or actually sprayed with chemical or pepper spray, threatened with a gun, or experienced some other form of force.”⁸ Three-fifths of these situations, however, involved only holding. Finally, Pate and Fridell’s survey of law enforcement agencies regarding use of force and civilian complaints also confirms that minor types of force occur more frequently than serious types.⁹

As a corollary finding, when injuries occur as a result of use of force, they are likely to be relatively minor. Alpert and Dunham (see chapter 5) observed that the most common injury to a suspect was a bruise or abrasion (48 percent), followed by laceration (24 percent). The kinds of police actions that most captivate the public’s concerns, such as fatal shootings, severe beatings with fists or batons that lead to hospitalization, and choke holds that cause unconsciousness or even death, are not typical of situations in which police use force. These findings reassure us that most police exercise restraint in the use of force, even if one has concerns over the number of times that police resort to serious violence.

From a police administrator’s point of view, these findings are predictable. Officers are trained to use force progressively along a continuum, and policy requires that officers use the least amount of force necessary to accomplish their goals.

Another affiliated finding is that police rarely use weapons. According to Garner and Maxwell (see chapter 4), 2.1 percent of adult custody arrests involved use of weapons by police. Chemical agents were the weapons

most frequently used (1.2 percent of arrests), while firearms were the weapons least often used (0.2 percent of arrests). Most police departments collect statistics on all firearm discharges by officers. These data consistently show that the majority of discharges are accidental or are directed at animals. Only on infrequent occasions do police use their firearms against the public. One implication of these findings is that increased training in how to use standard police weapons will be of little value in dealing with day-to-day situations that involve use of force. Training, if it is to be effective in reducing the use of force, needs to focus on how to gain compliance without resorting to physical coercion.

Use of force typically occurs when police are trying to make an arrest and the suspect is resisting.

Research indicates that police are most likely to use force when pursuing a suspect and attempting to exercise their arrest powers. Furthermore, resistance by the public increases the likelihood that police will use force. These findings appear intuitively sound given the mandate that police have regarding use of force. Police may use force when it is necessary to enforce the law or to protect themselves or others from harm. The findings also seem logical in view of police training curriculums and departmental regulations. Alpert and Dunham (see chapter 5) find that police almost always follow the prescribed sequence of control procedures they are taught, except when suspect resistance is high, in which case they tend to skip the intermediate procedure.

The conclusion that police are most likely to use force when dealing with criminal suspects, especially those who are resisting arrest, is based on four types of data: arrest statistics, surveys of police officers, observations of police behavior, and reports by the public about their encounters with police.

Arrest statistics show that resisting-arrest charges often are involved in situations in which officers use force. The interpretation

“The first tactic used in an incident is nearly always the least severe use of force on the continuum, and the second...is nearly always the second-most lenient.” —Alpert and Dunham, page 48 of this report.

of this finding is ambiguous, however, because officers may bring such charges in an attempt to justify their actions against a suspect. Some commentators even would argue that resisting-arrest charges are a good indication that police officers acted inappropriately or illegally. Because we are relying on official reports by officers who are involved in use-of-force incidents, and because they have self-interest in presenting the situation in the most favorable light possible, we cannot rely on arrest records alone in determining what happened.

Fortunately, other research is available to help clarify the situation. The pilot national household survey by BJS included a series of questions about the respondent's behavior during contact with police.¹⁰ The preliminary analysis revealed that of the 14 respondents in the sample who reported that police used or threatened force against them, 10 suggested that they might have provoked the officer to use force. The provocative behaviors reported by suspects include threatening the officer, assaulting the officer, arguing with the officer, interfering with the arrest of someone else, blocking or interfering with an officer's movement, trying to escape, resisting being handcuffed, and resisting being placed in a police vehicle.

Research by Alpert and Dunham (see chapter 5) confirms that criminal suspects are not always cooperative when it comes to arrest. In almost all (97 percent) cases in which police officers used force in a Florida jurisdiction, the suspect offered some degree of resistance. In 36 percent of use-of-force incidents, the suspect actively resisted arrest, and in one-quarter of the incidents the suspect assaulted the officer. The researchers observed that the most common type of suspect force was hitting or striking a police officer (44 percent).

Garner and colleagues, after using statistical controls for more than 50 characteristics of the arrest situation, the suspect, and the police officer, found that forceful action by suspects was the strongest and most consistent predictor of use of force by police.¹¹ Furthermore, they found that while 22 percent of

arrests involved use of force by police, 14 percent of arrests involved use of force by suspects. Police officers in Phoenix completed a use-of-force survey after each arrest to generate these data.

Finally, Bayley and Garofalo tallied 36 instances of force used by police or suspects out of 467 police-public encounters observed firsthand by researchers.¹² They found that in 31 incidents police used force against suspects and in 11 incidents suspects used force against police.

One implication of the research is that the decision to use some level of force probably has legal justification in most cases. Force is likely to be used when suspects resist arrest and attempt to flee. Also, in a significant number of instances, suspects use force against the police. These findings leave open the issue of *excessive* force, since issues of proportionality are not clearly addressed. However, the findings do suggest that many debates over excessive force will fall into gray areas where it is difficult to decide whether an officer acted properly, because there is credible evidence that the use of force was necessary.

What We Know With Modest Confidence About Police Use of Force

Use of force appears to be unrelated to an officer's personal characteristics, such as age, gender, and ethnicity.

A small number of studies suggest that use of force by police is not associated with personal characteristics, such as age, gender, and ethnicity. Bayley and Garofalo concluded that use of force is not related to age, although it may be related to experience.¹³ Worden, in an analysis of observational data on 24 police departments in 3 metropolitan areas, concluded that the personal characteristics of police officers do not have a substantively significant effect on use of force.¹⁴

Likewise, Garner and colleagues reported that the race of suspect and officer is not predictive of use of force.¹⁵ However, they

Regarding suspect force as a consistent predictor of police use of force: "This remained true when controlling for the possibility that some suspect use of force could be a reaction to police use of force." —Garner, et al. (see note 11).

found that incidents involving male police officers and male suspects are more likely to involve force. Alpert and Dunham (see chapter 5) found that officer characteristics are of little utility in distinguishing between force and nonforce incidents.

Hence, gender and ethnicity appear unrelated to use of force. Given the limited research in this area, these conclusions should be accepted with caution and additional verification of these findings is needed.

It is widely accepted in criminology that violence, along with a wide variety of other risk-taking and norm-violating behaviors, is a young man's game. Thus, we should expect that young, male police officers should use force more than their female colleagues or older officers. The fact that this is not clearly the case seems surprising.

A lack of relationship between age and gender, on the one hand, and use of force, on the other, may be a function of police hiring and deployment practices. Retirement plans keep the age of police officers lower than that of most other occupations, and seniority, which is derivative of work experience, often brings more choice in work assignments, including duties that limit one's contact with criminal suspects on the street. Both these tendencies serve to constrain variation in the age of police officers who are exposed to potentially violent situations. This may attenuate the relationship between age and use of force. However, it is equally plausible that young male officers are assigned to high-crime areas where frequent use of force is necessary to gain compliance. Finally, it is possible that exposure to the police culture works to encourage the use of force, thus counterbalancing the decline in aggressivity that comes with age as demonstrated in criminological studies. More research is needed to disentangle these relationships.

The finding that an officer's race is unrelated to the propensity to use force runs counter to the argument that racial animosity lies at the heart of police abuse. Indeed, Alpert and Dunham's research (see chapter 5) indicates that officers are more likely to use force

against suspects of their own race. The lack of relationship between race and use of force, as well as between gender and use of force, is probably disheartening to those who argue that integration of police agencies along racial and gender lines will do much to reduce the incidence of police violence. Again, more research is needed to understand the situation of minority and female police officers with regard to their use of force.

Use of force is more likely to occur when police are dealing with persons under the influence of alcohol or drugs or with mentally ill individuals. More research is needed.

Police come across a wide variety of situations in their work. They encounter problems that range from relatively minor to serious to potentially deadly. They also interact with people exhibiting various mental states, including persons who are hysterical, highly agitated, angry, disoriented, upset, worried, irritated, or calm.

Two situations that often give police officers cause for concern are when suspects appear to be under the influence of alcohol or drugs and when civilians appear to suffer from serious mental or emotional impairments. The concern stems from the fact that in such situations a person's rational faculties appear impaired. In dealing with problem situations, officers most often talk their way, rather than force their way, into solutions. For this reason, when a civilian is in a highly irrational state of mind, the chances of the police officer having to use force presumably increase and the possibility of injury to both officer and civilian increases as well.

Research carried out for the President's Commission on Law Enforcement and Administration of Justice observed that alcohol use by either a suspect or an officer increased the chances that force will be used.¹⁶ Garner and colleagues found that alcohol impairment by suspects was a consistent predictor of police use of force, while drug impairment predicted increased use of force for some but not all measures of use of force.¹⁷ In contrast, Alpert and Dunham (see

"Suspects reported as impaired were more than twice as likely than sober suspects to use a gun to resist the police." —Alpert and Dunham, page 51 of this report.

chapter 5) observed that alcohol or drug impairment of suspects was unrelated to police use of force or subsequent injury. That finding is interesting because, although impaired civilians did not demonstrate an increased propensity to resist an officer's actions, when they did resist they were more inclined to do so by actively resisting or assaulting the officer.

Part of the disparity in findings between the President's Commission's research and more recent studies may be attributed to the fact that police officers today are better trained in how to deal with impaired civilians. Most police officers now receive training in a variety of violence reduction techniques, and this development is partly attributable to concerns over the President's Commission's findings and over the frequency with which police now are called to respond to large-scale violence, such as riots.

Questions about how police deal with civilians who appear to have impaired mental states are important from administrative and practical points of view. Police officers are expected to exercise restraint in dealing with impaired civilians, while at the same time they need to be cautious about protecting their safety as well as the safety of other civilians. This puts them in a precarious situation, one in which mistakes of judgment or tactics can have grave consequences.

From a practical standpoint, police regularly encounter civilians with impaired mental states, which makes the problem more than academic. Alpert and Dunham (see chapter 5) found that in 42 percent of use-of-force situations, suspects appeared to be under the influence of alcohol or drugs. Overall, the research on whether police use force more frequently in relation to civilians with impaired mental states is inconsistent. Further investigation, with an emphasis on implications for training, could reduce the risk of force and injury for both police officers and civilians.

A small proportion of officers are disproportionately involved in use-of-force incidents. More research is needed.

We often are told that a small number of people are responsible for most of the productive or counterproductive work in an organization. For example, we hear about the 80/20 rule in organizational management. That is, 20 percent of the workers account for 80 percent of the work. Policing has its counterpart explanation for deviant or illegal behavior. It is called the rotten apple or rogue officer theory, and it is often used to explain police corruption. Recently, a variation of this theory has become the principal explanation for use-of-force problems in police departments. In this context, we speak of "violence prone" police officers and we point to these individuals as the reason why a department has problems with the use of force.¹⁸

People with extraordinary work performance, either good or bad, are noticeable when compared with their colleagues, and their salience leads us to think that their work is highly consequential to the good fortunes or misfortunes of an organization. The utility of this perspective for police managers attempting to deal with illegitimate use of force lies in the presumed concentration of problem behaviors in the work force. If only a handful of police officers accounts for most of the abuses, then effective solutions targeted at those individuals should deal with the problem. The nature of the solution, be it employee selection, training, oversight, or discipline, is less important than its degree of effectiveness and its ability to be directed at the problem group of employees.

The Christopher Commission, which investigated the Los Angeles Police Department subsequent to the Rodney King incident, highlighted the "violence prone" officer theory.¹⁹ The Commission, using the department's database, identified 44 officers with 6 or more civilian allegations of excessive force or improper tactics in the period 1986 through 1990. For the 44, the per-officer average for force-related complaints was 7.6 compared with 0.6 for all officers identified as having been involved in a use-of-force incident for the period January 1987 through March 1991. The 44 officers were involved in an average of 13

use-of-force incidents compared with 4.2 for all officers reported to be using force.

Put another way, less than one-half of 1 percent of the department's sworn officers accounted for more than 15 percent of allegations of excessive force or improper tactics. The degree of disproportion (30:1) is striking and suggests that focusing efforts on a handful of officers can eliminate roughly 1 out of 7 excessive force incidents. This finding has led many police departments to implement early warning systems designed to identify high-risk officers before they become major problems. Most of these systems use administrative records, such as disciplinary records and citizen complaints, to monitor officer performance for possible problems.

The concept of an early warning system for risk management of problem police officers is not new. In the early 1980s, a report on police practices by the United States Commission on Civil Rights found that "(e)arly warning' information systems may assist the department in identifying violence-prone officers."²⁰ Consequently, it was recommended that "(a) system should be devised in each department to assist officials in early identification of violence-prone officers."²¹

Until recently, these systems received limited acceptance, owing in part to concerns over possible abuses. The abuses include use of inaccurate information, improper labeling of officers, misuse of confidential records regarding discipline and other personnel matters, and social ostracism by peers and community for officers identified as problematic. There also were concerns about limited resources and about increased legal liability for the organization and individual officers.

As Toch observes, the violence-prone officer paradigm often is based on a variety of loosely articulated theories of violent behavior.²² The theories include concepts such as racial prejudice, poor self-control, and ego involvement. Furthermore, these theories often overlook the possibility that greater-than-average use of force may be a product of situational or organizational characteristics.

For example, an officer's work assignment may involve a high-crime area that contains a high proportion of rebellious offenders. Also, divisive, dehumanizing views of the world, such as "us-them" and "good guy-bad guy," that facilitate violent behavior may be supported by the organizational culture. Further, administrative views of work roles and products, communicated formally or informally, that emphasize crime control through aggressive police behavior may encourage confrontational tactics that increase the chances of violent behavior by either civilian or police officer. Unless the reasons for violence propensity are accurately identified, the effectiveness of interventions targeted at violent police officers is a hit-or-miss proposition.

Of the 44 officers identified by the Christopher Commission in 1991, 14 subsequently left the department as of October 1997. Of the 30 remaining officers, two had a use-of-force complaint that was sustained after review between 1991 and 1997.²³ This low number may be due to a variety of reasons, such as difficulties in sustaining citizen complaints, reassignment of work duties, negative publicity leading to a change in behavior, or greater circumspection when engaging in misconduct. However, the finding also may reflect regression to the mean. This is a statistical phenomenon postulating that extreme scores gravitate toward the mean or average score, thereby becoming less extreme over time.

For example, groups of police officers who receive many citizen complaints, or who are disproportionately involved in the use of force, or who frequently are given poor performance ratings, will tend to become "better" over time, in the sense of statistically looking more like the "average" officers, even if nothing is done about these problems. Statistical regression represents a serious threat to the validity of early warning systems based on the assumption that extreme patterns of behavior persist over extended periods of time.

"...a significant number of officers...repetitively misuse force and persistently ignore the written policies and guidelines of the Department regarding force. By their misconduct, this group of officers tarnishes the reputations of the vast majority of LAPD officers who do their increasingly difficult job of policing the City with courage, skill, and judgment." — Independent Commission on the Los Angeles Police Department, Report of the Independent Commission on the Los Angeles Police Department, Los Angeles, CA: Independent Commission on the Los Angeles Police Department, 1991: 31.

What We Do Not Know About Police Use of Force

The incidence of wrongful use of force by police is unknown. Research is critically needed to determine reliably, validly, and precisely how often transgressions of use-of-force powers occur.

We do not know how often police use force in ways that can be adjudged as wrongful. For example, we do not know the incidence of excessive force, even though this is a very serious violation of public trust. We could pull together data on excessive force using police disciplinary records and court documents, for example, but the picture would be sketchy, piecemeal, and potentially deceiving. When it comes to less grave or less precise transgressions, such as “improper,” “abusive,” “illegitimate,” and “unnecessary” use of force, the state of knowledge is even more precarious.

In discussing this issue, we will concentrate on excessive force, because these transgressions are of utmost concern to the public and because well-established professional and legal criteria are available to help us evaluate police behavior. Notwithstanding a generally agreed-upon terminology, we should recognize that developing a count of excessive force that is beyond all dispute is an unworkable task. This is so because difficult judgments are involved in deciding whether use of force fits the criteria for these categories in a given situation, and reasonable people will disagree in such judgments. We clearly need more accurate, reliable, and valid measures of excessive force if we are to advance our understanding of these problems.

Academics and practitioners both tend to presuppose that the incidence of excessive force by police is very low. They argue that, despite their shortcomings, agency statistics provide a useful picture of the use-of-force problem. These statistics show that most officers do not engage in force on a regular basis, that few people are injured by police use of force, that only a small number of people complain about police misconduct

involving use of force, and that only a handful of these complaints are sustained.

The argument has appeal. We believe that the vast majority of police officers are professionals who respect the law and the public. If use of force is uncommon, civilian complaints are infrequent, and civilian injuries are few, then excessive force by police must be rare. That conclusion may indeed be correct, but to the extent that it hinges on official police statistics, it is open to serious challenge.

Current indicators of excessive force are all critically flawed. The most widely available indicators are civilian complaints of excessive force and civil lawsuits alleging illegal use of force. Civilian complaints of excessive force are infrequent, and the number of substantiated complaints is very low. These figures are consistent with the argument that excessive force is sporadic. However, complaint mechanisms are subject to selection and reporting biases, and the operation of complaint systems, which typically is managed by police, wields considerable influence on whether people will come forward to complain.

Civil lawsuits against police are exceedingly rare relative to the number of times that police use force. Because the legal process is highly selective in terms of which claims get litigated, lawsuits are a very unreliable measure of illegal use of force. With both civilian complaints and lawsuits, small changes in administrative practices can have a large impact on the magnitude of the problem measured in these ways.

The difficulties in measuring excessive and illegal force with complaint and lawsuit records have led academics and practitioners to redirect their attention to all use-of-force incidents. The focus then becomes one of minimizing all instances of police use of force, without undue concern as to whether force was excessive. From this perspective, other records, such as use-of-force reports, arrest records, injury reports, and medical records, become relevant to measuring the incidence of the problem.

From a theoretical perspective, understanding all use-of-force incidents helps us to put wrongful use of force in perspective. However, because political, legal, and ethical issues are very serious when we are dealing with excessive force, pressures to know the incidence and prevalence of these events with precision will always be present.

As a corollary of our current inability to measure excessive force, we cannot discern with precision changes in the incidence of these events over time and across places. This means that we can neither determine whether excessive force problems are getting better or worse nor determine the circumstances under which those problems are more or less severe.

The impact of differences in police organizations, including administrative policies, hiring, training, discipline, and use of technology, on excessive and illegal force is unknown. Research is critically needed in this area.

A major gap in our knowledge about excessive force by police concerns characteristics of police agencies that facilitate or impede this conduct. Although many of the conditions that arguably lead to excessive or illegal force by police seem obvious, or appear to be a matter of common sense, we still greatly need systematic research in this area. We need to know, for example, which organizational characteristics are most consequential, which characteristics take on added significance in various environments, and which characteristics are redundant or derivative of other characteristics.

Many formal aspects of the organization—such as hiring criteria, recruit training, in-service programs, supervision of field officers, disciplinary mechanisms, operations of internal affairs, specialized units dealing with ethics and integrity, labor unions, and civilian oversight mechanisms—plausibly are related to levels of officer misconduct. It makes sense that poorly educated, badly trained, loosely supervised, and inadequately disciplined officers are likely to be problematic, and that when such officers are in the majority, the

organization is on the road toward disaster. Yet, we lack research that systematically addresses these questions.

Less formal aspects of police organizations—officer morale, administrative leadership, peer culture and influence, police-community relations, relations with other government agencies, and neighborhood environments—also plausibly have a part in levels of officer misconduct. Alienated officers who do not have a clear vision of their role and responsibilities and who are working in disorganized agencies and interacting with the public under stressful circumstances probably are more likely to abuse their authority, including their authority to use force. Research that systematically addresses these questions is lacking.

Methodological investigation of relations between organizational elements and use-of-force transgressions will help explain police misconduct at a theoretical level. More importantly, research on these questions will allow us to deal effectively with police misbehavior. Faced with serious misconduct problems in a police agency, we need to focus scarce resources on those aspects of police organizations that are most clearly related to ensuring proper conduct of officers with regard to use of force. Generalized efforts to reform police organizations that are expected to reduce misconduct problems tend to be inefficiently focused and thus appear clumsy, inadequate, and misinformed.

Research must focus on establishing the relative cost-effectiveness of various strategies to reduce or eliminate police misconduct. Furthermore, only strategies that are solidly grounded in theory, practice, and empirical research will provide reliable solutions with predictable costs and benefits.

Influences of situational characteristics on police use of force and the transactional nature of these events are largely unknown. More research is necessary.

Research on police-citizen encounters reveals that use of force by police is situational and transactional. That is, police respond to

circumstances as they first encounter them and as they unfold over time. For example, Bayley and Garofalo observed that the situations most likely to involve police use of force are interpersonal disturbance and violent personal crime.²⁴ Beyond this, however, we do not know much about the types of events that enhance the likelihood that police will use force.

Similarly, we have noted that when suspects attempt to flee or physically resist arrest police are more likely to use force. We also noted that in many cases both police and suspects use force against each other. However, these findings do not address the transactional nature of police-public encounters in that they do not describe the step-by-step unfolding of events and interactions. Knowing that police use force if suspects physically resist arrest, it matters if police use force without provocation and the suspect responds by resisting or vice versa.

A variety of situational elements plausibly are related to police use of force. If police are called to a scene where there is fighting, they may have to or believe they have to use force to subdue the suspects. If they are called to a domestic dispute where emotions are running high, they may have to or believe they have to use force to gain control of the situation. If they are called to intercede with a civilian who is recklessly brandishing a weapon, they may have to or believe they have to use force to protect themselves and others. Use of force in such circumstances may be justifiable, but to the extent that it is predictable, we can prepare officers for these encounters and devise alternative strategies that minimize or eliminate the use of force.

Some situational factors may increase the chances that force of questionable legitimacy will be used. For example, officers sometimes use force on the slightest provocation following a high-speed car chase, when adrenaline levels are high. They may use force more frequently when they are alone, because they feel more vulnerable or believe that they can get away with it. They may use force more frequently as a way of emphasizing their authority when suspects are disrespectful

or when there is a hostile audience to the encounter. At this point, however, knowledge about the types of police-citizen encounters in which police are likely to use force is rudimentary.

Police-public encounters are transactional in the sense that all the actors in a situation contribute in some way to its development and outcome. Understanding the transactional nature of police use of force is important because it emphasizes the role of police actions in increasing the chances that force will be used.

From this perspective, it is possible to minimize the use of force by modifying the behavior and tactics of police officers. By understanding the sequences of events that lead police to use force, we can gain a greater degree of control over those situations and possibly redirect the outcome. But we have only a basic understanding of the transactional nature of use-of-force situations, despite the fact that sequences of actions and interactions are highly germane to determining whether use of force was excessive or illegal.

Organization of the Report

The next four chapters of this report focus on major research studies dealing with police use of force. They represent significant projects currently under way to understand police use of force.

Two of the projects are attempts at measuring the incidence of police use of force nationwide. BJS has developed a national-level data collection effort using a household survey methodology to investigate police-public interactions, with a component on use-of-force issues (see chapter 2). IACP is collecting data on police use of force through a voluntary reporting system (see chapter 3).

Two other projects on police use of force involve citywide investigations across several locations. Chapter 4 reports on research in six jurisdictions; the research is important because it identifies factors associated with use of force and because it addresses difficult

measurement issues. Focusing on three police agencies, chapter 5 discusses research that centers on the use of force by both police and suspects; the research is important because it contributes significantly to understanding the transactional nature of police-citizen encounters.

The final chapter outlines suggested directions for future research. A selected bibliography concludes this report.

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2

Revising and Fielding the Police-Public Contact Survey

by Lawrence A. Greenfeld, Patrick A. Langan, and Steven K. Smith

To learn more about police use of force requires an understanding of the reasons for and the results of police-public encounters. As a step toward developing that understanding, the Bureau of Justice Statistics (BJS) fielded a pilot test in 1996 of the Police-Public Contact Survey (PPCS). Its primary purpose was to obtain information to help guide future development of a final questionnaire on the topic. This chapter briefly reviews the 1996 survey, discusses improvements incorporated into a second pilot survey, and describes other planned BJS efforts to learn more about police-public encounters.

First Pilot Test of the Survey Questionnaire

BJS supplemented the National Crime Victimization Survey (NCVS) with a pilot test of PPCS during May, June, and July 1996. The objective was to collect answers from respondents to a series of questions about the nature and consequences of their face-to-face interactions with police.

(NCVS is based on interviews conducted with a nationally representative sample of U.S. households and has become a highly useful platform for testing new questionnaires and periodically implementing special

supplements. The NCVS sample consists of all household members age 12 or older residing in more than 40,000 U.S. households; each household member is interviewed twice during a calendar year, resulting in about 200,000 interviews annually.)

The PPCS pilot test involved interviews with 6,421 persons during the 1996 trial period. The respondents were asked about their contacts with police during the 12 months prior to the interviews. Respondents interviewed in May 1996 were asked about contacts that occurred anytime during the period June 1995 to May 1996; those interviewed in June 1996 were asked about contacts between July 1995 and June 1996; and interviews in July 1996 covered the period from August 1995 to July 1996. On average, the 12-month reference period included 6 months in 1995 and 6 in 1996.

Administration of PPCS went smoothly. Among persons who had no contact with police, the interview took 1 minute, on average, to complete. Among those who had police contact, the interview averaged 10 minutes.

Findings from the first PPCS were reported in 1997 in the BJS–National Institute of Justice publication *Police Use of Force: Collection of National Data*.¹ (See sidebar “Selected findings from the Police-Public Contact

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Survey.”) The 1996 PPCS was intended as a pretest of the questionnaire; the survey and its findings were not meant to be viewed as a source of in-depth or precise statistics on police use of force. Rather, survey findings provided empirical information to help guide future development of an improved questionnaire.

Second Pilot Test of the Survey Questionnaire

During the first half of 1999, BJS focused on improving the content and administration of the PPCS questionnaire. Three areas of the instrument were improved: items relating to screen questions used to identify whether a contact occurred, the type of contact, and circumstances surrounding the contact; the determination of whether force was used or threatened, the type of force used or threatened, the circumstances surrounding its use, and provocative actions by the respondent; and the respondent’s perceptions of the

appropriateness or inappropriateness of police conduct during the contact.

Contact screen questions

The pretest revealed a number of broad categories of types of face-to-face contacts that needed encoding on the questionnaire. A number of respondents reporting contacts indicated that their employment brought them into regular contact with police. This was so for hospital workers, tow-truck drivers, and lawyers, among others. In addition, respondents indicated that they had contacts with police as the result of appearing in court as jurors or witnesses.

A major area for further development of the screening elements of PPCS relates to traffic stops. One of the major findings from the initial PPCS field test was that many of the face-to-face contacts the public has with police are in connection with traffic stops. They may represent an area of potentially argumentative interactions between police and

Screen questions are designed to determine quickly at the beginning of an interview whether a respondent needs to be asked subsequent questions. For example, if a respondent had no police contact during the specified period, subsequent questions about the nature, content, and consequences of police-public encounters would be omitted.

Selected findings from the Police-Public Contact Survey

In 1996 the Bureau of Justice Statistics conducted a pilot test of the Police-Public Contact Survey. Although not intended as a source of detailed or precise statistics on police use of force, the pilot survey did provide preliminary estimates of the prevalence of the public’s contact with police, including contacts during which police used force. Among the survey’s findings are the following:

- An estimated 44.6 million persons (one in five U.S. residents age 12 or older) had face-to-face contacts with police officers during the prior 12 months. Men, whites, and people in their twenties were the most likely to have those contacts.
- An estimated 33 percent of residents who had contact with police had either asked for assistance from officers or provided it to them. About 32 percent of those who had contact with police had reported a crime, either as a victim or witness.

- For nearly half of those with contacts, the encounters were initiated by the public. For just under one-third of persons with contacts, police initiated them.
- Age is an important factor in both the frequency and type of police contacts experienced. Young people were the least likely to initiate contact with police (their contacts most often were police initiated), while persons age 60 or older were the most likely to initiate contacts with officers.
- About 1 percent of people reporting contacts with police indicated that officers used force or threatened force. In the majority of those instances, respondents said that their own actions, such as threatening police or resisting arrest, may have provoked officers.

the public and result in use-of-force incidents. This is likely to be true especially if such stops are thought to be motivated by factors not strictly related to law enforcement purposes. Recent studies in New Jersey and Maryland suggest that black motorists may be more likely than others to be stopped by police.²

The PPCS questionnaire has been revised to capture more detailed information about traffic stops, including more about the nature and frequency of traffic stops involving persons of different races. To gather more information on the nature and consequences of traffic stops, BJS has added a group of questions to the PPCS. Of particular interest will be an effort to determine from respondents what they believe to be the basis for stops, the reason given by the officers for stops, and the content of the interaction during stops, such as tickets issued, warnings, verbal questioning, searches, and arrests. Information gathered from the survey can be used to build on prior research regarding the treatment of different categories of the populace by the criminal justice system.

Those traffic stops resulting in handcuffing, threats, or use of force will also be identified. For such incidents, new items have been added to the survey to ascertain potentially provocative behaviors or drug or alcohol use by respondents.

Several other modifications to the questionnaire were needed. For example, existing questions about respondents' traffic-related contacts with police were modified to determine whether such respondents had been passengers or drivers. In addition, screen questions were added to determine explicitly who initiated contact between respondents and police officers. The 1996 questionnaire provided information only on the type of contact; who initiated it had to be inferred (e.g., "Received a traffic or parking violation" implies the officer initiated the contact).

Determining whether force was used

The 1996 PPCS asked respondents to indicate whether force was threatened, used, or not used during contacts. BJS replaced this and substituted a list of police behaviors that might have occurred, including threatening or restraining respondents during encounters. Handcuffing, considered a standard police practice, is listed within the enumerated group of police behaviors and will not be treated in the questionnaire separately from other behaviors that might have occurred during contacts.

Paralleling these queries about police behavior during contacts are questions about the respondents' behavior during encounters to learn about provocative actions that may have occurred. Such questions will apply to all respondents, not merely to those indicating force had been used.

Experience with a pat-down or frisking was asked only of those respondents who indicated that in contacts with the police, they believed that they were suspects in a crime. This was too limiting, and BJS has expanded the use of this item to all respondents.

Similarly, questions relating to subsequent criminal charges resulting from contacts were limited to respondents who believed that the contacts occurred because police considered them suspects in a crime. BJS will ask such questions of all respondents.

Respondents' characterizations of incidents

The 1996 PPCS asked respondents to characterize whether they believed police behavior was proper or improper during use-of-force incidents. Such a question will be asked of all respondents who have police contact.

In addition, the 1996 PPCS did not ask those who experienced use of force whether they perceived police behavior to have been excessive for the circumstances; BJS has added such an item to the next version of the survey.

Survey Administration for Second Pilot Test

BJS and the U.S. Bureau of the Census began the 1999 pilot test using the revised PPCS in July. The fieldwork will continue through December 1999. This will result in a national sample of respondents about 10 times the size of the first pilot test. Prior to the upcoming test, BJS redesigned the questions as noted above, circulated them for comment, and secured Office of Management and Budget clearance for the use of the supplement for the full NCVS national sample.

In addition, BJS and the Bureau of the Census conducted extensive testing of the revised instrument with volunteer respondents in the Census Bureau's Cognitive Research Laboratory.

Additional Efforts to Learn About Police-Public Encounters

During the next 3 to 5 years, BJS will be undertaking the regular periodic surveys conducted among nationally representative

samples of those confined in local jails and prisoners held by State and Federal authorities. BJS anticipates introducing new survey items that will gather information about respondents' interactions with police during the arrest preceding their incarceration. The new items will provide, for the first time, information on the content of those contacts between police and criminals, including the methods by which they were apprehended, use of force during such events, and provocative behaviors by known offenders.

Notes

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3

IACP National Database Project on Police Use of Force

by Mark A. Henriquez

Individual police agencies, law enforcement organizations, and some States have long considered collection of use-of-force data as a means to better serve their communities and to better distinguish between misperception and reality of police use-of-force issues. Reflecting this, Congress enacted legislation in 1994 that, among other things, directed the U.S. Attorney General to collect data on police use of excessive force.

In 1995 the Bureau of Justice Statistics (BJS) and the National Institute of Justice (NIJ)—components of the Office of Justice Programs (OJP) within the U.S. Department of Justice (DOJ)—proposed to cofund development of a national use-of-force database by the International Association of Chiefs of Police (IACP). One purpose of such a database would be quantification of the extent and types of force used by police.

Following approval of first-year funding, initial project activities began in September 1996. Early in 1997, NIJ and BJS cofunded the project for another year. Since early 1998, IACP has been responsible for all project funding.

The balance of this chapter discusses basic concepts underlying IACP's use-of-force database project, highlights selected preliminary findings derived from the database, and discusses the future of the project. The chapter's addendum provides details about key elements involved in database development.

Basic Concepts Underlying the Project

Essential to creating IACP's police use-of-force database was the belief that data contributions should be voluntary and anonymous. Also of basic importance was that the definition of "police use of force" should reflect operational realities of modern, street-level law enforcement.

Voluntary and anonymous reports

Police use of force is an extremely sensitive issue, in part because agencies and the public alike harbor preconceptions and because data and resulting reports could be used or interpreted either accurately or inaccurately.

For example, the legislation directing the U.S. Attorney General to "acquire data about the use of excessive force by law enforcement officers" also makes deprivation of civil rights unlawful as evidenced by "pattern or practice" and allows the Attorney General, through civil action, to "obtain appropriate equitable and declaratory relief to eliminate pattern or practice." Thus, if use-of-force data provided to IACP from the field—whether standing alone or accompanied by analysis—were associated with individual departments, litigation could result.

Under those circumstances, the law enforcement community would have faced the dilemma of being very reluctant to provide

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use-of-force data, yet realizing that fundamental elements of modern police service are pursuit of truth and subordination to the will of the communities that agencies are sworn to serve. Therefore, IACP decided that provision of such data would be both voluntary and anonymous to promote accurate reporting and overcome potential reluctance of agencies to participate.

Reflecting operational realities

When examined from the perspective of day-to-day law enforcement activities, many previous use-of-force definitions were considered not sufficiently workable or functional to be applied nationwide to all jurisdictions and department types for the purposes of the IACP project. Thus, IACP designed the project from the outset to reflect operational realities of modern, street-level law enforcement, including the very meaning of “police use of force,” defined as the amount of force required by police to compel compliance by an unwilling subject.

The project team developed a unique software package to track the basic types of force used by officers and suspects in typical encounters. On the basis of data submitted

through the software, the team identified a “street continuum” of force, which consists of the types of force used by officers on a day-to-day basis to bring subjects under control. The IACP database consists of data on reported use of force stemming from police responses to calls for service, whether or not those responses resulted in arrests.¹ Categories of force include the following:

- Physical force (use of fists, hands, feet, etc.).
- Chemical force (the discharge of Mace, pepper spray, and similar agents).
- Electronic force (the discharge of Tasers, stun guns, or other electronic weapons).
- Impact force (use of batons and the like).
- Lethal force (firearm discharge of any kind).

Additionally, IACP software enables departments to track various subcategories of force, such as dog bites, edged weapons, vehicles, and nail guns. However, the project team excluded certain measures of force because they were considered to fly in the face of reality and practicality. (See sidebar “Measures of force excluded from the database.”)

Measures of force excluded from the database

IACP’s project team decided to exclude from the database certain measures of force that the team considered were too broad to allow agency reporting in an accurate and timely fashion or beyond what police typically perceive or record as applications of force:

- Presence of a police officer at the scene.
- Presence of a K–9 at the scene.
- Presence of chemical or electronic less-than-lethal devices at the scene.
- Verbal commands by an officer.

- Routine or voluntary handcuffing of prisoners for transport or during field questioning or investigation.
- Display or presentation of an officer’s weapon.

Although any of the above measures could be and are included in some academic studies of police use of force, IACP excluded them from its database to allow creation of a concise, universally accepted, and practically achievable information base on police use of force in the United States. Inclusion of the elements listed above would have overly complicated the project and substantially reduced local agency participation.

Agencies contributing to the use-of-force database

IACP has obtained a substantial level of use-of-force data from participating agencies. Hundreds of others are establishing deadlines for submitting data either to their State chiefs' organizations or to IACP directly:

- About 4,000 agencies have requested the requisite software.
- An estimated 1,000 agencies are using the software to capture use-of-force data.
- Some 150 agencies are expected to contribute data for the 1998–99 data year.

Although not nationally representative at this early stage of project development, the received data provide indicators regarding police use of force against subjects and subject use of force against officers. As of this writing, agencies representing populations ranging from 1,000 to more than 1 million have contributed data on thousands of incidents. Reported use-of-force incidents applicable to 1996 and 1997 total 24,383 and 24,033, respectively (based on data submitted through September 1998).

Selected Preliminary Use-of-Force Findings

Although the database is in the early stages of development, the level of interest and support from local police agencies is encouraging. (See sidebar “Agencies contributing to the use-of-force database.”) Nonetheless, the data are not yet nationally representative. Conclusions about national use-of-force trends, therefore, should not be attempted at this time.

But preliminary findings based on the data may provide useful insights, however tentative, into current police and subject use-of-force issues. The IACP calculation of the use-of-force rate is based on dispatched calls for service. For example, based on 1995 data reported by 110 agencies, the police use-of-force rate was 4.19 per 10,000 responded-to calls for service, or 0.0419 percent. Jurisdiction size for 78 of those agencies was 35,000 population or less; for 4 departments, 500,000 population or more.

Data reported for 1995–97 indicate that of 62,411 use-of-force incidents during the period, about 87 percent involved officers using physical force.² Officers used chemical force in 7 percent of the incidents, firearms in about 5 percent.

Data received by IACP through September 1998 from 26 agencies reporting for 1996

and 27 for 1997 on 2,310 police use-of-force incidents indicate that the vast majority of such incidents occurred in arrest-related situations. For the 1996–97 period, those agencies also reported the following:

- Of 2,264 use-of-force confrontations for which the race of officers and subjects was known, 909 were intraracial (officer and subject of the same race) and 1,335 were interracial.
- About 10 percent of 2,479 officers using force sustained injuries. Less than 1 percent of the injuries were major; none resulted in death. About 38 percent of the subjects were injured as the result of police use of force, including approximately 1.5 percent with major injuries. (Data spanning the 1995–97 period indicate that of 75,082 use-of-force incidents, 3,274, or about 4 percent, resulted in officer injuries, all but 39 minor.)
- Of 3,972 reported incidents involving use of force, 20 resulted in complaints by subjects.

Future of the Database

From the inception of the database project in 1996, it has had—and is expected to continue to have—a three-tiered impact on police use-of-force policies and practices in the United States. At the national level, the

For a more detailed account of use-of-force project findings, see International Association of Chiefs of Police, Police Use of Force in America: Research in Progress Report on the IACP National Database Project, Alexandria, Virginia: International Association of Chiefs of Police, April 1998.

IACP annual report *Police Use of Force in America* provides summary and incident information to police leaders, the public, and the media. At the State level, State associations of chiefs of police increasingly use the project to provide leadership to their constituent law enforcement agencies. Finally, local police agencies use IACP-provided software to capture use-of-force information pertaining to their own departments and use it for such purposes as the following:

- To promote improved policies, training, and procedures governing departmentwide use of force.
- To reduce potential department liability arising from frivolous or unfounded legal actions related to use of force.
- To contribute data to statewide use-of-force data repositories, where applicable, and to the IACP database.

The IACP database is a dynamic one. The number of departments providing new or updated data increases almost on a daily basis. For example, from a modest beginning of

7 pilot States, database software is now in place in more than 1,000 agencies nationwide and in the last quarter of 1998, Illinois and Rhode Island joined the project, followed by Maryland and Missouri in early 1999. Newly recruited States may contribute data from as far back as 1991. IACP believes that the benefits of its use-of-force database project will continue to increase as the number of contributing departments approaches national representation.

Notes

1. Data submitted to IACP by any given agency may also reflect use-of-force incidents resulting from responses to other than calls for service—for example, from officer-initiated contacts with the public.
2. The data for 1996 and 1997 reflect agency use-of-force reports received through September 1998 and, therefore, are not yet complete. Although the IACP database project started in 1996, some agencies supplied data for 1995.

Addendum: Key Elements in Building the IACP Use-of-Force Database

To ensure the success of the database project, IACP created two advisory panels to support initial project activities. The first was an ad hoc committee of police and justice leaders brought together at IACP headquarters to react to the project's scope and give general policy input and advice. This group consisted of DOJ representatives, State police, county sheriffs, local law enforcement officers and other criminal justice professionals. Consensus on key issues, such as definitions and data elements, was achieved during the project's start-up phase.

A second and continuing advisory committee consists of representatives from each of seven pilot State associations, discussed below, and a representative from the U.S. Bor-

der Patrol (Immigration and Naturalization Service). This group, from the outset, has provided advice on local concerns, State association perspectives, and logistical issues. This group also provides midyear and end-year input on project direction and selected milestones.

The SACOP role

The State Associations of Chiefs of Police (SACOP) Division of IACP laid the foundation for this program from its inception. In particular, the Virginia Association of Chiefs of Police had already instituted a statewide use-of-force reporting program that served as the model for IACP's national effort. The strength and reach of SACOP organizations within most of the States provided a flexible framework for developing and expanding the project.

In collaboration with SACOP leadership, IACP initially identified seven pilot State associations that would help coordinate the contribution of information for the national database effort: Arkansas, New Jersey, New York, Vermont, Virginia, Washington, and West Virginia. DOJ also arranged early Federal support by designating the U.S. Border Patrol to contribute data.

Each pilot State association identified five local police departments to contribute data to the project. To accomplish the data collection and transfer, IACP developed a new software application specifically for this purpose.

A three-tiered approach to data collection

Data flow was designed from the outset to emanate from local departments, through the respective SACOP offices, and then to IACP. The identities of all participating departments are masked by use of a self-installing agency reporting code, which is automatically appended to all local agency data records. This code is the only means by which individual data records can be distinguished from one contributing source to another. The SACOP organizations have the capability to generate regional use-of-force data based on the anonymous records reported to them by departments in their States.

Larger departments, which maintain electronic repositories of their own use-of-force data, have the option of reporting their data (in any data format) directly to IACP in cases where the appropriate SACOP office is not participating in the project. Even in these instances, the identity of the contributing agency is protected by an agency reporting code in the same manner that the identity of a department is protected when contributing data through its State organization.

Software design and training

Based on the large number of data elements relevant to this study (see sidebar “Database

content”), it soon became clear that an automated data collection system was required. The ideal system would need to:

- Be compatible across the widest possible spectrum of computers used in departments nationwide.
- Employ a graphical user interface that would facilitate self-instruction by the user.
- Handle the relationship between incidents involving a single officer and multiple subjects, multiple officers and a single subject, and any other possible combination.

Staff decided on a system that could meet these needs and was scalable in that it could support the inevitable evolution of revisions, customizations, additions, and expansions inherent in software projects of this type.

Because data flowed from local agencies to SACOP regional data repositories and from there to IACP, two versions of the software were produced. The first, the local agency version, was intended to automate data capture at the local department level. This software was equipped with a simplified data export function by which the user could write the captured use-of-force data to a floppy disk by simply clicking an on-screen button.

The second version of the software was intended for use by the SACOP data repositories. The SACOP version of the software remains identical to the local agency version in terms of the number and type of data elements captured. However, the SACOP version is provided with an import capability by which data on disks originating from local agencies can easily be incorporated into the regional database. Data from each of the regional databases are periodically exported to floppy disk and sent to IACP for inclusion in its database. Several software improvements have been made.

Training for IACP database administrators was provided in a formal class setting by IACP in August 1997. The 8-hour class provided hands-on technical training in setting up, operating, and troubleshooting the use-of-force software and in the philosophy un-

derlying the project. At the conclusion of the training, students, all of whom were sworn law enforcement personnel from participating local police departments, were presented with certificates identifying them as IACP use-of-force database administrators.

Database content

Guided by the broad framework of use-of-force issues and by IACP's experience with other sensitive police policy issues, the project team decided upon the following elements for inclusion in the use-of-force database:

Department characteristics:

- Report year.
- Jurisdiction size.
- Department type.
- Calls for service.
- Ethnicity demographics.
- Number of use-of-force incidents by type.
- Number of force-related complaints.
- Complaint resolution.
- Types of less-than-lethal weapons authorized.
- Use-of-force training and policies in place.
- Administrative policies for use-of-force complaint.

Incident characteristics:

- Incident time.
- Incident date.
- Incident year.
- Number of officers involved.
- Number of subjects involved.

- Number of third parties involved.
- Age of officer(s)/subject(s).
- Type of assignment.
- Duty status.
- Education of officer(s)/subject(s).
- Race/ethnicity of officer(s)/subject(s).
- Type of force used by officer(s)/subject(s).
- Officer/subject injury.

Complaint characteristics:

- Complaint time.
- Complaint date.
- Complaint year.
- Number of officers involved.
- Number of subjects involved.
- Number of third parties involved.
- Age of officer(s)/subject(s).
- Type of assignment, duty status.
- Education of officer(s)/subject(s).
- Race/ethnicity of officer(s)/subject(s).
- Type of force used by officer(s)/subject(s).
- Officer/subject injury.
- Previous complaints against officer.
- Complaint disposition.