CRIME FILE

Deadly Force

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Your discussion will benefit from some knowledge of how often the police use deadly force against civilians or are themselves killed or wounded while on duty, the circumstances in which police-civilian violence occurs, trends over time, methods for controlling police use of deadly force, and the applicable legal standards.
The Deadly Force Debate

Within a 10-month period, four New York City police officers were killed in the line of duty. In the tense aftermath, a death and a deadly shooting in an unrelated case. A New York Times editorial was sharply critical of the police. The following week, a policeman needed stitches for the use of force is permitted, but if he is chasing a suspect, he has only a split second to choose between conventional methods of restraint and deadly force. These events and the resulting controversy occurred in 1857 and 1858, but the pattern they represent is as current as this morning’s headlines.

The focus of police use of deadly force high on the 1970s criminal justice agenda. The outrage is understandable, given that deadly force was used in a state of affairs poses a major problem for police. The consistent use of deadly force is a public policy issue before the Civil War changed the matter. The issue of police use of deadly force is a long-standing one. For example, in the 1960s and 1970s, the controversy was a skirmish in the debate over police use of deadly force.

Most research on police use of deadly force, like research on any other aspect of police behavior, has occurred in the last 15 years. The data, although incomplete, suggests that police use of deadly force is associated with a number of factors. For example, it remains extremely difficult to get an accurate national count of fatal police shootings, but one estimate is that about 1,500 people were killed by police in 1978, or about 1% of the total number of deaths of all natural causes. In other words, in a period when the police force has grown by almost 50%, the number of fatal police shootings has remained about the same. This suggests that the police are using deadly force in a more cautious manner.

The most important consideration is the question of how to make police use of deadly force less frequent. One way is to increase the amount of training and education that police officers receive. Another is to increase the amount of research and data collection on police use of deadly force. This will help us to better understand the factors that contribute to police use of deadly force and to develop strategies to reduce it.

Danger of Police Work

Sine the one of the most important factors in which police use of firearms was the danger that variant police work. In a survey of 1,232 police officers, 86% of officers reported being shot or killed in the line of duty. This is a significant finding, given the widespread concern about police use of deadly force. However, the survey also found that only 14% of officers reported being shot or killed in the line of duty.

This suggests that police use of deadly force is a complex issue, and that solutions will require a multi-faceted approach. One important step is to increase the amount of research and data collection on police use of deadly force. This will help us to better understand the factors that contribute to police use of deadly force and to develop strategies to reduce it.

Deadly Force Debate

The Deadly Force Debate is a term used to describe the debate over police use of deadly force. The debate is important because it has implications for the safety of both police and citizens. The debate has been characterized by the use of inflammatory language and by a lack of data on the frequency of police use of deadly force.

The debate has been fueled by the media's focus on individual cases of police use of deadly force, such as the shooting of Tecumseh in Chicago. The media's focus on individual cases has often been accompanied by a lack of context, such as the fact that police use of deadly force is relatively uncommon.

The debate has also been complicated by the fact that police use of deadly force is often considered a necessary evil. This is because police are in a dangerous profession, and they often have to make split-second decisions about whether to use deadly force. However, the use of deadly force is not always justified, and it is important to consider the alternatives.

One alternative is to increase the amount of training and education that police officers receive. This will help them to better understand the factors that contribute to police use of deadly force and to develop strategies to reduce it.

In conclusion, the Deadly Force Debate is a complex issue, and solutions will require a multi-faceted approach. One important step is to increase the amount of research and data collection on police use of deadly force. This will help us to better understand the factors that contribute to police use of deadly force and to develop strategies to reduce it.
Shooting Control Techniques

One of the few areas in which the deadly force research data do not offer a clear answer to the question of what shooting control techniques help limit problematic violence. Among many techniques, the following show promise:

- Policies narrowing officer shooting discretion.
- Violence-reduction training to help officers abide by a "shoot only as a last resort" policy.
- Use of modern communications equipment and interagency cooperative arrangements that enable officers to summon whatever assistance they may need.
- Protective equipment, such as light-weight armor. Body armor suitable for routine wear by officers, and so-called "less lethal weapons," including TASER (electronic dart gun), flashbangs (compact hand propelled), rubber bullets, and other similar devices.
- Strong personnel policies, supervision of line officers, and full firm accountability up the chain of command for inappropriate officer aggressiveness, and for deficient firearms training, procedures, and practices.
- Counseling for officers who desire help in dealing with job and other stresses and with post-shooting trauma.
- "Cultural awareness" training to sensitize officers to ethnic, religious, or other group traits that might have a bearing on the officer's appraisal of a suspect's dangerousness and on the officer's ability to reduce it.
- Departmental reward systems that honor equally both an officer's decisiveness in using deadly force when necessary and his or her ability to resolve situations by less violent means when that option is available.

Big-city departments that have employed a number of these techniques together have experienced positive realities: fewer controversial shootings by officers, fewer serious injuries to officers, no increase in the crime rate, and no fallout in officers' aggressiveness in making arrests.

This and other evidence convinced the U.S. Supreme Court in March 1985 to decide, by a 5-3 vote, that more than half the States' less and many law enforcement agencies' regulations on police use of deadly force were unconstitutional. In Tennessee v. Garner, for the first time, a national minimum standard was imposed. While ambiguities remain, the ruling prohibited police from shooting an unarmed, nonviolent, fleeing felony suspect. The Supreme Court listened to and rejected the argument that a criminal suspect forfeits his right to live by committing a crime and disobeys a lawful police order to surrender. The Court reasoned that there must be proportionality—reasonable balances—between the alleged criminal conduct and the governmental response.

The Continuing Debate

State laws and departmental shooting policies are likely to remain fairly diverse even after Garner, although within narrower bounds. No longer can these provisions leave officers virtually unchallenged, as in the extreme case of one small American town whose only gun-use guidance in its officers was the dictum. "Never take me out in anger. Never put me away in disgrace." The range of firearms policies hereafter is likely to be from "defense of life" regulations, which permit shootings only to defeat an imminent threat to the officer or another person's life, to the extreme, to approaches on the other end, that in minimal compliance with the Garner ruling, permit shooting at currently nonviolent fleeing suspects whom the officers reasonably believe committed a felony involving the threat but not the use of violence. Both approaches are currently employed by many large police departments.

Although our insight into police-shooting encounters is growing rapidly, much research and development remains to be done before selection of the causes and prevention of extreme police-civilian violence can be made with even modest confidence. As technological and tactical breakthroughs occur (for example, when Samuel Colt's 1836 six-shooter is replaced by the standard police revolver by an instant, harmless "immobilizer "), the grounds of public policy debate will shift somewhat.

Until then, the reality is that police officers across the Nation will be required, from time to time, to use deadly force. As part of the public's vital role in working for public safety, all of us bear some responsibility to assure that, to the extent humanly possible, police energies are channeled in ways that stem community violence without unnecessarily contributing to it.

References


Case References


Discussion Questions

1. Under what circumstances should the police be authorized to use deadly force against criminal suspects?

2. Does a criminal "forfeit his right to live" by committing a crime?

3. Should the police ever have authority to shoot a fleeing suspect who has not committed a violent crime and who is not threatening to use force against the officer or other people?

4. Should off-duty police officers be required to carry guns?

5. A study described in the commentary indicated that 1,014 American law enforcement officers were killed during the period 1946-1966 compared with only 10 British police officers during the same period. How would you explain this dramatic difference and what bearing, if any, should it have on how police use of deadly force is regulated?