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**FINAL TECHNICAL REPORT DRAFT:  
ASSESSING POLICE USE OF FORCE POLICY AND OUTCOMES**

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## **EXECUTIVE SUMMARY**

While force continuum policies are frequently discussed in the policing literature by academics and practitioners alike, little is known concerning how many agencies actually use a continuum. Moreover, given potential variation in both continuum design (e.g., linear, matrix, wheel, etc.) and tactical placement (e.g., OC spray, CED, etc.), even less is known with respect to whether differences in continuum policies matter, and if so, in what way. Within this context, this project set two separate, but interrelated goals: to identify the extent of variation in use of force policies being used by police agencies throughout the country, and determine whether certain types of policies offer more beneficial outcomes to police practitioners. Stated more directly, the project sought to (1) identify existing variation in use of force policies, particularly those employing a force continuum approach and (2) determine which types of policies offer more beneficial outcomes to police practitioners, which are measured in terms of the degree to which varying policies: (a) provide officers assistance and guidance with respect to force decision-making, and (b) are associated with less force (i.e., by amount and type), injuries to suspects and officers, citizen complaints, and lawsuits levied for improper force. To accomplish these goals the project was divided into two primary phases.

### **PHASE 1**

In the initial phase, we administered a mail survey to a stratified random sample of police agencies across the country, based on agency size (i.e., sworn officers) and type (i.e., municipal, sheriff). The purpose of the survey was to decipher the types of force policies that exist. The key elements of the survey captured whether an agency had a written policy on non-lethal force, employed a force continuum approach within their policy, the form or type of continuum used,

the placement of various tactics within the continuum framework, and report and review mechanisms. For greater detail see Chapter 3.

## **Key Findings**

- ▶ Over 80 percent of the responding agencies use some type of force continuum policy:
  - ▶ of these, 73 percent rely on a linear design, followed by matrix/box designs and circular/wheel designs at 10 percent each.
- ▶ With respect to the tactical placement of force tactics (soft hands, pain compliance controls, hard hands) and weapons (batons, chemical sprays, CEDs), and how police agencies rank the order of such in terms of progression, the key finding uncovered was the amount of variation present:
  - ▶ In terms of force progression, a total of 123 different permutations were uncovered, ranging from three to nine different levels (82.0% relied on five or six levels).
  - ▶ In terms of citizen resistance progression, a total of 23 permutations were uncovered, ranging from three to seven different levels (92.4%, relied on five or six levels).
- ▶ For departments that use a force continuum and provide officers with explicit guidance as to the types of force most appropriate given varying types of resistance (i.e., link citizen resistance to force), it was difficult to identify a typically used preference:
  - ▶ The most frequent approach was used by only 20 percent of the departments, while the second and third most frequently used approaches were just half of that at 10 percent.
- ▶ The placement of chemical sprays and CEDs offered the greatest challenge for police administrators as to the proper placement within the force continuum:
  - ▶ Roughly 30 percent of the agencies place chemical sprays with pain compliance techniques, another 30 percent of the departments place chemical sprays with hard hand tactics, and just over a third of the agencies place chemical sprays with impact weapons.
  - ▶ Compared to chemical sprays, there was somewhat less variation when it comes to CED placement, but far from a clear consensus. Nearly 60

percent of the agencies place CEDs at the impact weapon level, while another 2.0 percent place it along with deadly force. The remaining agencies place CEDs with some sort of hands on force (a quarter of the agencies place CEDs at the same level as hard empty-hand tactics, with another 13.1 percent placing CEDs with pain compliance techniques).

## **Summary**

Overall, these findings are interesting given recent discussion within the literature concerning the potential negatives of force continua in general, and linear designs in particular (see Aveni, 2003, Peters and Brave, 2006, Petrowski, 2002, Williams, 2002). More specifically, some have argued against the use of force continua on a number of fronts, such as in relation to hampering decision making, fear of liability issues, and being more restrictive than the law. Nonetheless, what is apparent from the findings presented here is that a large majority of police agencies do incorporate a force continuum into their policy (80%), and the preferred model is linear by design (73%).

Moreover, it was difficult to identify a standard practice that is used by police departments across the country. While some departments are quite restrictive in terms of allowing officers to use more severe forms of force only on actively aggressive suspects, other agencies are quite liberal and place a large amount of discretion in officers hands by allowing them to use nearly all types of force against nearly all types of resistance faced short of extreme imbalance (e.g., allowing a baton strike to a compliant suspect). The most frequent approach is used by only 20 percent of the departments, while the second and third most frequently used approaches are just half of that at 10 percent. In essence, there really is no “commonly” used means of tactical placement in terms of force continuum policies (i.e., where various forms of hands on and weapons should be placed in relation to varying forms of suspect resistance).

Departments pick and choose, and tweak and adapt, in a multitude of ways - all unfortunately, with no empirical evidence as to which approach is best or even better than another.

## **PHASE 2**

Based on results of the agency survey, eight agencies were selected for deeper exploration as part of the second phase of the project (Columbus, OH, Charlotte-Mecklenburg, NC, Portland, OR, Albuquerque, NM, Colorado Springs, CO, St. Petersburg, FL, Fort Wayne, IN, and Knoxville, TN). Agency selection was based on ensuring adequate variation in terms of differing policy types, but also a degree of comparability based on jurisdictional size, crime rate, workload, and socioeconomic status. Upon securing agreements with police administrators, the research team conducted multiple site visits over the course of two years at each agency. Data collection consisted of a survey to patrol officers to assess their views on the impact of the agency's force policy on decision-making. In addition, use of force, citizen complaint, and civil litigation data, as well as accompanying sources of information (e.g., organizational charts, rosters, rules and regulation manuals, number of reported crimes, arrests, calls for service) were collected retrospectively for 24 months. Further, a series of informal interviews were conducted with officials at the middle and upper management levels. Collectively, these sources of data served as the basis for the analyses and findings presented in this report. For greater detail see Chapters 4 through 9.

### **Key Findings**

First, it is important to note the extent of variation in the different policy approaches (e.g., tactical placement of various forms of physical and weapon based force, and how citizen resistance is, or is not, linked to force options in each of the eight policies). Two of the

departments (i.e., Columbus and Fort Wayne) only offer force progression levels - with no explicit link to citizen resistance. However, these agencies still vary in terms of force tactical placement. For instance, Columbus calls for officers to use soft hands/pain compliance, followed by chemical spray, CED, and then hard hands, all at separate and distinct levels. Fort Wayne's approach is slightly altered. First, it places chemical spray at the same level as soft hands and pain compliance rather than on its own level. Second, the CED is placed at the impact weapons level, which is after hard hands rather than before.

Six of the agencies, in one form or another, link force options to varying levels of citizen resistance. Once again, the degree of variation is evident. Charlotte-Mecklenburg places chemical sprays, hard hands, and the CED at different levels, while Albuquerque places all these force types (as well as soft hand tactics and pain compliance) on the same force level. However, it gets somewhat more complicated when citizen resistance is factored into the equation. In Charlotte-Mecklenburg, chemical spray is at the defensively resistant level, while impact force and the CED use requires greater than just defensive resistance suspects. By contrast, Albuquerque permits soft and hard hand, pain compliance, chemical spray, and CED force on verbally and defensively resistant suspects, reserving impact force to actively resistant suspects.

Other variations in the policies are also present. Portland places chemical sprays and the CED together in the middle of the continuum against defensive citizen resistance, while St. Petersburg places CEDs near the top of the continuum just prior to deadly force and requiring active resistance. Knoxville instructs officers to use soft hands and pain compliance on verbal and passive resisters, and then all other force short of deadly on defensive and active resisters.

Perhaps one of the more interesting agency approaches is found in Colorado Springs. One of the stated reasons for using a wheel, as opposed to a linear, type model is so officers do not think about force progression in a ladder or step-by-step format. In fact, their wheel design goes so far as to ensure that no force progression is evident (e.g., lethal force is placed next to chemical agent on one side and soft control techniques on the other side). Nonetheless, in the text of the policy citizen resistance is laid out in progression format and explicitly linked to appropriate force options.

Below we offer a brief description of each agency model followed by key findings presented according to how agencies compared to one another according to seven outcomes (see also summary rankings in Chapter 9 for many additional findings).

1. The extent of force used in relation to workload factors (i.e., calls for service, arrests, reported crime).
2. The extent to which officers use force proportional to the resistance they encounter:
3. The extent to which citizens are injured during forceful encounters.
4. The extent to which officers are injured during forceful encounters.<sup>1</sup>
5. The extent to which line level officers have a favorable view toward their agency's policy in terms of utility (i.e., assistance, clarity, guidance, restrictiveness, fairness).
6. The extent to which line level officers have a favorable view toward their agency's policy in terms of pre- and in-service force training.
7. The extent to which citizens file complaints for improper force/discourtesy in relation to sworn personnel/workload.

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<sup>1</sup> Note that Albuquerque did not capture officer injuries as part of their reporting process.

## *Columbus*

Columbus used a linear design referred to as the Action-Response to Resistance/Aggression (Use of Force) model, which did not graphically depict a force continuum but rather simply laid out eight levels of force (soft hands, chemical spray, electronic devices, hard hands, impact weapon, canine, less lethal munitions, deadly) (see also Appendix B and agency policy descriptions in Chapter 4).

### More Positive Outcomes<sup>2</sup>

- ▶ Columbus officers used the least amount of force relative to citizen resistance.
- ▶ Columbus had the lowest amount of officer injuries.
- ▶ Columbus had the second lowest amount of citizen injuries.
- ▶ Columbus officers reported the second highest satisfaction rate in force training.
- ▶ Columbus officers reported the fourth highest satisfaction rate in policy utility.

### Less Positive Outcomes

- ▶ Columbus had the second highest rate of citizen complaints for improper force/discourtesy.
- ▶ Columbus had the third highest rate of force in relation to workload.

## *Charlotte-Mecklenburg*

Charlotte-Mecklenburg used a linear design, although their policy directive specifically stated that it is “not designed to be a step by step progression.” The model graphically depicted six levels of citizen resistance in linear fashion (cooperative, verbal and non verbal, passive, defensive, active aggression, aggravated active) on a horizontal axis that sits-page43 above another horizontal axis that depicts seven levels of force in linear fashion (professional presence and verbal dialogue and commands, soft hands, chemical spray, hard hands, conducted energy

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<sup>2</sup> We identify more and less positive outcome categories based on whether the agency was in the upper half or lower half ranking comparatively. More specifically, each agency was ranked one through eight: classifications for more positive outcomes meant the agency scored in the top four, while classifications for less positive outcomes meant the agency scored in the bottom four.

devices, impact weapon, and deadly force). These force options, while depicted on a horizontal axis are also moving vertically as well. Further, there is not a complete overlap between resistance and force options (e.g., hard hands can be used somewhere between defensive and active resistance) (see also Appendix B and agency policy descriptions in Chapter 4).

#### More Positive Outcomes

- ▶ Charlotte-Mecklenburg had the second lowest rate of force in relation to workload.
- ▶ Charlotte-Mecklenburg had the third lowest rate of citizen complaints for improper force/discourtesy.
- ▶ Charlotte-Mecklenburg officers reported the fourth highest satisfaction rate in force training.

#### Less Positive Outcomes

- ▶ Charlotte-Mecklenburg had the highest amount of citizen injuries.
- ▶ Charlotte-Mecklenburg had the second highest amount of officer injuries.
- ▶ Charlotte-Mecklenburg officers used the fourth highest amount of force relative to citizen resistance.
- ▶ Charlotte-Mecklenburg officers reported the fourth lowest satisfaction rate in policy utility.

#### *Portland*

Portland employed a linear force continuum design that laid out and linked citizen resistance with force options. This model depicted seven levels of citizen resistance (but not in graphical format) in linear fashion (compliant, compliant/verbal, passive, physical, physical aggressive, physical aggressive armed, deadly) in a right hand column, with seven force level options in linear fashion in a middle column (officer presence, verbal, control holds, chemical spray and Taser, baton and strikes/kicks, less lethal munitions, firearms), with five force levels listed in the left hand column (presence, verbal, physical control, impact munitions, deadly) (see also Appendix B and agency policy descriptions in Chapter 4).

### More Positive Outcomes

- ▶ Portland had the second lowest amount of officer injuries.

### Less Positive Outcomes

- ▶ Portland officers used the highest amount of force relative to citizen resistance.
- ▶ Portland had the second highest rate of force in relation to workload.
- ▶ Portland officers reported the second lowest satisfaction rate in policy utility.
- ▶ Portland had the fourth highest amount of citizen injuries.
- ▶ Portland officers reported the fourth lowest satisfaction rate in force training.
- ▶ Portland had the fourth (tie) highest rate of citizen complaints for improper force/discourtesy.

### *Albuquerque*

Albuquerque employed a linear force continuum design (called the Reactive Control Model or RCM) that laid out and linked citizen resistance with force options. This model graphically depicted four levels of citizen resistance in linear fashion (cooperative, non-cooperative, unarmed assailant, armed assailant) on a horizontal axis that sits above another horizontal axis that depicts four levels of force in linear fashion (alert, control, active, survival). Within each of the four broad levels there are specific types listed (e.g., under active it instructs officers to consider anything from verbal commands to the use of an intermediate weapon) (see also Appendix B and agency policy descriptions in Chapter 4).

### More Positive Outcomes

- ▶ Albuquerque officers reported the second highest satisfaction rate in policy utility.
- ▶ Albuquerque had the second lowest rate of citizen complaints for improper force/discourtesy.
- ▶ Albuquerque had the third lowest amount of citizen injuries.
- ▶ Albuquerque officers reported the third highest satisfaction rate in force training.
- ▶ Albuquerque had the fourth lowest rate of force in relation to workload.

### Less Positive Outcomes

- ▶ Albuquerque officers used the third highest amount of force relative to citizen resistance.

### *Colorado Springs*

Colorado Springs relied on a “Situational Force Model” (alternatively referred to as a “wheel” model) as its means of a force continuum. This model graphically depicted an officer standing in the middle of a circle with various force options surrounding him/her. The force options are placed in random order to indicate there is no natural progression of force (e.g., deadly force is placed next to soft hand tactics). There is no graphical depiction of citizen resistance as to which types of force are most appropriate given different types of resistance (although the policy narrative/text does make a link to some degree, thereby indicating a degree of linear progression despite the circular model approach) (see also Appendix B and agency policy descriptions in Chapter 4).

### More Positive Outcomes

- ▶ Colorado Springs had the lowest rate of force in relation to workload.
- ▶ Colorado Springs officers used the fourth lowest amount of force relative to citizen resistance.

### Less Positive Outcomes

- ▶ Colorado Springs had the highest rate of citizen complaints for improper force/discourtesy.
- ▶ Colorado Springs officers reported the lowest (tie) satisfaction rate in force training.
- ▶ Colorado Springs had the third highest amount of citizen injuries.
- ▶ Colorado Springs officers reported the third lowest satisfaction rate in policy utility.
- ▶ Colorado Springs had the third highest amount of officer injuries.

### *St. Petersburg*

St. Petersburg relied on the Response to Resistance (Use of Force) matrix. This model graphically depicted six levels of citizen resistance in linear fashion on a vertical axis (presence, verbal, passive physical, active physical, aggressive physical, aggravated physical), with six force level options in linear fashion on a horizontal axis (officer presence, communication, physical control, intermediate weapons, incapacitating control, deadly force). The appropriate force types are then linked to various resistance types by a check mark in boxes (e.g., if a citizen displays aggressive physical resistance officers can use up to incapacitating control force (see also Appendix B and agency policy descriptions in Chapter 4).

#### More Positive Outcomes

- ▶ St. Petersburg had the lowest amount of citizen injuries.
- ▶ St. Petersburg had the lowest rate of citizen complaints for improper force/discourtesy.
- ▶ St. Petersburg officers used the third lowest amount of force relative to citizen resistance.
- ▶ St. Petersburg had the third lowest amount of officer injuries.

#### Less Positive Outcomes

- ▶ St. Petersburg officers reported the lowest satisfaction rate in policy utility.
- ▶ St. Petersburg officers reported the lowest (tie) satisfaction rate in force training.
- ▶ St. Petersburg had the fourth highest rate of force in relation to workload.

### *Fort Wayne*

Fort Wayne employed a linear design, although the model did not graphically depict a force continuum, but rather simply laid out six levels of force in linear fashion (officer presence, verbal, soft hand, hard hand, intermediate weapon, deadly) and then partially identified types of resistance via narrative/text (see also Appendix B and agency policy descriptions in Chapter 4).

### More Positive Outcomes

- ▶ Fort Wayne officers reported the third highest satisfaction rate in policy utility.
- ▶ Fort Wayne had the fourth lowest amount of citizen injuries.
- ▶ Fort Wayne had the fourth lowest amount of officer injuries.

### Less Positive Outcomes

- ▶ Fort Wayne had the highest rate of force in relation to workload.
- ▶ Fort Wayne officers used the second highest amount of force relative to citizen resistance.
- ▶ Fort Wayne officers reported the third lowest satisfaction rate in force training.
- ▶ Fort Wayne had the fourth (tie) highest rate of citizen complaints for improper force/discourtesy.

### *Knoxville*

Knoxville's policy graphically depicted five levels of citizen resistance in linear fashion vertically (compliant, passive, active, aggressive, and assaultive/deadly) on the left side of the continuum, with five force level options in linear fashion vertically on the right side of the continuum (officer presence, empty hand soft/baton soft, compliance techniques, defensive compliance techniques, deadly force), with five situational levels vertically in the middle of the continuum (strategic, tactical, volatile, harmful, lethal) (see also Appendix B and agency policy descriptions in Chapter 4).

### More Positive Outcomes

- ▶ Knoxville officers reported the highest satisfaction rate in policy utility.
- ▶ Knoxville officers reported the highest satisfaction rate in force training.
- ▶ Knoxville officers used the second least amount of force relative to citizen resistance.
- ▶ Knoxville had the third lowest rate of force in relation to workload.
- ▶ Knoxville had the fourth lowest rate of citizen complaints for improper force/discourtesy.

### Less Positive Outcomes

- ▶ Knoxville had the highest amount of officer injuries.
- ▶ Knoxville had the second highest amount of citizen injuries.

### **Top Rankings**

For those interested in which agencies did the best and worst when considering the varying outcomes, we list those agencies at the top and bottom of the rankings:

*1. The extent of force used in relation to workload factors (i.e., calls for service, arrests, reported crime):*

#### Best Policies:

1. Colorado Springs
2. Charlotte-Mecklenburg

#### Worst Policies:

1. Fort Wayne
2. Portland

*2. The extent to which officers use force proportional to the resistance they encounter:*

#### Best Policies:

1. Columbus
2. Knoxville

#### Worst Policies:

1. Portland
2. Fort Wayne

*3. The extent to which citizens are injured during forceful encounters:*

#### Best Policies:

1. St. Petersburg
2. Columbus

Worst Policies:

1. Charlotte-Mecklenburg
2. Knoxville

4. *The extent to which officers are injured during forceful encounters:*

Best Policies:

1. Columbus
2. Portland

Worst Policies:

1. Knoxville
2. Charlotte-Mecklenburg

4a. *The extent to which citizens and officers are injured, balancing citizen and officer injuries in terms of lower and higher injuries):*

Best Policies:

1. Columbus
2. St. Petersburg

Worst Policies:

1. Knoxville
2. Charlotte-Mecklenburg

4b. *The extent to which officers use force proportional to the resistance they encounter, while also considering the extent to which citizens and officers are injured:*

Best Policies:

1. Columbus
2. Colorado Springs

Worst Policies:

1. Fort Wayne
- 2-tie. Portland
- 2-tie. Charlotte-Mecklenburg

5. *The extent to which line level officers have a favorable view toward their agency's policy in terms of utility (i.e., assistance, clarity, guidance, restrictiveness, fairness):*

Best Policies:

1. Knoxville
2. Albuquerque

Worst Policies:

1. St. Petersburg
2. Portland

6. *The extent to which line level officers have a favorable view toward their agency's policy in terms of pre- and in-service force training:*

Best Policies:

1. Knoxville
2. Columbus

Worst Policies:

1. Colorado Springs
2. St. Petersburg

7. *The extent to which citizens file complaints for improper force/discourtesy in relation to sworn personnel/workload:*

Best Policies:

1. St. Petersburg
2. Albuquerque

Worst Policies:

1. Colorado Springs
2. Columbus

## Summary

As one reads through this executive summary (and the 200 plus pages of the final report) undoubtedly, like ourselves, there may be a sense of letdown. Ideally, one would want to walk away from this study knowing which use of force policy (or policies) is the best and which policy (or policies) should be avoided. Unfortunately, one of the greatest strengths of the empirical approach taken (i.e., examining multiple outcomes) is also potentially its greatest weakness. As such, we cannot unanimously endorse or condemn one use of force policy over another.

What is abundantly clear from the many analyses and rankings conducted is that there is no ideal (or flawed) policy approach across *all* outcomes. The good news is that we provide empirical evidence of various strengths and weaknesses across many important police outcomes. We leave it to police executives to consider those outcomes most important or relevant to them and their constituents, and see which policy approaches performed more favorably in those respects. As just a single example, if one is looking to reduce citizen injuries and complaints as top policing concerns, St. Petersburg's approach may be worth considering. However, one has to also be cognizant that officers generally did not view St. Petersburg's policy in a favorable light. A "cop's cop" police leader may thus prioritize such officer-related concerns and dismiss St. Petersburg's policy, and instead endorse Knoxville's approach that received outstanding feedback from patrol officers (irrespective of the fact that Knoxville patrol officers were injured at the highest rate of all cities). Any number of other examples could be given as well with other cities. In the end, one must weigh the advantages and drawbacks of each policy approach against various desirable (or undesirable) outcomes. Of course, readers must also use caution

interpreting the findings presented throughout this summary and the full report. Although this is the most comprehensive less lethal use of force study conducted to date, as one astute reviewer accurately points out - we have just begun to scratch the surface with respect to how varying types of policies may influence varying types of outcomes.

## CHAPTER 1 Introduction

Society permits the police to use force in the course of their duties. At the same time, limitations are set defining the extent of coercive power that police may exercise in maintaining order and enforcing laws. Such restrictions have two interrelated components. The first stems from the U.S. Supreme Court via *Graham v. Connor*, 490 U.S. 86 (1989), which states that force at arrest must be “...objectively reasonable in view of all the facts and circumstances of each particular case...” Despite direction from the high court, determining force that is “objectively reasonable” is not an easy task (Terrill and Paoline, 2010). As a result, police departments rely on a second component, a use of force policy, to establish parameters for the application of force and to offer more explicit direction to officers about what may be considered appropriate force.<sup>3</sup> Within this context, such policies are sometimes linked to force continuum (Terrill, 2001).<sup>4</sup> A standard force continuum policy ordinarily ranks varying levels of force and resistance in terms of severity, with the explicit purpose of offering officers guidance on how to respond to specific forms of resistance. Thus, force continuum policies attempt to more readily clarify what may be considered objectively reasonable force.

Over the years, several variations incorporating the notion of a force continuum have been proposed. One of the earliest, the linear design, is modeled in the form of a ladder or hierarchical steps. According to McEwen, this type of “continuum approach is to rely first on

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<sup>3</sup> The importance of written policy has long been recognized. The 1967 United States President’s Commission on Law Enforcement and the Administration of Justice Task Force Report went so far as to state that “[p]olicies should be formulated to bar not only unnecessary force but describe, to the extent possible, the amount of force which is permissible for making arrests and carrying out other police activities” (p. 183).

<sup>4</sup> McEwen notes that force policies incorporating a continuum approach “...are much more likely than other policies to address the fundamental issue of physical force (open hand control, fists, use of body, etc.)” (1997: p. 50).

the officer's presence to quell a situation, and if that fails, to move to increasingly severe types of force" (1997: p. 49). Another type of a continuum structure is often referred to as a modified-linear design, where subject resistance is placed into one of several levels and force options for escalation (and de-escalation) are presented within each level (see Connor, 1991). Other designs are laid out in matrix form or depicted by a wheel (see Hoffman et al., 2004). In the matrix approach, varying forms of suspect resistance are presented along rows while varying police responses are offered on a horizontal axis. The wheel design is often presented by a series of concentric circles, with the situation as the core, followed by an intermediate circle of suspect resistance behaviors, followed by an outer circle displaying varying appropriate forms of police force given the type of resistance. Regardless of what continuum approach a particular agency chooses to use (if any), the placement of different forms of force within the continuum structure can vary.

While force continuum policies are frequently discussed in the policing literature by academics and practitioners alike, little is known concerning how many agencies actually use a continuum of some sort, and if so, what type (e.g., linear, wheel, etc.). Perhaps more importantly, the extent to which such policies work or result in some tangible beneficial outcome is unknown. Does a force continuum policy actually guide officers in their force usage? Does a continuum policy enhance the level of control an officer has on a suspect? What impact does a continuum policy have on the types of force officers use, injuries, citizen complaints, and lawsuits for police misbehavior?

Complicating matters further, as illustrated above, is the fact that there is no *ideal* or commonly accepted ranking of force, either by researchers or practitioners (US GAO, 2005). A

continuum policy in one department can be completely different than a policy in another department. Some agencies employ a more linear type of force continuum, while others opt for a wheel type design. Some departments have non-specific types of policies whereby force and resistance are referred to only in vague terms and not categorized into specific levels, while others offer very detailed policies that lay out many levels of both force and resistance. Relatedly, there is variation as to where specific types of less-lethal technologies should be placed on the continuum scale. For example, some departments place Conducted Energy Devices (CED) such as the TASER® low on the continuum (e.g., right after verbal direction), while other departments place it high on the continuum scale (e.g., just before deadly force) (US GAO, 2005). Hence, some agencies view CED use as more of a “first resort,” while others encourage CEDs use as a “last resort,” although there is no empirical evidence available indicating which approach is used with greater frequency.

To muddy the waters even further, there is also some debate as to whether force continuum policies actually help or hinder decision-making. There is clearly support for continuum policies from practitioners (Rogers, 2001), but such support is not universally shared. For instance, Petrowski (2002: p. 1) notes “[t]he force continuum purports to provide a mechanical application when officers should be making a subjective threat assessment” (see also Aveni, 2003, Peters and Brave, 2006, and Williams, 2002). Hence, while some police agencies may incorporate a force continuum approach within their policy, there is some debate as to whether such an approach actually serves to enhance officer decision-making.

Given the different policy approaches used by police agencies, combined with a lack of knowledge concerning effectiveness, the present study investigates the extent of variation in use

of force policies being used by police agencies throughout the country, and whether certain types of policies offer more beneficial outcomes to police practitioners. Such outcomes include the extent to which different policies provide officers assistance and guidance with respect to force decision-making, and the link between varying types of policy approaches and the amount/type of force used, as well as injury rates (both suspect and officer), citizen complaints, and lawsuits levied for improper force. In short, we seek to determine if certain types of policies are in effect better, when considering a wide range of factors. Finally, we believe studies that examine any particular tactic or less-lethal technology (e.g., TASER<sup>®</sup>) apart from the broader application of such tactics within varying policy types unnecessarily limits potential insight. It is the merging of varying policy types with varying tactics, which include less-lethal technologies, that offers the most potential and ultimately useful information for policy makers and practitioners.

## **Literature Review**

Although force continuum policies are specifically designed to provide officers guidance toward controlling suspects with an appropriate degree of force, previous research has generally neglected this area of inquiry, and no known study has specifically investigated whether certain types of continuum policies are more effective than others.<sup>5</sup> A review of the literature demonstrates just how little is known with respect to the interplay between force continuum policy approaches and tangible outcomes. The studies that have touched on the notion of force

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<sup>5</sup> McEwen (1997) offers the best look at use of force policy development in his review of 96 agencies through the use of a convenience sample.

continuum frameworks that are most pertinent to the present study can be broken down into two broad areas and are briefly reviewed below.<sup>6</sup>

One area of research has focused on the impact of specific force tactics located on a force continuum scale. These studies are generally most interested in the effect of certain tactics (i.e., incapacitative abilities and injuries rates). Chemical irritant sprays such as Oleoresin Capsicum (OC) have perhaps received the greatest amount of inquiry (see Kaminski et al., 1999). In general, there is a fair amount of agreement that OC spray offers a moderate to high degree of incapacitative effect with fairly low concern for long term injuries; however, there is some debate as to whether the use of OC spray should be used in response to verbal resistance (see Adang and Mensink, 2004, as well as Smith and Alpert, 2000).

A more contemporary concern revolves around the use of another technology - CEDs (e.g., TASER®). Evidence in relation to CEDs, in terms of effectiveness (i.e., high control, low injury), is currently emerging. Some of the reports illustrate detrimental effects. For example, Amnesty International (2004) reported that 74 people died in the previous three years after being shocked by a TASER®. Findings from other studies have reported some beneficial outcomes associated with CED use. For example, Smith and colleagues (2007) looked at CED use in two agencies and its effect on suspect and officer injuries. In one of the two agencies the use of CEDs reduced the number of officer and suspect injuries, as well as the severity of injuries for suspects. In the second agency the use of CEDs had no effect on injuries, although interestingly pepper spray did. On the whole, beyond research on the effects of OC spray and the more

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<sup>6</sup> A third area of research that incorporates the force continuum involves determining the frequency in which officer use varying types of force (from low level to more severe forms) and citizen resistance behaviors, as well as investigating the causes or predictors of police use of force. For example, see Crawford and Burns (1998), Klinger (1995), and Terrill and Mastrofski (2002).

limited work on CEDs, evidence concerning the extent to which other types of tactics offer high control and low injury, including physical forms of control (e.g., pain compliance techniques, martial art forms) and intermediate or less-lethal weapons (e.g., baton, pepperball, bean bag) has been lacking.<sup>7</sup>

A second area of research has focused more on the principles underlying force continuum policies, rather than the effectiveness of certain types of tactics located within a continuum structure (e.g., effectiveness of a chemical irritant spray). For instance, in 1997 Alpert and Dunham proposed the use of “force factor” scores (subtracting the highest level of resistance from the highest level of force within individual police-suspect encounters) to assess relative degrees of force in relation to citizen resistance. Applying this approach with official data gathered from the Miami-Dade, Florida and Eugene/Springfield, Oregon police departments, the researchers found that officers in Miami-Dade used less force than the level of resistance faced, compared to officers in Eugene/Springfield who used more force than the level of resistance faced (on average). Of particular note, this type of pattern mirrored how officers were instructed and trained to use force. Such a finding provides preliminary evidence that a department’s policy environment may have an impact on police officer use of force behavior. In addition, this work demonstrated how agencies may be compared in relation to force, albeit in a limited fashion (i.e., only two departments).

Using observational data from the Project on Policing Neighborhoods (POPEN) study in Indianapolis and St. Petersburg, Terrill (2001, 2003, 2005), in a series of works, built upon the idea of force factor scores by assessing not only the highest level of suspect resistance and police use of force within an individual incident, but *all* instances of resistance and force that occur, as

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<sup>7</sup> For one limited review see Bertomen, 2003.

well as other factors present during police-suspect encounters, beyond suspect resistance, that might account for force usage. In this respect, Terrill was able to move closer to determining if force usage could be more appropriately labeled “objectively reasonable” given the totality of circumstances and not just the resistance behavior presented. This early work was the first to examine how police officers and citizens respond to one another, in a temporally sequenced manner, within the context of a force continuum approach; and was the first attempt to quantify and analyze the interactive nature of multiple police-citizen encounters in this type of micro-oriented process since Sykes and Brent’s (1983) pioneering work. Terrill found that officers did not leap at the opportunity to apply force on a resistant citizen, but generally went to great lengths to resolve such encounters in the most non-coercive manner possible (often giving suspects multiple opportunities to comply). Conversely, the issue of appropriateness was more problematic when officers dealt with non-resistant suspects, as they were more likely to use higher forms of force than the resistance posed by suspects.

Fortunately, other researchers have since offered additional studies that utilize a somewhat parallel approach. Alpert and Dunham (2004), once again using official data from the Miami-Dade police department, followed Terrill’s (2001) call for further refinement regarding an interactive approach and the application of force. Their work offered a second look at how police officers and citizens respond to one another in terms of force and resistance as police-citizen encounters evolve. One of the findings, according to the authors, was that there was a greater likelihood of police use of force the longer an encounter lasted, even when dealing with non-violent citizen resistance. They also reported that “[p]reemptive force seemed to be effective and produced an overall decrease in the number of incidents involving the use of force.

Once a cycle of force is initiated, however, there appears to be only a limited opportunity to de-escalate the level of force” (Alpert and Dunham, 2004: p. 122). Interesting, Terrill (2001) found somewhat contradictory results with the POPN data, in that preemptive force led to greater uses of force later in the encounter and that officers were actually quite skilled at de-escalation when citizens raised the stakes via resistant behavior. Such findings only lead to an even greater need for additional research.

### **Gap in the Literature**

While researchers have looked at the effect of varying types of tactics located on a force continuum scale, and the nature of police use of force behavior in terms of the underlying principles of a continuum approach, prior work has not examined the different types of policies currently being used by police agencies and the broader application of such policies.

Little is known concerning the extent to which police agencies across the country actually incorporate a force continuum within their policy, and if so what type.<sup>8</sup> Moreover, given potential variation in both design (e.g., linear, matrix, wheel, etc.) and tactical placement (e.g., OC spray, CED, etc.), even less is known with respect to whether differences in continuum policies matter, and if so, in what way. For instance, virtually nothing is known about the connection between force continuum policies and tangible outcomes such as officers’ perceptions of their policy, the types of force used to control citizens, the nature of injuries to officers and suspects, the rate of complaints generated, or the number of lawsuits filed for

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<sup>8</sup> According to Alpert and Dunham (2004) the Police Executive Research Forum (PERF) conducted a national survey of police use of force in 1998. The authors report that 72 percent of responding police agencies rely on a force continuum policy, but do not identify the types of force continuum policies being used either in terms of frequency or variation.

allegations of improper force. In essence, previous research has failed to examine the association between certain types of force continuum policies and beneficial (or detrimental) outcomes. The present study begins to fill this gap.

## **CHAPTER 2**

### **Project Overview**

#### **Research Goals and Objectives**

The project has two separate, but interrelated goals: to identify the extent of variation in use of force policies being used by police agencies throughout the country, and determine whether certain types of policies offer more beneficial outcomes to police practitioners. Stated more directly, the project seeks to:

- (1) identify existing variation in use of force policies, particularly those employing a force continuum approach;
- (2) determine which types of policies offer more beneficial outcomes to police practitioners, which are measured in terms of the degree to which varying policies:
  - (a) provide officers assistance and guidance with respect to force decision-making, and
  - (b) are associated with less force (i.e., by amount and type), injuries to suspects and officers, citizen complaints, and lawsuits levied for improper force.

## **Research Design**

The project was divided into two primary phases in connection with our two stated goals. In the initial phase we administered a mail survey to a stratified random sample of 1,083 police agencies across the country, based on agency size (i.e., sworn officers) and type (i.e., municipal, sheriff). The purpose of the survey was to decipher the types of force policies that exist. More directly, the key elements of the survey captured whether an agency employed a force continuum approach within their policy, the form or type of continuum used, and the placement of various tactics within the continuum framework.

Based on results of the agency survey, eight agencies were selected for deeper exploration as part of the second phase of the project. Agency selection was based on ensuring adequate variation in terms of differing policy types, but also a degree of comparability based on jurisdictional size, crime rate, workload, and socioeconomic status. Upon securing agreements with police administrators, the research team conducted multiple site visits over the course of two years at each agency. Data collection consisted of a survey to patrol officers to assess their views on the impact of the agency's force policy on decision-making. In addition, use of force, citizen complaint, and civil litigation data, as well as accompanying sources of information (e.g., organizational charts, rosters, manpower allocations, rules and regulation manuals, training records, number of reported crimes, arrests, calls for service) were collected retrospectively for 24 months. Further, a series of informal interviews were conducted with officials at the middle and upper management levels. Collectively, these data sources served as the basis for the analyses and findings presented in this report.

## CHAPTER 3

### Phase I

#### **Purpose**

Despite the attention force continuum policies have garnered within the policing literature (Alpert and Dunham, 1997, 2004; Aveni, 2003; Connor, 1991; Crawford and Burns, 1998; Garner et al., 1995, 2002; Hoffman, et al., 2004; Klinger, 1995; McEwen, 1997; Petrowski, 2002; Terrill, 2001, 2003, 2005; Williams, 2002), there has only been one known attempt to determine how many agencies actually incorporate a continuum approach within their policy (i.e., the 1998 PERF survey). More importantly, not a single study has attempted to determine the varying types of force continuum policies being used in any systematic manner. In fact, with respect to force policy in general, with the exception of reports indicating how many agencies employ some sort of written policy on less lethal force, and varying forms of report and review procedures (Alpert and Dunham, 204; Hickman and Reaves, 2003; Pate and Fridell, 1993), there is a substantial void within the empirical literature. Hence, the purpose of Phase I was to design and administer a national survey to police agencies so as to assess the extent to which different types of force polices exist, particularly those using a force continuum.

#### **Methodology**

##### *Sampling Frame*

As of 2000, there were 17,784 police agencies in the United States according to the Census of State and Local Law Enforcement Agencies.<sup>9</sup> With the assistance of Edward Maguire,

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<sup>9</sup> U.S. Dept. of Justice, Bureau of Justice Statistics. *Census Of State And Local Law Enforcement Agencies (CSLLEA), 2000*: [U.S.] [Computer File]. Conducted by U.S. Dept. of Commerce, Bureau of the Census. 3rd ICPSR ed. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [producer and distributor], 2003.

project consultant, our sampling frame was comprised to include 7,306 agencies that (1) have primary responsibility for policing a residential population, (2) employ 10 or more full-time police officers, and (3) are a municipal or county agency (see Table 3-1). Selection based on these three criteria include over 90 percent of all full-time sworn officers in the country (Weisburd et al., 2000).

**Table 3-1. Sampling Frame by Size and Type of Agency**

<b>Type</b>	<b>10-49</b>	<b>50-99</b>	<b>100-249</b>	<b>250-749</b>	<b>750+</b>	<b>Total</b>
Police	4,104	745	378	125	57	5409
Sheriff	1,342	286	174	78	17	1897
Total	5,446	1,031	552	203	74	7306

### *Sample Selection*

Because we lacked sufficient resources to survey the population of agencies meeting our selection criteria, we needed to draw a representative sample of those agencies. Due to large differences in the number of agencies in different size categories, we chose a disproportionate stratified random sampling strategy based on agency size and type. For agency size, we chose five categories based on number of full-time sworn officers with arrest powers. For agency type, we established two categories. The first was police, formed by combining municipal, county, and regional police into one category. The second was sheriff's organizations. Once these breakdowns were incorporated, we then selected 5 percent of agencies with 10-49 officers, 25 percent of agencies with 50-99 officers, 50 percent of agencies with 100-249 officers, and all agencies in the next two size categories of 250-749 and 750 and more. This strategy resulted in an overall sample size of 1,083 agencies. Table 3-2 shows the sample size within each stratum.

**Table 3-2. Sample Size by Size and Type of Agency**

<b>Type</b>	<b>10-49</b>	<b>50-99</b>	<b>100-249</b>	<b>250-749</b>	<b>750+</b>	<b>Total</b>
Police	205	186	189	125	57	762
Sheriff	67	72	87	78	17	321
<b>Total</b>	<b>272</b>	<b>258</b>	<b>276</b>	<b>203</b>	<b>74</b>	<b>1083</b>

### *Survey Distribution and Response*

Relying on well established techniques (see Dillman, 1978), the survey methodology involved a multi-stage process beginning with pre-testing the instrument on 17 sworn officers employed by 14 different police agencies located in five different states in January and February of 2006. Upon receiving comments and making revisions, the final survey instrument was mailed out to all 1,083 agencies in March of 2006.<sup>10</sup> A second wave was distributed to non-responding agencies in May of 2006, followed by a third wave in September of 2006. In an attempt to further maximize the response rate, a phone call was made to every non-responding agency between the second and third waves.<sup>11</sup> Upon completion of wave three we had accumulated a total of 591 responses for a response rate of 54.5 percent (wave 1=273, 25.2%; wave 2=216, 19.9%; wave 3=102, 9.4%). In a final effort to ensure the greatest possible response rate, a fourth wave was mailed out to the remaining 492 respondents in February 2007, which resulted in another 71 responses. *In total, we received 662 total responses (a response rate of 61.1%).*<sup>12</sup>

<sup>10</sup> A personalized cover letter identifying the potential benefits of participation along with human subject protection information accompanied each survey instrument.

<sup>11</sup> In some instances we were asked to fax or mail another copy of the survey.

<sup>12</sup> Nine additional surveys were received, but were filled out so minimally (e.g., answered only one or two questions) or did not include a signature as required by our Institutional Review Boards (IRB), that they were not included in the final count. In addition, 10 agencies contacted us (via a response letter or phone call/message) indicating that they either did not wish to participate in our particular survey, or in some cases they do not participate in any survey

As illustrated in Table 3-3, in terms of agency size, within each of the five group breakdowns the response rate progressively increases as the size of the agency increases. At the ends of the spectrum the difference is most pronounced. While just under 40 percent of the agencies with 10-49 sworn officers responded to the survey (105 responded of 272 surveyed), over 90 percent of the largest (750 or more sworn officers) agencies responded (67 responded of 74 surveyed). In terms of agency type, police agencies were more likely to respond than sheriff agencies. Of the 762 police departments surveyed, 494 responded (64.8%). For sheriff agencies, 168 of 321 responded (52.3%). Thus, from a generalizability standpoint, the survey results are most reflective of mid-to-large sized police agencies.

**Table 3-3. Responses by Type and Size of Agency**

<b>Type</b>	<b>10-49</b>	<b>50-99</b>	<b>100-249</b>	<b>250-749</b>	<b>750+</b>	<b>Total</b>
Police	82	109	145	107	51	494
Sheriff	23	30	40	59	16	168
Total	105	139	185	166	67	<b>662</b>
Percent	38.6	53.9	67.0	81.7	90.5	

## **Analyses and Findings**

### *Continuum Design*

The key aspect of the agency survey was to determine whether agencies use a force continuum; and if so, the type of continuum design used and placement of tactics/weapons along the continuum. Thus, we asked respondents if they relied upon a force continuum approach as part of their less lethal force policy. We offered explicit direction so as to clarify our intent stating, “[b]y force continuum, we mean a guideline (sometimes depicted graphically) that

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research (it was noted that such decisions are sometimes arbitrary, while at other times the result of insufficient personnel to devote appropriate time allocations).

officers can use to determine the type of force that may be used in generic situations. Such guidelines are sometimes (but not always) linked with varying forms of citizen resistance in an attempt to assist officers in matching the level of force to the level of resistance/threat encountered. Some examples include linear (e.g., ladder, stair, FLETC), wheel, and matrix/box designs, although there are many variations of continuum designs besides these few examples.” Over 80 percent of the respondents indicated that they did rely on some form of a force continuum.<sup>13</sup> In comparison to the 1998 PERF survey, the percentage uncovered here is somewhat higher. In that survey of 571 police agencies, according to Alpert and Dunham (2004: p. 156), “...72 percent were based on a use-of-force continuum.”<sup>14</sup>

For those respondents that indicated the use of a continuum, we then asked them to identify the “type” of force continuum their agency uses. We cautioned that there is no correct or ideal continuum design in existence, but rather that some agencies simply prefer one design over another. To help guide them further we offered basic template examples (as illustrated in Appendix A) of some of the continuum designs currently in existence. The results are shown in Table 3-4. By far, the most prevalent response was the use of a linear design “without” graphic representation (e.g., see Appendix A, question 2a for an illustration). The next most frequent design was a linear approach “with” a graphic design (e.g., see Appendix A, question 2b for an illustration). Hence, nearly three-quarters of the respondent agencies (73.4%) indicated the use of a linear design in some form. The next most frequently used designs reported were a matrix/box approach (e.g., see Appendix A, question 2e for an illustration) and

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<sup>13</sup> Of the 662 responding agencies, 641 answered this question; of these, 518 indicated they used a force continuum (80.8%).

<sup>14</sup> McEwen (1997) found just 24 of 96 (or 25%) agencies in his review of force policies incorporated a force continuum (he relied on a convenience sample).

some sort of circular/wheel approach (e.g., see Appendix A, question 2c and 2d for illustrations), with both approaches used about 10 percent of the time (10.1% and 9.3% respectively). In sum, our findings show that a substantial majority of police agencies do rely on a force continuum structure, and that the most frequently used design type is linear in some fashion.

**Table 3-4. Force Designs Frequency\***

<b>Continuum Design</b>	<b>N</b>	<b>%</b>
Linear without Graphic Representation	240	46.5
Linear with Graphic Representation	139	26.9
Matrix/Box	52	10.1
Partial/Full Wheel	48	9.3
Other	37	7.2

\*Of the 518 agencies that stated they use a force continuum, 516 indicated the type.

*Tactical Placement*

In addition to querying agencies about the type of force continuum used, we also asked respondents to detail their force and citizen resistance progression by prompting them with “[p]lease identify the progression of citizen resistance and police use of force outlined in your continuum policy, from the lowest level to the highest level, and indicate the types/levels of force recommended to officers for each type of resistance/threat they encounter (i.e., the range of force options available to officers for each type of citizen resistance encountered)” (e.g., see Appendix A, question 3 for an illustration). Of the 518 agencies that indicated they use a force continuum as part of their policy, 476 of the respondents provided sufficient enough detail so as to detail their force progression, while 371 agencies provided sufficient enough detail so as to detail their resistance progression.

In an attempt to simplify progression patterns for illustrative purposes we placed the numerous types of force and resistance into six categories. In relation to force, the categories were broken into: officer presence/verbal direction, soft empty-hands (e.g., touching, pat down, firm-grip, simple restraint), pain compliance techniques (e.g., pressure point controls), hard empty-hands (e.g., hand strikes, punches, kicks, take downs without a weapon), impact weapons (e.g., baton/ASP/flashlight strikes, pepperball, beanbag), and deadly force (e.g., handgun, rifle). In addition to these six categories, chemical sprays (e.g., OC or pepper) and conducted energy devices (CEDs) were also coded, but distinguished from the other six categories so as to present the varying types of continuum placements different agencies use. In relation to resistance, the categories were broken into: compliant, verbal (e.g., refusing verbal direction), passive (e.g., failing to respond to an officer/ignoring), physical defensive (e.g., bracing, pulling away, fleeing), physical active (e.g., hostile and overt physical aggression towards the officer), and deadly (e.g., attempt or actual attack that could cause death).

Even with an attempt to consolidate the many force and resistance types into broader categories, a great deal of variation was uncovered in terms of how police agencies go about detailing their policy in relation to the number of levels and placement of tactics. For instance, of the 476 agencies that outlined their force progression, a total of 123 different permutations were uncovered ranging from three to nine different levels (the vast majority, 390 or 82.0%, relied on five or six levels).<sup>15</sup> Of the 371 agencies that listed citizen resistance progression, a total of 23 permutations were uncovered ranging from three to seven different levels (the vast

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<sup>15</sup> The number of permutations is reduced to 59 if one accounts for, or subsumes within, repeated forms of force taking place at multiple levels. For instance, departments will often call for impact force at more than one level. Thus, as an example, one department may place baton strikes at level five followed by an impact munition at level six. If one counts these types of examples separately the permutation count rises to 123, if these are subsumed into one level and labeled “impact force,” as is the case in many of the analyses presented here, the number is reduced to 59.

majority, 343 or 92.4%, relied on five or six levels).<sup>16</sup> Within this context, we present the findings from this section in a multitude of formats so as to depict the most comprehensive picture of the varying ways to measure and understand how departments across the country instruct officers via policy.

Excluding the 115 agencies that place chemical sprays (e.g., OC or pepper) and/or CEDs (e.g., TASER®) on their own distinct level of force, Table 3-5 shows how the remaining 361 detail their force progression.<sup>17</sup> First, looking at the ends of the continuum, a large majority of the departments place both the least and most severe forms of force on their own level. Over 86 percent of the agencies place officer presence/verbal direction on a level by itself, while 97.8 percent place deadly force by itself. Nonetheless, some agencies do not place such rigid restrictions on force placement at the ends of the continuum. For example, 49 of the agencies place officer presence/verbal direction on the same level as soft hand tactics, while eight departments permit a deadly force option along with non-lethal force options.

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<sup>16</sup> When repeated forms of resistance (i.e., meaning the same type of resistance types) are accounted for the number of permutations is reduced from 23 to 15 (see Table 3-9).

<sup>17</sup> Of the 59 permutations noted in footnote 14, there were 14 combinations uncovered when excluding agencies that place chemical sprays and CEDs on their own distinct level. When these two additional force types are included, an additional 47 permutations resulted across 115 agencies (most permutations obviously were only used by one or two agencies). Aggregate results from the 115 agencies involving separate level chemical sprays and CEDs, and where they fell on the continuum, are presented in Table 3-8.

**Table 3-5. Progression of Force**

<b>Factor</b>	<b>N</b>	<b>%</b>
Level 1 - Presence/Verbal	84	23.3
Level 2 - Physical Soft		
Level 3 - Pain Compliance, Physical Hard		
Level 4 - Impact		
Level 5 - Deadly		
Level 1 - Presence/Verbal	75	20.8
Level 2 - Physical Soft		
Level 3 - Pain Compliance		
Level 4 - Physical Hard, Impact		
Level 5 - Deadly		
Level 1 - Presence/Verbal	59	16.3
Level 2 - Physical Soft, Pain Compliance		
Level 3 - Physical Hard		
Level 4 - Impact		
Level 5 - Deadly		
Level 1 - Presence/Verbal	45	12.5
Level 2 - Physical Soft, Pain Compliance, Physical Hard		
Level 3 - Impact		
Level 4 - Deadly		
Level 1 - Presence/Verbal, Physical Soft	24	6.6
Level 2 - Pain Compliance, Physical Hard		
Level 3 - Impact		
Level 4 - Deadly		
Level 1 - Presence/Verbal	21	5.8
Level 2 - Physical Soft, Pain Compliance		
Level 3 - Physical Hard, Impact		
Level 4 - Deadly		
Level 1 - Presence/Verbal, Physical Soft	13	3.6
Level 2 - Pain Compliance		
Level 3 - Physical Hard		
Level 4 - Impact		
Level 5 - Deadly		
Level 1 - Presence/Verbal	12	3.3
Level 2 - Physical Soft		
Level 3 - Pain Compliance, Physical Hard, Impact		
Level 4 - Deadly		

<b>Factor</b>	<b>N</b>	<b>%</b>
Level 1 - Presence/Verbal, Physical Soft Level 2 - Pain Compliance Level 3 - Physical Hard, Impact Level 4 - Deadly	11	3.0
Level 1 - Presence/Verbal Level 2 - Physical Soft Level 3 - Pain Compliance Level 4 - Physical Hard Level 5 - Impact Level 6 - Deadly	7	1.9
Level 1 - Presence/Verbal Level 2 - Physical Soft, Pain Compliance, Physical Hard Level 3 - Impact, Deadly	7	1.9
Level 1 - Presence/Verbal Level 2 - Physical Soft Level 3 - Pain Compliance, Physical Hard, Impact, Deadly	1	0.3
Level 1 - Presence/Verbal Level 2 - Physical Soft, Pain Compliance, Physical Hard, Impact Level 3 - Deadly	1	0.3
Level 1 - Presence/Verbal, Physical Soft Level 2 - Pain Compliance, Physical Hard, Impact Level 3 - Deadly	1	0.3
<b>Total</b>	<b>361</b>	<b>100.0</b>

Tables 3-6 and 3-7 illustrate where chemical sprays and CED devices are placed when such force types are found at the same level as one of the six other categories. Chemical sprays and CEDs are analyzed in this manner because how or where they fit into force continuum progression has not been entirely clear from past research. The findings presented here show precisely where on the force continuum such mechanisms fall using a representative nationwide sample. As shown in Table 3-6, placement of chemical sprays varies widely. Roughly 30 percent of the agencies place chemical sprays with pain compliance techniques, another

approximate 30 percent of the departments place chemical sprays with hard hand tactics, and just over a third of the agencies place chemical sprays with impact weapons. A handful of departments even place chemical sprays as low as empty-hand soft techniques (n=12) and as high as deadly force (n=6). Such widespread variation indicates a tremendous lack of agreement by police practitioners as to where chemical sprays should be placed on the force continuum.

**Table 3-6. Force Level of Chemical Spray when Shared with Other Force**

<b>Factor</b>	<b>N</b>	<b>%</b>
Physical Soft	12	3.3
Pain Compliance	110	30.5
Physical Hard	105	29.2
Impact	127	35.3
Deadly	6	1.7
Total	360	100.0

Similar to the approach used for chemical sprays, Table 3-7 depicts where CEDs are placed when embedded with other types of force. Compared to chemical sprays there is somewhat less variation, but far from a clear consensus. Nearly 60 percent of the agencies place CEDs at the impact weapon level, with another two percent placing CEDs along with deadly force. Thus, just under two-thirds of the departments require some type of hands on force before resorting to the CED. However, over a third of the agencies place CEDs with some sort of hands on force. In particular, a quarter of the agencies place CEDs at the same level as hard empty-hand tactics, with another 13.1 percent placing CEDs with pain compliance techniques.

**Table 3-7. Force Level of CED When Shared with Other Force**

<b>Factor</b>	<b>N</b>	<b>%</b>
Physical Soft	2	0.8
Pain Compliance	32	13.1
Physical Hard	60	24.6
Impact	145	59.4
Deadly	5	2.0
Total	244	100.0

As noted previously, 115 of the 476 agencies that offered sufficient detail to determine force progression place chemical sprays and/or CEDs on their own distinct force level. Table 3-8 shows where these weapons are placed on the continuum. The location of chemical sprays is much more varied when compared with CEDs. The most frequent location for chemical sprays is right after pain compliance techniques (36.8%), followed by hard empty-hand hard tactics (29.4%). Just under 20 percent of the agencies place it prior to any form on hands on force (right after officer presence/verbal force). With respect to CEDs, most agencies place this weapon near the top of the continuum. Only one agency places it right after verbal force (and before hands-on), while 10 of the 13 agencies that place CED on its own level place it after hard hands or impact. Finally, and somewhat interesting after the CED findings, is the placement of chemical sprays and CEDs when they are both placed on the same level together, but by themselves on their own level. In this case, the modal placement location is after pain compliance, but before physical hard hands (42.1%). Further, over a quarter of the agencies use this placement prior to pain compliance, and zero agencies after impact.

**Table 3-8. Force Level of Chemical Sprays and CED When Occupying Own Force Level\***

<b>Factor</b>	<b>Chemical Spray</b>		<b>CED</b>		<b>Both</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
After Presence/Verbal	13	19.1	1	7.7	7	18.4
After Physical Soft	8	11.8	-	-	3	7.9
After Pain Compliance	25	36.8	2	15.4	16	42.1
After Physical Hard	20	29.4	5	38.5	12	31.6
After Impact	2	2.9	5	38.5	-	-
<b>Total</b>	<b>68</b>	<b>100.0</b>	<b>13</b>	<b>100.0</b>	<b>38</b>	<b>100.0</b>

\* 7 agencies placed CED on it's own level directly after Chemical Sprays (11 agencies had both chemical spray and CED on their own, but separate levels).

Next, we turned to looking at how citizen resistance progression was laid out by agencies with respect to the force continuum (see Table 3-9). Recall that 371 agencies listed their resistance progression in sufficient detail so as to code this information. As shown in Table 3-9, nearly half (n=179, 48.2%) of all the responding agencies who detailed their citizen resistance progression use a five level layout in the following order: 1-compliant, 2-verbal/passive combined, 3-physical defensive, 4-physical active, and 5-deadly. The second most frequently used approach (n=123, 33.2%) is similar except that verbal and passive resistance are split and placed on separate levels according to the following: 1-compliant, 2-verbal, 3-passive combined, 4-physical defensive, 5-physical active, and 6-deadly. These two approaches combined to account for 302 (81.4%) of the 371 agencies. Thus, while there are 12 additional permutations used, the drop off in frequency is dramatic (e.g., the third most frequently used progression format only contains 16 departments).

**Table 3-9. Progression of Resistance**

<b>Factor</b>	<b>N</b>	<b>%</b>
Level 1 - Compliant	179	48.2
Level 2 - Verbal, Passive		
Level 3 - Physical Defensive		
Level 4 - Physical Active		
Level 5 - Deadly		
Level 1 - Compliant	123	33.2
Level 2 - Verbal		
Level 3 - Passive		
Level 4 - Physical Defensive		
Level 5 - Physical Active		
Level 6 - Deadly		
Level 1 - Compliant, Verbal	16	4.3
Level 2 - Passive		
Level 3 - Physical Defensive		
Level 4 - Physical Active		
Level 5 - Deadly		
Level 1 - Compliant, Verbal	12	3.2
Level 2 - Passive, Physical Defensive		
Level 3 - Physical Active		
Level 4 - Deadly		
Level 1 - Compliant	9	2.4
Level 2 - Verbal, Passive, Physical Defensive		
Level 3 - Physical Active, Deadly		
Level 1 - Compliant	7	1.9
Level 2 - Verbal, Passive, Physical Defensive		
Level 3 - Physical Active		
Level 4 - Deadly		
Level 1 - Compliant, Verbal, Passive	6	1.6
Level 2 - Physical Defensive		
Level 3 - Physical Active		
Level 4 - Deadly		
Level 1 - Compliant	6	1.6
Level 2 - Verbal		
Level 3 - Passive, Physical Defensive		
Level 4 - Physical Active		
Level 5 - Deadly		

<b>Factor</b>	<b>N</b>	<b>%</b>
Level 1 - Compliant	4	1.1
Level 2 - Verbal, Passive		
Level 3 - Physical Defensive, Physical Active		
Level 4 - Deadly		
Level 1 - Compliant	2	0.5
Level 2 - Verbal		
Level 3 - Passive		
Level 4 - Physical Defensive		
Level 5 - Physical Active, Deadly		
Level 1 - Compliant	2	0.5
Level 2 - Verbal		
Level 3 - Passive		
Level 4 - Physical Defensive, Physical Active		
Level 5 - Deadly		
Level 1 - Compliant	2	0.5
Level 2 - Passive		
Level 3 - Verbal		
Level 4 - Physical Defensive		
Level 5 - Physical Active		
Level 6 - Deadly		
Level 1 - Compliant	1	0.3
Level 2 - Verbal, Passive, Physical Defensive, Physical Active		
Level 3 - Deadly		
Level 1 - Compliant, Verbal, Passive	1	0.3
Level 2 - Physical Defensive, Physical Active		
Level 3 - Deadly		
Level 1 - Compliant, Verbal, Passive, Physical Defensive	1	0.3
Level 2 - Physical Active		
Level 3 - Deadly		
<b>Total</b>	<b>371</b>	<b>100.0</b>

We then examined the extent to which police agencies connect varying levels and types of citizen resistance to varying levels and types of police force. As presented in Table 3-10, of the 476 agencies indicating that they incorporate a force continuum approach into their policy,

125 (26.3%) do not instruct officers as to the types (or range) of force to be used in relation to the resistance faced.<sup>18</sup>

**Table 3-10. Agencies that Link Force to Resistance Via a Continuum**

<b>Does Agency Link Force to Resistance?</b>	<b>N</b>	<b>%</b>
Not Linked	125	26.3
Semi-Linked	15	3.2
Linked	336	70.6
Total	476	100.0

At the other end of the spectrum are those agencies that use both a resistance and force continua (336, 70.6%). These agencies link specific types of force to specific types of resistance.<sup>19</sup> All apply some sort of “out-clause” in the sense that there is no requirement that officers “progress” up or down force continuum levels in strict form (e.g., that officers must exhaust all lower forms of force prior to moving up the continuum), but all do specify the range of force that should be used given the level of resistance posed by the suspect.<sup>20</sup>

The top 10 most frequently used approaches are presented in Table 3-11. The top approach is used by just 20 percent of the departments, and the second and third most frequently used approaches are half of that at just 10 percent. The fourth approach drops in half again

<sup>18</sup> Of these 125, 105 just specify force progression within their policy while 20 specify both resistance and force but make no connection, or such a vague connection, indicating that force is not linked to resistance levels.

<sup>19</sup> Somewhat interesting, 21 of the 48 (or 43.8%) departments that use a partial or full wheel/circular continuum design indicated a specific connection or link between force and resistance. The presumed reason for adopting a wheel type approach is often because the agency does not want to “lock-in” officers as to what force to use given a level of resistance. While such a goal may be accomplished given the graphic depiction of a partial or full wheel model, in these 21 agencies the policy still makes the connection anyway via the text of the policy.

<sup>20</sup> As indicated in Table 3-10, 15 (3.2%) departments were coded as semi-linking force to resistance. These agencies provide some partial guidance as to the force-resistance relationship, but are loosely coupled (for example, a graphic illustration in the policy may depict impact weapons most closely connected to active resistance, but also partially connected to defensive and passive resistance).

(n=17, 5.0%). The remaining approaches all have less than 10 agencies using them (over half of all agencies). This speaks to the enormous amount of variation in existence when it comes to force policy. Many different agencies are using many different approaches. In essence, there really is no “commonly” used means of tactical placement in terms of force continuum policies (i.e., where various forms of hands on and weapons should be placed in relation to varying forms of suspect resistance). Departments pick and choose, and tweak and adapt, in a multitude of ways - all unfortunately, with no empirical evidence as to which approach is best or even better than another.

**Table 3-11. 10 Most Frequently Used Force Continuum's**

<b>Level</b>	<b>Resistance</b>	<b>Force</b>	<b>N</b>	<b>%*</b>
1	Compliant	Presence/Verbal	68	20.2
2	Verbal, Passive	Physical Soft		
3	Physical Defensive	Pain Compliance		
4	Physical Active	Physical Hard, Impact		
5	Deadly	Deadly		
1	Compliant	Presence/Verbal	35	10.4
2	Verbal, Passive	Physical Soft		
3	Physical Defensive	Pain Compliance, Physical Hard		
4	Physical Active	Impact		
5	Deadly	Deadly		
1	Compliant	Presence/Verbal	34	10.1
2	Verbal	Presence/Verbal		
3	Passive	Physical Soft, Pain Compliance		
4	Physical Defensive	Physical Hard		
5	Physical Active	Impact		
6	Deadly	Deadly		
1	Compliant	Presence/Verbal	17	5.0
2	Verbal	Physical Soft		
3	Passive	Pain Compliance, Physical Hard Impact		
4	Physical Defensive	Impact		
5	Physical Active	Impact		
6	Deadly	Deadly		

<b>Level</b>	<b>Resistance</b>	<b>Force</b>	<b>N</b>	<b>%*</b>
1	Compliant	Presence/Verbal	9	2.7
2	Verbal, Passive	Presence/Verbal		
3	Physical Defensive	Physical Soft, Pain Compliance, Physical Hard		
4	Physical Active	Impact		
5	Deadly	Deadly		
1	Compliant	Presence/Verbal	9	2.7
2	Verbal, Passive	Physical Soft, Pain Compliance		
3	Physical Defensive	Physical Hard Impact		
4	Physical Active	Impact		
5	Deadly	Deadly		
1	Compliant, Verbal	Presence/Verbal, Physical Soft	9	2.7
2	Passive, Physical Defensive	Pain Compliance, Physical Hard Impact		
3	Passive, Physical Defensive	Impact		
4	Physical Active	Impact		
5	Deadly	Deadly		
1	Compliant, Verbal	Presence/Verbal, Physical Soft	6	1.8
2	Passive	Pain Compliance		
3	Physical Defensive	Physical Hard Impact		
4	Physical Active	Impact		
5	Deadly	Deadly		
1	Compliant	Presence/Verbal, Physical Soft	5	1.5
2	Verbal, Passive	Pain Compliance		
3	Physical Defensive	Physical Hard Impact		
4	Physical Active	Impact		
5	Deadly	Deadly		

<b>Level</b>	<b>Resistance</b>	<b>Force</b>	<b>N</b>	<b>%*</b>
1	Compliant	Presence/Verbal, Physical Soft	5	1.5
2	Verbal	Presence/Verbal, Physical Soft		
3	Passive	Pain Compliance, Physical Hard Impact		
4	Physical Defensive	Impact		
5	Physical Active	Impact		
6	Deadly	Deadly		

\* Percent is calculated based on total number of agencies that link force to resistance in a force continuum format (N=336)

## *Summary*

The agency survey was designed to offer an in-depth look at the extent to which police agencies incorporate a force continuum into their policy. While there has been limited information about the extent to which police agencies rely on a force continuum within their policy approach, until now we knew nothing about the extent of variation in terms of design type and the tactical placement of verbal and physical force, as well as weapons. What follows is a summary of the key findings from Phase I of the project.

We found that over 80 percent of agencies reported using some type of continuum. Of these agencies, the linear design was, by far, the most frequently used (73%), followed by matrix/box designs and circular/wheel designs, each with roughly 10 percent of the agencies using them. This finding is somewhat interesting given recent discussion within the literature concerning the potential negatives of force continua in general, and linear designs in particular (see Aveni, 2003, Peters and Brave, 2006, Petrowski, 2002, Williams, 2002). More specifically, some have argued against the use of force continua on a number of fronts, such as in relation to hampering decision making, fear of liability issues, and being more restrictive than the law.<sup>21</sup> Even during our sites visits as part of Phase II of this study we heard concerns from police officials about the potential down side of using a force continuum. *Nonetheless, what is apparent from the findings presented here is that a large majority of police agencies do incorporate a force continuum into their policy, and the preferred model is linear by design.*

With respect to the tactical placement of force tactics (soft hands, pain compliance controls, hard hands) and weapons (batons, chemical sprays, CEDs), and how police agencies

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<sup>21</sup> We even received written comments on some return surveys indicating that the force continuum was not part of policy for fear of liability concerns, but it was used in training - and apparently in the views of administrators somehow outside the scope of plaintiffs' attorneys.

rank the order of such in terms of progression, the key finding uncovered was the enormous variation present. Even with an attempt to consolidate the many force and resistance types into broader categories, a great deal of variation was uncovered in terms of how police agencies go about detailing their policy in relation to the number of levels and placement of tactics.<sup>22</sup> Of the 476 agencies that outlined their force progression, a total of 123 different permutations were uncovered ranging from three to nine different levels (the vast majority, 390 or 82.0%, relied on five or six levels). Of the 371 agencies that listed citizen resistance progression, a total of 23 permutations were uncovered ranging from three to seven different levels (the vast majority, 343 or 92.4%, relied on five or six levels).

When looking at departments that attempt to incorporate a force continuum approach into their policy, and provide officers with explicit guidance as to the types of force most appropriate given varying types of resistance (i.e., link citizen resistance to force), it is difficult to identify a typically used preference. The most frequent approach is used by only 20 percent of the departments, while the second and third most frequently used approaches are just half of that at 10 percent. This speaks to the enormous amount of variation in existence when it comes to force policy. Many different agencies are using many different approaches.

The placement of chemical sprays and CEDs appear to offer the greatest challenge for police administrators as to the proper placement within the force continuum. Roughly 30 percent of the agencies place chemical sprays with pain compliance techniques, another 30 percent of the departments place chemical sprays with hard hand tactics, and just over a third of

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<sup>22</sup> Even in states with state level guidelines regarding policy on police use of force (e.g., Florida, Michigan, and New Jersey) variation was present (i.e., individual agencies would take the state guidelines and tweak them to accommodate their individual agency preference - such as moving the TASER<sup>®</sup> from one level to another).

the agencies place chemical sprays with impact weapons. A handful of departments even place chemical sprays as low as empty-hand soft techniques (n=12) and as high as deadly force (n=6). Compared to chemical sprays there is somewhat less variation when it comes to CED placement, but far from a clear consensus. Nearly 60 percent of the agencies place CEDs at the impact weapon level, while another two percent place it along with deadly force. Thus, just under two-thirds of the departments require some type of hands on force before resorting to the CED. However, over a third of the agencies place CEDs with some sort of hands on force. In particular, a quarter of the agencies place CEDs at the same level as hard empty-hand tactics, with another 13.1 percent placing CEDs with pain compliance techniques.

In sum, while some departments were quite restrictive in terms of allowing officers to use more severe forms of force only on actively aggressive suspects, other agencies were quite liberal and placed a large amount of discretion in officers hands by allowing them to use nearly all types of force against nearly all types of resistance faced short of extreme imbalance (e.g., allowing a baton strike to a compliant suspect). Overall, it is nearly impossible to identify a standard approach being used by police agencies. *In essence, there really is no “commonly” used means of tactical placement in terms of force continuum policies (i.e., where various forms of hands on and weapons should be placed in relation to varying forms of suspect resistance). Departments pick and choose, and tweak and adapt, in a multitude of ways - all unfortunately, with no empirical evidence as to which approach is best or even better than another.*

## **CHAPTER 4**

### **Phase II**

#### **Purpose**

While prior research has investigated many aspects of police use of force, little effort has focused on attempting to link policy with outcomes. Thus, the second phase of the project was designed to examine whether certain types of policies are more advantageous than others; this is particularly relevant given the many different versions of force policy being used by police agencies across the country, as illustrated in Phase I. More specifically, we seek to determine which types of policies offer more beneficial outcomes to police practitioners, which are measured in terms of the degree to which varying policies (a) provide officers assistance and guidance with respect to force decision-making, and (b) are associated with less force (i.e., by amount and type), injuries to suspects and officers, citizen complaints, and lawsuits levied for improper force. It is our hope that results from this phase of the project will offer insight on whether varying types of policies actually influence police use of force behavior and provide practitioners with a guide for policy development by permitting informed decision-making based on independent empirical assessment.

#### **Methodology**

While it would be ideal to examine force usage in each of the agencies surveyed on force policies, practical limitations prohibited such an approach. As a result, and based on results from the agency survey, eight agencies were selected for deeper exploration as part of the second phase of the project.

### *Agency Qualification and Selection*

Agency qualification was based on several criteria. First, agencies must have engaged in the regular reporting of force via officer use of force reports.<sup>23</sup> This data collection strategy offers the most promising means of collecting large amounts of data in the most efficient manner. It is also important to note that a growing number of police agencies presently mandate use of force reporting (see Terrill et al., 2003).<sup>24</sup> Second, agencies must have had a consistent use of force policy and reporting procedure for two consecutive years, so as to ensure that instrumentation is not a concern. The inclusion of agencies that have altered their force policy or reporting procedures would not permit valid comparisons across agencies when attempting to determine the identified outcomes. Third, we sought agencies that could reasonably be classified as mid-to-large in size. We did not want agencies that were so small that obtaining a sufficient number of force incidents would become an issue; and we did not want overly large agencies (e.g., New York, Chicago, Los Angeles, Houston, Philadelphia) whereby generalizability would become an issue. If these three thresholds were met then the crux of the agency selection process involved building in variation in terms of force continuum design and tactical placement on one hand, but also ensuring some degree of agency comparability based on jurisdictional size, crime rate, and socioeconomic status.

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<sup>23</sup> Some agencies do not explicitly use the term “force reports,” but rather some variation thereof such as control of persons/suspects reports, response to suspect resistance/aggression reports, supervisor control of persons/force/resistance reports, among others. For our purposes we sought agencies that documented force incidents in some type of special or separate report outside (or beyond) regular incident or arrest reports. We use the term force report to generically speak for all such types of reports regardless of what unique name an agency might place on them.

<sup>24</sup> The United States President’s Commission on Law Enforcement and the Administration of Justice dating back to 1967 noted the importance of systematic force reporting, “[s]uch policies can best be enforced if all officers who use physical force for any reason are required to report in writing the circumstances under which the force was used” (p. 183).

From a “design” standpoint, our original plan was to select eight total agencies broken down by two that use a linear approach, two that employ a wheel or circular type approach, two with a matrix design, and two that use no force continuum within their policy framework. However, as illustrated from the agency survey results, while over 80 percent of the agencies utilize some form of a force continuum within their policy, 73.4 percent of them employ some type of linear approach, with roughly 10 percent using both a wheel and matrix approach. As a result, we wanted to over-sample (select) agencies using a linear approach, which more adequately reflects departmental policies throughout the country rather than imposing an artificial standard. Hence, we selected six departments using a linear style, one using a matrix approach one using a wheel design. The only challenge we encountered was the inability to identify and select at least one agency that incorporated no force continuum in their policy. Though 19 percent of the total responding agencies stated they use no continuum, this was almost universally reserved for the smallest agencies (i.e., those offering an inappropriate match) and/or those that do not systematically capture force usage (i.e., use of force reports).<sup>25</sup>

Besides design considerations (e.g., linear, wheel, matrix), we wanted to ensure the eight agencies varied in terms of “tactical placement.” Once again, as illustrated from the agency survey results, even though many departments may use a linear type of design, the variation in how this is depicted, and perhaps even more importantly, the progression of force as to how officers are instructed, varies greatly. As such, we wanted to build in this variation.

Finally, we sought jurisdictions that were reasonably comparable from a socioeconomic perspective. More directly, we paid close attention to attempting to select agencies that did not

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<sup>25</sup> There were two departments of appropriate size that use no continuum and collect force data, but when contacted and requests were made for participation they declined.

differ substantially across measures such as race, unemployment, poverty, or crime rates. In short, agency selection was based on ensuring adequate variation in terms of differing policy types, but also a degree of comparability based on jurisdictional size, crime rate, and socioeconomic status.

Once all the above considerations were made and tabulations were complete, 16 agencies were identified and approached to determine possible participation. After numerous discussions with administrators in these agencies eight participants were selected: Columbus, OH, Charlotte-Mecklenburg, NC, Portland, OR, Albuquerque, NM, Colorado Springs, CO., St. Petersburg, FL, Fort Wayne, IN, and Knoxville, TN.

### *Data Collection*

Upon securing agreements with police administrators, the research team conducted multiple site visits over the course of two years at each agency. At a minimum, we spent at least one full month on site at each location. On average, we traveled to each site four times and spent a week per trip.<sup>26</sup> Data collection consisted of a survey to patrol officers to assess their views on the impact of the agency's force policy on decision-making (see description below under officer survey methodology subsection for further detail). In addition, use of force data, complaint data, and civil litigation data, as well as accompanying sources of information (e.g., organizational charts, rosters, rules and regulation manuals, number of reported crimes, arrests, calls for

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<sup>26</sup> Two of the sites (Fort Wayne and St. Petersburg) were within short driving distance from our home universities, which allowed us to go back and forth more readily and therefore not always requiring full week trips at a time, (the tradeoff was that we needed to make more than four trips).

service) were collected retrospectively for 24 months (hence, a two-year study period).<sup>27</sup>

Further, a series of formal and informal interviews were conducted with officials at the middle and upper management levels. Collectively, these sources of data serve as the basis for the analyses and findings presented in this report.

Overall, the data collection process was extremely labor intensive. First, with eight police agencies involved we had to deal with eight different processes across a number of data elements. For instance, for force data alone we had to uncover how and when officers file force reports, how policy and/or training changed or was altered during our study time frame, how force data are catalogued within the department, and how we would be able to obtain the data. Similar types of information had to be gleaned and collected for a host of other data sources as well, such as complaints, lawsuits, reported crimes, arrests, calls for service, staffing, along with a number of other elements. In addition, since the project spanned the course of two years there was some degree of turnover in terms of police personnel. In some cases our primary contact liaison person within the police department was reassigned during the project, prompting us to have to start the process anew with someone else that may have been unfamiliar with the project at the time. In one city there was a change at the police chief level; fortunately, the new chief allowed us to continue the project and provided resources to do so. In short, in no way was this a project of minimal effort nor one that asked police departments to simply “send us data.” This is critically important because ensuring we are comparing “common measures” in relation to force usage, complaint generating, and the nature of civil litigation, cannot be done by simply asking

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<sup>27</sup> The exact two-year time frame for each site was as follows: Columbus (2006-2007 calendar years), Charlotte-Mecklenburg (2006-2007 calendar years), Portland (November 5, 2005-November 4, 2007), Albuquerque (April 13, 2006-April 12, 2008), Colorado Springs (2006-2007 calendar years), St. Petersburg (April 1, 2006-March 31, 2008), Knoxville (June 1, 2005-May 31, 2007), and Fort Wayne (December 18, 2004-December 17, 2006).

police agencies to send us data. The onus must be on the researcher, not the police department, to have any semblance and confidence that the data being used in the analyses that follow are as clean and comparable as reasonably possible.

### *Agency Comparisons*

Table 4-1 lists the eight study sites and how they compare across a multitude of factors ranging from design type, to population, to crime rates, to various city characteristics. The size of the cities in terms of population and number of sworn officers ranged from 733,203 and 1,819 in Columbus to 182,337 and 382 in Knoxville, respectively. Several of the cities are particularly similar across these two dimensions (e.g., Columbus and Charlotte-Mecklenburg, Portland and Albuquerque, Colorado Springs and St. Petersburg, Fort Wayne and Knoxville). In addition, many of the socioeconomic indicators are relatively closely situated. For instance, percent non-white ranges from 32 percent in Columbus to just under 20 percent in Colorado Springs; poverty rates range from six percent in Colorado Springs to 14 percent Knoxville. From a comparative perspective, Rochester, NY, one of the 16 cities originally considered for study, has a non-white percentage over 50 and a poverty rate of nearly 30; hence, it was not selected as a study city. We tend to see a little more variation on some other measures. For example, while five of the eight cities have crime rates per 1,000 population in the 60s and 70s, the high end of the spectrum is Knoxville just under 82 percent, while Colorado Springs and Fort Wayne are in the mid-to-high 40s.

**Table 4-1. Study Sites**

	<b>Columbus Mecklenburg</b>	<b>Charlotte</b>	<b>Portland</b>	<b>Albuquerque</b>	<b>Colorado Springs</b>	<b>St. Petersburg</b>	<b>Fort Wayne</b>	<b>Knoxville</b>
<i>Continuum Design</i>	Linear	Linear	Linear	Linear	Wheel	Matrix/Box	Linear	Linear
<i>City Characteristics</i>								
Population	733,203	733,291	538,133	513,124	374,112	248,069	248,423	182,337
% Non-White	32.0	36.0	22.1	28.4	19.3	28.6	24.5	20.3
% Female Headed	9.3	7.6	6.3	8.0	7.1	7.9	9.8	8.0
% Below Poverty	10.8	6.6	8.5	10.0	6.1	9.2	9.6	14.4
% Unemployed	3.5	3.7	4.5	3.8	3.1	3.2	4.3	3.9
Part I Crimes/1,000 pop.	78.8	79.8	65.5	66.9	49.5	76.6	43.6	81.8
<i>Agency Characteristics</i>								
Total # Sworn Officers	1,819	1,638	989	986	669	520	457	382
# Officers/1,000 pop.	2.48	2.23	1.84	1.92	1.79	2.10	1.84	2.0

## *Policy Descriptions*

As noted above, we have six agencies that use a linear design, one that uses a wheel design, and one that uses a matrix approach. The following offers a description of each agency policy. For additional detail, in terms of how agencies depict the force continuum within their policy, as well tactical placement of force options, see also Table 4-2 and Appendix B.

### **Columbus**<sup>28</sup>

Columbus used a linear design referred to as the Action-Response to Resistance/Aggression (Use of Force) model, which did not graphically depict a force continuum but rather simply laid out eight levels of force (soft hands, chemical spray, electronic devices, hard hands, impact weapon, canine, less lethal munitions, deadly) . The policy does not identify or link resistance types to specific types of force. The Action Response Report form is filled out every time reportable force is used. There are separate addendums for mace, CEDs, and firearms. For levels 0-1, the officer completes a use of force form and forwards it to their immediate supervisor. If the use force level is Level 3 (CED) through 7 (less lethal control), or if someone is injured (at any level of force), the supervisor conducts an investigation, reviews the use of force report (initially started by officer), and recommends discipline (if any). EMS is called every time a CED is used, as they are required to remove the probes. Level 8 – deadly force, the

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<sup>28</sup> The information used for each of the city/department sections was gathered from a variety of sources over a two-year period and included formal and informal interviews/meetings with city and agency officials, and a vast array of written materials from many different sources (e.g., written policies and procedures, agency memos, city websites, etc.). Some of the written description is taken *directly* from prior and/or existing documents, while other material is taken and pieced together from a variety of sources. As a result, we do not always apply traditional quotations around every direct source and/or quote (admittedly some of the material is that of the city, agency, website, or other source). Our primary task was to first understand the many processes occurring in each of the eight different cities before being able to document such processes with the intent to provide a proper context to the analyses in the report. Our goal was not to create and write a detailed historical and complete contemporary description focusing on source specificity, but to offer a background setting. Within this context, we apologize to any author or entity whose material may be presented here without any or full attribution.

officer essentially hands all of the investigating and report writing over to the immediate supervisor.

Once completed, use of force reports are reviewed by the chain of command, while the Deputy Chief makes the final determination regarding the findings. As mentioned, the front-line supervisor plays a major role in the use of force investigation from beginning to end. Force reporting also includes off-duty incidents involving sworn personnel. Internal Affairs keeps all records of use of force (above level 1), while all use of force data is stored at the Training Academy.

### **Charlotte-Mecklenburg**

Charlotte-Mecklenburg used a linear design, although their policy directive specifically stated that it is “not designed to be a step by step progression.” The model graphically depicted six levels of citizen resistance in linear fashion (cooperative, verbal and non verbal, passive, defensive, active aggression, aggravated active) on a horizontal axis that sits above another horizontal axis that depicts seven levels of force in linear fashion (professional presence and verbal dialogue and commands, soft hands, chemical spray, hard hands, conducted energy devices, impact weapon, and deadly force). These force options, while depicted on a horizontal axis are also moving vertically as well. Further, there is not a complete overlap between resistance and force options (e.g., hard hands can be used somewhere between defensive and active resistance). A Use of Force Report form is filled out every time reportable force is used. When officers use a documented level of force they are required to contact their supervisor immediately, who conducts an investigation of the incident (Supervisor Investigative Report). The supervisor completes the report based on information provided by the officer(s) and

citizen(s) at the scene (via an investigation). If a CED is employed, a separate “Taser® Data Download” report is completed. There are also addendums for OC spray and firearms.

Following the initial investigation of the use of force incident by the officer’s sergeant, the chain of command (Division Captain, Service Area Major, and Internal Affairs) reviews the incident, deeming it justified or unjustified use of force. The final disposition comes from the Service Area Major, while Internal Affairs serves primarily as a check over the process for consistency and oversight. Electronic tracking is done for each use of force incident, which documents who reviewed the case, their comments, and for how long. There is a 45 day limit on investigations of use of force incidents.

### **Portland**

Portland employed a linear force continuum design that laid out and linked citizen resistance with force options. This model depicted seven levels of citizen resistance (but not in graphical format) in linear fashion (compliant, compliant/verbal, passive, physical, physical aggressive, physical aggressive armed, deadly) in a right hand column, with seven force level options in linear fashion in a middle column (officer presence, verbal, control holds, chemical spray and TASER®, baton and strikes/kicks, less lethal munitions, firearms), with five force levels listed in the left hand column (presence, verbal, physical control, impact munitions, deadly). Every officer who uses reportable force must complete a Use of Force Report (UFR). Primary officers involved in the incident are required to fill out all mandatory reports. Narratives of the incident are typically not captured on the primary officer’s UFR because they are written in the custody/incident reports. Thus, narrative data are not recorded electronically in the Bureau’s data system (PPDS). The Bureau’s UFR was adopted in July 2004. Prior to this

time, the CED and less lethal force were captured on separate Bureau forms. Data on Firearm Discharge incidents are captured on a separate form. Supervisors are not required to go to the scene of every use of force incident; supervisors are directed to respond to the scene in instances where a subject has been hit by a less lethal impact weapon or in instances where an officer has negligently or unintentionally discharged the CED. Officers are required to notify supervisors immediately whenever the baton, chemical spray, CED, or less lethal weapons are deployed on a subject. In these cases, supervisors are supposed to document any injuries in an inter-office memorandum, most often an After-Action Report, which are narratives that describe and evaluate a police action. These reports, which are ultimately stored in the Chief's Office, must be submitted within a week to a Branch Chief who forwards them to Training and Internal Affairs. Although supervisors are not required to go to the scene in all instances, they are responsible for reviewing every UFR written by their officers.

### **Albuquerque**

Albuquerque employed a linear force continuum design (called the Reactive Control Model or RCM) that laid out and linked citizen resistance with force options. This model graphically depicted four levels of citizen resistance in linear fashion (cooperative, non-cooperative, unarmed assailant, armed assailant) on a horizontal axis that sits above another horizontal axis that depicts four levels of force in linear fashion (alert, control, active, survival). Within each of the four broad levels there are specific types listed (e.g., under active it instructs officers to consider anything from verbal commands to the use of an intermediate weapon). Every officer who uses reportable force must complete a Use of Force Report (UFR) Bubblesheet (e.g., scantron like form) in addition to an Incident Report (Form 42). It is the

responsibility of the officer's supervisor to ensure that the UFR Bubblesheets are filed when reportable force is used, but they are not required to go to the scene. If an officer does not fill out the report, the supervisor is responsible for filling it out. It is also the responsibility of the supervisor to review all subordinate officers UFR Bubblesheet forms. The supervisor must sign the form and note whether the force used was appropriate or if an investigation is warranted.<sup>29</sup>

Upon review of the supervisor, a copy of the UFR Bubblesheet and the Incident Report is submitted for review to the Operations Review Lieutenant within 72 hours of the incident. The Operations Review Lieutenant then distributes the reports to Internal Affairs, Risk Management, the Legal Department, Tactical Teams, and the Academy when appropriate. The Operations Review Lieutenant ensures that the report is reviewed by Legal and forwarded to Internal Affairs. Finally, it is the Commander's responsibility to ensure that all supervisors and subordinates conform to the policy and that all reports are submitted to the appropriate units.

### **Colorado Springs**

Colorado Springs relied on a "Situational Force Model" (alternatively referred to as a "wheel" model) as its means of a force continuum. This model graphically depicted an officer standing in the middle of a circle with various force options surrounding him/her. The force options are placed in random order to indicate there is no natural progression of force (e.g., deadly force is placed next to soft hand tactics). There is no graphical depiction of citizen resistance as to which types of force are most appropriate given different types of resistance (although the policy narrative/text does make a link to some degree, thereby indicating a degree of linear progression despite the circular model approach). Every officer who uses reportable

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<sup>29</sup> According to several department and city officials, prior to mid-2005, officers' use of force reporting was somewhat sporadic due to a broader organizational perception that filling them out was not important and that supervisors had never needed to ensure that they were filled out.

force must complete a force report (called a Response To Aggression report or RTA). As part of the policy, supervisors are required to respond to the scene; however, pending extreme cases involving injury or some other circumstance a supervisor believes warrants, the supervisor does not interview officers, witnesses, or the suspect. Rather, they are just present to oversee.

Once completed, the RTA is forwarded to an Administrative Sergeant who is the first to review it, copy it, and provide a copy for the officer's file. The RTA is then sent for review through the chain of command (Shift Lieutenant, Division Commander, Office of Professional Standards/Inspection Unit). RTA forms are stored with the Office of Professional Standards/Inspection Unit.

### **St. Petersburg**

St. Petersburg relied on the Response to Resistance (Use of Force) matrix. This model graphically depicted six levels of citizen resistance in linear fashion on a vertical axis (presence, verbal, passive physical, active physical, aggressive physical, aggravated physical), with six force level options in linear fashion on a horizontal axis (officer presence, communication, physical control, intermediate weapons, incapacitating control, deadly force). The appropriate force types are then linked to various resistance types by a check mark in boxes (e.g., if a citizen displays aggressive physical resistance officers can use up to incapacitating control force). The CED has its own policy. Officers are required to fill out a Response to Resistance Report form whenever any reportable force is used. In addition, officers are required to report when they point their firearm at a suspect. The ASP, chemical sprays, and physical force are reported on the Response to Resistance Form, but CEDs have their own form (which includes pointing and accidental discharges). When CEDs are discharged, a supervisor comes to the scene where they

make sure the officer collects all supplemental information (i.e., CED form, download data, and take pictures) is included. The supervisor is then required to review and sign off on the form on-scene.

Once the Response to Resistance and/or the CED form is complete it, along with the arrest report, is sent through the chain of command (Sergeant, Lieutenant, Major, Assistant Chief) for review before it is forwarded to the Internal Affairs Division for final review. Internal Affairs maintains a copy of force reports, providing a copy to the Training Division and the original copy to the Records and Identification Division.

### **Fort Wayne**

Fort Wayne employed a linear design, although the model did not graphically depict a force continuum, but rather simply laid out six levels of force in linear fashion (officer presence, verbal, soft hand, hard hand, intermediate weapon, deadly) and then partially identified types of resistance via narrative/text. According to policy, force should be “reasonably necessary” and used only after “discussion, negotiation, and persuasion have been found to be inappropriate or ineffective.” Every officer who uses reportable force is required to fill out a use of force report form in addition to an incident report. CED incidents and Firearm Discharges are reported on a separate form, and kept with the force report/incident report forms.

After officers fill out use of force report forms, a sergeant reviews and signs off on them. Supervisors are not required to go to the scene when force is used. The use of force report form is then attached to the incident report and sent to the Office of Professional Standards, who then sends a copy of the use of force and incident reports to the Training Center. A training instructor, at the Training Center, reviews the use of force report to ensure that they are being

filled out by officers appropriately, and also to determine if the force utilized was effective or not.

### **Knoxville**

Knoxville's policy graphically depicted five levels of citizen resistance in linear fashion vertically (compliant, passive, active, aggressive, and assaultive/deadly) on the left side of the continuum, with five force level options in linear fashion vertically on the right side of the continuum (officer presence, empty hand soft/baton soft, compliance techniques, defensive compliance techniques, deadly force), with five situational levels vertically in the middle of the continuum (strategic, tactical, volatile, harmful, lethal). Officers are required to fill out a Use of Force Report form at level two (empty hand soft, baton soft, contact controls, direction controls) and above or if a suspect has (or complains) of an injury. There are no supplemental forms for OC spray or the CED (but there are for K-9 and Firearm Discharge). Once force forms are filled out, they are given to Sergeants for their review.<sup>30</sup> CED usage is handled slightly differently, as officers are required to notify a supervisor immediately<sup>31</sup> and summon EMS medical assistance for probe removal if they are embedded in the suspect's skin. Supervisors are required to go the scenes in which deadly force is used by an officer.

Once a use of force report is filled out (by the end of the shift) it goes through the chain of command. Signatures are required from the immediate supervisor (who reviews the audio and video tapes), a lieutenant, and a captain. A formal review of the use of force report is also conducted by Internal Affairs. Reports are also reviewed by the Deputy Chief of Patrol, the

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<sup>30</sup> Informally, the department likes to have the supervisor present (not on scene) when the officer is filling out the report to reduce errors in reporting.

<sup>31</sup> Informally, the department encourages supervisors to go to the scene in CED cases, although it is not explicitly in the policy.

Chief, the Training Division, and CALEA (when they visit KPD), although signatures are not required. Use of force reports are stored within the Internal Affairs Unit.

Table 4-2 offers a detailed layout of tactical placement and how citizen resistance is (or is not) linked to force options for each of the eight policies (see also Appendix B for how the policy is depicted graphically in each agency). As shown, each agency has a different approach in some manner. Two of the departments (i.e., Columbus and Fort Wayne) only offer force progression levels - with no explicit link to citizen resistance. However, these agencies still vary in terms of force tactical placement. For instance, Columbus calls for officers to use soft hands/pain compliance, followed by chemical spray, CED, and then hard hands, all at separate and distinct levels. Fort Wayne's approach is slightly altered. First, it places chemical spray at the same level as soft hands and pain compliance rather than on its own level. Second, the CED is placed at the impact weapons level, which is after hard hands rather than before.

Six of the agencies, in one form or another, link force options to varying levels of citizen resistance. Once again, the degree of variation is evident. Charlotte-Mecklenburg places chemical sprays, hard hands, and the CED at different levels, while Albuquerque places all these force types (as well as soft hand tactics and pain compliance) on the same force level. However, it gets somewhat more complicated when citizen resistance is factored into the equation. In Charlotte-Mecklenburg, chemical spray is at the defensively resistant level, while impact force and the CED use requires greater than just defensive resistance suspects. By contrast, Albuquerque permits soft and hard hand, pain compliance, chemical spray, and CED force on verbally and defensively resistant suspects, reserving impact force to actively resistant suspects.

Other variations in the policies are also present. Portland places chemical sprays and the CED together in the middle of the continuum against defensive citizen resistance, while St. Petersburg places CEDs near the top of the continuum just prior to deadly force and requiring active resistance. Knoxville instructs officers to use soft hands and pain compliance on verbal and passive resisters, and then all other forms of force short of deadly on defensive and active resisters.

Perhaps one of the more interesting agency approaches is found in Colorado Springs. One of the stated reasons for using a wheel, as opposed to a linear, type model is so officers do not think about force progression in a ladder or step-by-step format. Clearly, as shown in Appendix B, the wheel depiction goes so far as to ensure that no force progression is evident (e.g., lethal force is placed next to chemical agent on one side and soft control techniques on the other side). Nonetheless, in the text of the policy citizen resistance is laid out in progression format and explicitly linked to appropriate force options. For example, for soft hand techniques the policy states “when the subject fails to respond to verbal direction or resists in a defensive manner,” and for control and compliance techniques (e.g., pain compliance, chemical spray, CED) the policy states “the subject has become the aggressor, attacks the officer, or there is fear for the safety of the officer and others” (CSPD GO 705). However, there is also some degree of uncertainty found within the policy. For example, the policy section dealing directly with CEDs states this weapon can be deployed when a person “resists detention and arrest, and other alternatives for controlling them are not reasonable or available under the circumstances” (CSPD SOP P1-171).

**Table 4-2. Variation in Tactical Placement (Summary Layout)**

<b>Agency</b>	<b>Citizen Resistance</b>	<b>Force Response</b>
Columbus	Does not explicitly lay out resistance to force	Physical Soft, Pain Compliance
		Chemical Spray
		CED
		Physical Hard
		Impact (Baton/Flashlight)
		Impact (K9)
		Impact (Munitions)
		Deadly
Charlotte-Mecklenburg	Compliant, Verbal	Officer Presence/Verbal
	Passive	Physical Soft, Pain Compliance
	Defensive	Chemical Spray
	Defensive, Active	Physical Hard
	Active, Defensive	CED
	Active	Impact
	Deadly	Deadly

<b>Agency</b>	<b>Citizen Resistance</b>	<b>Force Response</b>
Portland	Compliant	Officer Presence
	Verbal	Verbal
	Passive	Physical Soft, Pain Compliance
	Defensive	Chemical Spray, CED
	Active	Physical Hard, Impact (Baton/ASP)
	Active	Impact (Munitions)
	Deadly	Deadly
Albuquerque	Compliant	Officer Presence/Verbal
	Verbal, Passive, Defensive	Physical Soft/Hard, Pain, Chemical Spray, CED*
	Active	Impact
	Deadly	Deadly
		*Policy specifies CED is equivalent to Chemical Spray but cannot be used on Passive resister

<b>Agency</b>	<b>Citizen Resistance</b>	<b>Force Response</b>
Colorado Springs	Compliant	Officer Presence, Verbal
	Verbal, Passive	Physical Soft, Pain Compliance
	Defensive, Active	Chemical Spray, CED
	Active	Physical Hard, Impact
	Deadly	Deadly
St. Petersburg	Compliant, Verbal	Officer Presence, Verbal, Physical Soft
	Passive	Pain Compliance
	Defensive	Physical Hard, Chemical Spray, Impact
	Active	Impact, CED
	Deadly	Deadly

<b>Agency</b>	<b>Citizen Resistance</b>	<b>Force Response</b>
Fort Wayne	Does not explicitly lay out resistance to force	Officer Presence Verbal Physical Soft, Pain Compliance, Chemical Spray Physical Hard Impact, CED Deadly
Knoxville	Compliant Verbal, Passive Defensive, Active Deadly	Officer Presence/Verbal Physical Soft, Pain Compliance Physical Hard, Chemical Spray, CED, Impact Deadly

There are two additional aspects relevant to force policy that vary. First, in three of the cities *all* patrol officers carry a CED (i.e., Portland, Colorado Springs, and Knoxville). In four cities *most*, but not all, patrol officers carry a CED (i.e., Columbus, Charlotte-Mecklenburg, Albuquerque, and St. Petersburg) - meaning that on any given shift there are some officers on patrol with a CED while other officers do not have a CED. Further, in Fort Wayne, few to none of the patrol officers have a CED, unless one of the officers is part of the Emergency Response Team (ERT). Second, while in most of the cities patrol officers themselves are responsible for documenting their use of force behavior via a force report, two of the cities (Columbus and Charlotte-Mecklenburg) have a supervisor report system (i.e., a supervisor comes to the scene to document the force usage).<sup>32</sup> In sum, we have eight agencies that vary their force policy approach in a number of different ways. Below we offer more detail on policy variation for each agency.

### *Data Elements*

To examine whether certain types of policies offer more beneficial outcomes to police practitioners we draw on two primary data elements. The first is an officer survey (Chapter 5), which allows us to examine the extent to which different types of policy approaches provide officers assistance and guidance with respect to force decision-making. This strategy allows us to go beyond official policy mandates and administrative rhetoric, and straight to the front-line workers tasked with carrying out their agency's policy, to determine if they think it actually

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<sup>32</sup> All the agencies have some sort of system in place for a supervisor to respond to the scene for severe force incidents (e.g., cases where a suspect sustained serious or life-threatening injuries). Moreover, Charlotte-Mecklenburg officials report that supervisor reporting is nearly universal (i.e., supervisor show up to the scene and do the reporting), while Albuquerque officials report that while "officially" they subscribe to "supervisory reporting," in practice patrol officials still document the bulk of the force reporting.

works. The second set of data elements fall under the broad heading of official data, but is actually split into three sub-elements in the form of force reports (Chapter 6), citizen complaint data (Chapter 7), and civil litigation data (Chapter 8). Here we are able to investigate which policy types are associated with varying degrees of force, injuries to suspects and officers, citizen complaints, and lawsuits levied for improper force.

## **CHAPTER 5**

### **Patrol Officer Survey Data**

Our patrol officer survey (see Appendix C) was designed to glean information regarding officer attitudes toward their use of force policy (i.e., assistance, restrictiveness, clarity, guidance, and review fairness), the impact of the policy on a variety of outcomes (i.e., citizen injuries, officer injuries, citizen complaints, and lawsuits), and the training associated with the policy. The survey also captured standard demographic information. The survey was pre-tested on a sample of current and former Michigan and Florida police officers prior to administering them to our eight agencies. With the exception of one site<sup>33</sup>, the patrol officer survey was administered during organizational roll call sessions, by trained project staff, before the start of the officers' shifts. This chapter details the administration of the survey, as well as the patrol officer responses.

### **Methodology**

#### *Survey Population*

We chose to survey a population of police officers assigned to patrol assignments rather than selecting a sample of officers. This choice was made for a couple of reasons. First, since we were administering the surveys at roll call meetings, and had ample resources to make visits to every shift, we aimed to capture the attitudes of *all* patrol members instead of a select group. Moreover, given the sensitive nature of several of the survey topics (i.e., the use of force), we did not want to raise suspicions among officers as to why they were chosen to participate over

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<sup>33</sup> Fort Wayne Police Department did not use a roll call system, thus we coordinated with the department's annual in-service training and administered the survey during these training sessions.

others. In fact, our standard introductory read off to each roll call addressed such concerns by explaining that, as an organization, officers (individually or collectively) were not selected for study inclusion for something that they failed to do or for something that they did incorrectly. Second, since one of our goals was to eventually link attitudinal survey responses with a variety of behavioral outcomes (e.g., use of force, complaints, lawsuits, etc.), we did not want to potentially risk missing, through a randomized process, some organizational members that may be of interest later on (e.g., extremely high or low force users). What follows is a discussion of the patrol officer survey protocol, as well as the survey results.

### *Survey Protocol*

In administering the officer survey, project staff were generally on-site for a week to ten days, where the goal was to visit every patrol shift, across each geographic location, at least twice.<sup>34</sup> In order to maximize our survey time while on site, we obtained a master roster of all sworn personnel from each of our eight agencies. The rosters identified the population of patrol officers, as well as when and where they were assigned. This information was then matched up with the daily patrol rosters to ensure that the assignment information was correct. Based on this information, project staff then prepared a survey plan that would enable them to survey each shift, across the various precincts/districts, two times. In doing so, project staff mapped proposed visits around officers' scheduled days off. For example, if Squad B in District I of Department X had scheduled days off on Thursday, Friday, and Saturday, survey staff made sure

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<sup>34</sup> The following represents the dates that project staff surveyed each agency: 9/10/07 - 9/17/07 (Colorado Springs); 9/26/07, 9/28/07 - 9/30/07 (Knoxville); 10/18/07 - 10/31/07 (Charlotte-Mecklenburg); 11/6/07 - 11/7/07, 11/10/07 - 11/11/07 (Portland); 11/5/07 - 11/10/07, 11/12/07 - 11/14/07, 11/16/07 (Fort Wayne); 12/11/07 - 12/17/07 (Albuquerque), 2/17/08 - 2/18/08, 2/20/08 - 2/23/08 (St. Petersburg); and 6/15/08 - 6/23/08 (Columbus).

to schedule survey times for this squad on Sunday thru Wednesday. In smaller agencies, like St. Petersburg, this was rather simple, while in departments like Charlotte-Mecklenburg, this was more arduous. Before going to each site (approximately a week), we obtained up-to-date daily patrol rosters from the agency to ensure that no “major” changes occurred in terms of officer assignments. This allowed survey staff to number (and name) each of the surveys beforehand.

Prior to the start of our roll call visits, each of our agency contacts distributed either a hard copy memorandum or an email of our survey schedule to alert command personnel of the dates and times of when research staff would be surveying officers. This was done in order to eliminate any element of “surprise” for shift supervisors, as well as legitimizing the survey with command staff support.

The amount of time and staff allocated for surveying varied across each of our agencies, according to size, spatial differentiation (i.e., the number of precincts/divisions), and agency assistance. For example, the Knoxville Police Department, our smallest and with only two districts, organized joint roll calls across the districts, enabling us to complete our surveying in roughly four days. On the other hand, Charlotte-Mecklenburg operated across 13 divisions (with five to six shifts per division) requiring more survey manpower and approximately 14 days of surveying. Because of the geographic complexities for two of our sites (Portland and Charlotte-Mecklenburg), we hired and trained local graduate students to assist in surveying (three from Portland State University and four from the University of North Carolina at Charlotte, respectively). These graduate students were all hand picked and recommended from peers of the project principal investigators. This greatly assisted in efficiently administering the officer survey across a number of precincts/divisions.

Our roll call visits started by providing attending officers with a brief overview of the project, highlighting the fact that agencies were chosen based on their divergent use of force policies and not for something that the department (or individual officers within the department) failed to do or did incorrectly. Moreover, we explained issues of informed consent, confidentiality, and anonymity. That is, survey staff explained that officer participation was voluntary, and if they chose to participate, per federal and university IRB regulations, we needed their signed consent (see Officer Consent Form in Appendix D). Our introduction also explained to officers that their responses to the survey were confidential and no one outside of the project staff would be viewing their individual surveys.

Our confidentiality promises had to be distinguished from the lack of anonymity. Because we wanted to link attitudinal survey responses with our official data (e.g., use of force, complaints, lawsuits, etc.), and we wanted to make sure that each officer was accounted for in the survey process, we needed to identify survey respondents. In doing so, we created a unique identification number for each officer that was not connected to any official identifying officer number (e.g., badge number, payroll number, car number, etc). Officers were instructed to alert us if this happened, and a new identification number would be assigned. Randomly assigned identification numbers were printed on the last page of the survey, as well as on the consent form (which was stapled to the front of the survey). On the top of the consent form was the officer's name, which was read off in the roll call in order to assure that each officer received a survey. No names were on the completed officer survey, as consent forms were detached from the survey once it was handed in to project staff, and officers were instructed that, if they wished, they could tear off their printed names on the consent forms. Since we had the same identification

number for each officer on the consent form and the survey, we were able to match up consent forms with completed surveys.

The patrol officer survey generally took anywhere from ten to twenty-five minutes to complete. Project staff remained the entire time, in the event that officers had questions about the survey. Officers were instructed to complete their surveys individually, and not to discuss any of the items. Those who did not take the survey were either physically absent or declined to participate. Next, we discuss the response rates across each of our agencies.

### *Survey Response Rates*

Table 5-1 displays our response rates across our eight agencies. Since we were interested in surveying all police officers with patrol responsibilities, our patrol numbers in the first column represent the number of officers that were located on the official departmental patrol rosters and thus assigned to a patrol function. Administrative type assignments, although at the patrol rank, were not our focus since their likelihood of engaging in the use of force, and thus applying the less lethal policy, were remote. This column thus represents the number of patrol officers that were “expected” to be at roll calls when project personnel arrived to conduct the survey.

The second column, in Table 5-1, represents the number of patrol officers that were physically present to be surveyed during our roll call visits. Even though we had an *a priori* plan in place to survey the population of patrol officers, around their scheduled days off, what we could not control for were those who took an unscheduled day off, attended court, were injured, on military duty, suspended, or were not present due to some other circumstance. We found variation across sites between the number of patrol officers that were assigned (on paper) and

those that were available for each shift. This variation was usually patterned according to departmental size, and to a lesser extent by spatial differentiation, as there was a greater fit between column one and column two (i.e., those expected and those present) for the smaller, more centralized agencies.

The third column, in Table 5-1, depicts the number of patrol officers that participated in the survey. Subtracting this column from the previous one represents the number of patrol officers that declined to participate in the survey.

The fourth column, in Table 5-1, indicates the percentage of patrol officers that participated in our survey relative to the population of officers that we expected at each roll call. Cumulatively, across all of our eight agencies, we were successful in surveying just over two-thirds of the patrol officers that were officially scheduled to be present.

The final column, in Table 5-1, illustrates the percentage of patrol officers that were present at roll calls and participated in the survey. While there is some minor variation across sites (ranging from 91.50 in St. Petersburg to 99.08 in Albuquerque), the percentages show that surveyors were very successful in getting officers to take the survey as long as the officers were physically present. Cumulatively, surveyors were successful in surveying approximately 96.5 percent of the patrol officers that were present at departmental roll calls (and in-service training in Fort Wayne). Next, we present the results of patrol officer survey.

**Table 5-1. Patrol Officer Survey Response Rates**

<b>Department</b>	<b>Patrol #</b>	<b>@ Roll Call</b>	<b># Surveved</b>	<b>Patrol %</b>	<b>Survey %</b>
Colorado Springs	317	204	199	62.78	97.55
Portland	382	263	250	65.45	95.06
Albuquerque	456	328	325	71.27	99.08
Fort Wayne	221	197	190	85.97	96.45
St. Petersburg	314	247	226	71.97	91.50
Knoxville	176	157	156	88.64	99.36
Charlotte	685	474	466	68.03	98.31
Columbus	910	549	523	57.47	95.26
<b>Total</b>	<b>3461</b>	<b>2419</b>	<b>2335</b>	<b>67.47</b>	<b>96.53</b>

## **Analyses and Findings**

### *Less Lethal Force Policy Perceptions*

A primary component of our survey focused on eliciting officer views of their departmental less lethal use of force policy. In doing so, we concentrated on asking officers a series of questions about their overall policy (i.e., assistance, restrictiveness, clarity, guidance, and review fairness). What follows are the officer responses to each of these questions, all of which were standard Likert items, enabling the respondent to answer in varying levels of agreement and disagreement (i.e., “agree strongly,” “agree somewhat,” “disagree somewhat,” and “disagree strongly”).

We started by asking officers the degree to which their “policy assists officer decision making” (see Table 5-2). In varying degrees, the majority of respondents, irrespective of agency and policy type, agreed that overall their policy assisted their decision making. The most favorable responses were reported from Knoxville (91.6 agreed and 32.5 agreed “strongly”) and Albuquerque officers (90.9 agreed and 30.4 agreed “strongly”), while St. Petersburg officers reported the least amount of overall agreement at approximately 74 percent.

**Table 5-2. Policy Assists Officer Decision Making**

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FYPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<i>Agree Strongly</i>	54 (27.3)	35 (14.3)	98 (30.4)	27 (14.2)	38 (16.8)	50 (32.5)	103 (22.5)	116 (22.4)
<i>Agree Somewhat</i>	110 (55.5)	160 (65.6)	195 (60.5)	140 (73.7)	129 (57.1)	91 (59.1)	261 (57.0)	319 (61.5)
<i>Disagree Somewhat</i>	34 (17.2)	42 (17.2)	24 (7.5)	22 (11.6)	44 (19.5)	13 (8.4)	79 (17.2)	76 (14.6)
<i>Disagree Strongly</i>	0 (0)	7 (2.9)	5 (1.6)	1 (0.5)	15 (6.6)	0 (0)	15 (3.3)	8 (1.5)
<b>Total</b>	<b>198</b>	<b>244</b>	<b>322</b>	<b>190</b>	<b>226</b>	<b>154</b>	<b>458</b>	<b>519</b>

In assessing policy restrictiveness, we asked officers if they thought the policy was too restrictive. Table 5-3 displays the results, where there appears to be a good deal of variation across agencies. The majority of officers from four agencies (i.e., St. Petersburg, 74.6%; Charlotte-Mecklenburg, 66.4%; Portland, 55.5%; and Columbus, 51.5%) reported that they agreed that their policy was too restrictive. The majority of the officers from the remaining four departments disagreed that their policy was too restrictive (i.e., Knoxville, 60.8%; Colorado Springs, 57.9%; Fort Wayne, 53.7%; and Albuquerque, 51.1%). At the extremes, we found the least favorable responses among St. Petersburg officers (i.e., the less lethal use of force policy is too restrictive), while the most favorable responses were found among Knoxville officers.

**Table 5-3. Policy Too Restrictive**

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FYPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<i>Agree Strongly</i>	21 (10.8)	29 (11.7)	33 (10.3)	10 (5.3)	53 (23.6)	8 (5.2)	76 (16.6)	61 (11.9)
<i>Agree Somewhat</i>	61 (31.3)	108 (43.8)	123 (38.6)	77 (41.0)	115 (51.0)	52 (34.0)	228 (49.8)	203 (39.6)
<i>Disagree Somewhat</i>	72 (36.9)	71 (28.7)	103 (32.3)	71 (37.7)	42 (18.7)	50 (32.7)	109 (23.8)	170 (33.1)
<i>Disagree Strongly</i>	41 (21.0)	39 (15.8)	60 (18.8)	30 (16.0)	15 (6.7)	43 (28.1)	45 (9.8)	79 (15.4)
<b>Total</b>	<b>195</b>	<b>247</b>	<b>319</b>	<b>188</b>	<b>225</b>	<b>153</b>	<b>458</b>	<b>513</b>

Next, we asked officers the degree to which they agreed that their less lethal force policy was clear. As Table 5-4 illustrates, the majority of officers, in varying degrees (ranging from approximately 70% in Portland to roughly 90% in Knoxville) believed that their policy was clear. Of particular note was the finding that in nearly all agencies (with the exception of Knoxville) the majority of this agreement was among the “somewhat” category. Once again, the most favorable less lethal force attitudes were found among Knoxville officers, where approximately 45 percent of the respondents “agreed strongly” that their policy was clear.

**Table 5-4. Policy is Clear**

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FYPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<i>Agree Strongly</i>	56 (28.7)	45 (18.4)	112 (35.3)	42 (22.5)	58 (25.8)	70 (45.5)	150 (32.8)	122 (23.6)
<i>Agree Somewhat</i>	100 (51.3)	125 (51.2)	165 (52.1)	108 (57.7)	115 (51.1)	69 (44.8)	236 (51.7)	286 (55.3)
<i>Disagree Somewhat</i>	32 (16.4)	58 (23.8)	37 (11.7)	34 (18.2)	43 (19.1)	12 (7.8)	60 (13.1)	97 (18.8)
<i>Disagree Strongly</i>	7 (3.6)	16 (6.6)	3 (0.9)	3 (1.6)	9 (4.0)	3 (1.9)	11 (2.4)	12 (2.3)
<b>Total</b>	<b>195</b>	<b>244</b>	<b>317</b>	<b>187</b>	<b>225</b>	<b>154</b>	<b>457</b>	<b>517</b>

We also asked officers about the guidance that their policy provided in terms of “when force can and can’t be used.” As Table 5-5 reports, the majority of officers across all departments agreed, although in varying degrees, that their policy provides adequate guidance in terms of when force can and cannot be used. Also, like the previous guidance question, we found Knoxville officers to be the most favorable (approximately 44% agreed, and 48% agreed strongly), while Portland officers were the least favorable of the eight agencies (approximately 52% agreed, and only 18% agreed strongly). Across all departments, with the exception of Knoxville, the modal response was “agree somewhat.”

**Table 5-5. Policy Provides Adequate Guidance in Terms of When Force Can and Can’t Be Used**

	CSPD	PPB	APD	FYPD	SPPD	KPD	CMPD	CPD
<i>Agree Strongly</i>	49 (24.9)	45 (18.3)	112 (34.9)	34 (18.0)	62 (27.5)	74 (48.0)	162 (35.4)	123 (23.7)
<i>Agree Somewhat</i>	112 (56.9)	129 (52.4)	178 (55.4)	120 (63.5)	126 (56.0)	68 (44.2)	242 (52.8)	319 (61.5)
<i>Disagree Somewhat</i>	32 (16.2)	61 (24.8)	26 (8.1)	32 (16.9)	29 (12.9)	10 (6.5)	49 (10.7)	70 (13.5)
<i>Disagree Strongly</i>	4 (2.0)	11 (4.5)	5 (1.6)	3 (1.6)	8 (3.6)	2 (1.3)	5 (1.1)	7 (1.3)
<b>Total</b>	197	246	321	189	225	154	458	519

The final policy assessment survey item focused on supervisory review and use of force reporting. This question asked officers to assess the extent to which they agreed (or disagreed) that their “policy regarding supervisory of use of force reports is fair.” As Table 5-6 indicates, the majority of officers, across all agencies, agreed that the supervisory review of use of force reports is fair. We did find variation in this majority agreement, ranging from 75 percent overall agreement in Colorado Springs to 95.4 percent in Portland. In terms of intensity of agreement,

Knoxville officers reported the highest percentage of “agree strongly” at 37 percent. While we found high overall agreement, across all agencies, the bulk of this agreement (and modal response) was among the “agree somewhat” response category.

**Table 5-6. Policy Regarding Supervisory Review is Fair**

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FYPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<i>Agree Strongly</i>	40 (20.3)	39 (16.1)	68 (21.3)	32 (17.1)	45 (20.0)	57 (37.0)	119 (26.1)	109 (21.1)
<i>Agree Somewhat</i>	108 (54.8)	153 (63.2)	194 (60.5)	126 (67.4)	125 (55.6)	86 (55.9)	257 (56.3)	328 (63.5)
<i>Disagree Somewhat</i>	40 (20.3)	38 (15.7)	52 (16.3)	22 (11.8)	45 (20.0)	8 (5.2)	72 (15.8)	71 (13.7)
<i>Disagree Strongly</i>	9 (4.6)	12 (5.0)	6 (1.9)	7 (3.7)	10 (4.4)	3 (1.9)	8 (1.8)	9 (1.7)
<b>Total</b>	<b>197</b>	<b>242</b>	<b>320</b>	<b>187</b>	<b>225</b>	<b>154</b>	<b>456</b>	<b>517</b>

### Summary

The aim of the first section, reported here, of the patrol officer survey was to assess officers’ perception of *their* less lethal use of force policy. Our primary topics focused on overall policy assistance, restrictiveness, clarity, guidance, and review fairness.

Across the various facets of attitudes toward respective use of force policies, we find three patterns that emerge. First, although we found variation in responses within and across agencies, patrol officers generally expressed favorable views of their less lethal use of force policy.

Second, one agency consistently stood out in terms of patrol officers positive attitudes toward their use of force policy. That department was Knoxville, where officers reported the positive responses of their policy (at higher percentages) in nearly every table found in this section (see tables 5-2 through 5-6).

Third, a few departments (i.e., St. Petersburg, Portland, and Colorado Springs) consistently distinguished themselves by either reporting the lowest percentage of favorable responses or by responding unfavorably. For example, St. Petersburg officers reported the lowest percentage of agreement, across the eight sites, in terms of the policy providing assistance in general (see Table 5-2). These officers also expressed greater concerns (i.e., majority agreement) that the policy was too restrictive (see Table 5-3). Portland officers, on the other hand, noted the least amount of agreement that their policy was clear (see Table 5-4). The same patterns were found for Portland officers with respect to when force can and cannot be used (see Table 5-5). Finally, Colorado Springs officers distinguished themselves by reporting the least overall agreement that the supervisory review of their use of force is fair (see Table 5-6).

#### *Outcomes of Less Lethal Force Policy*

The next section of our patrol officer survey queried respondents on a variety of “outcomes” of their respective force policies. More specifically, we asked officers to assess the impact that their less lethal use of force policy had on potential citizen injuries, officer injuries, citizen complaints, and lawsuits. For all items, we asked officers to respond with one of the following: “increases the likelihood,” “decreases the likelihood,” or “neither increases nor decreases the likelihood.”

Table 5-7 displays the results of patrol officers’ perceptions of the effect of their less lethal use of force policy on potential citizen injuries. The majority of officers, across all agencies, reported that their policy decreases the likelihood of potential citizen injuries, ranging from 50.3 percent in Fort Wayne to 69.7 percent in Knoxville. Interestingly, while most

respondents did not report that their policy increased the likelihood of citizen injuries, over 10 percent of Fort Wayne officers (11.6) did. This contrasts dramatically with Knoxville, where less than one percent (0.6) perceived that their use of force policy increased the likelihood of injuries to citizens.

**Table 5-7. Effect of Policy on Potential Citizen Injuries**

	CSPD	PPB	APD	FYPD	SPPD	KPD	CMPD	CPD
<i>Increases the Likelihood</i>	14 (7.0)	13 (5.3)	12 (3.8)	22 (11.6)	17 (7.7)	1 (0.6)	19 (4.2)	8 (1.6)
<i>Decreases the Likelihood</i>	120 (60.3)	142 (58.2)	198 (61.8)	95 (50.3)	147 (66.2)	108 (69.7)	271 (59.4)	295 (57.3)
<i>Neither Increases Nor Decreases the Likelihood</i>	65 (32.7)	89 (36.5)	110 (34.4)	72 (38.1)	58 (26.1)	46 (29.7)	166 (36.4)	211 (41.1)
Total	199	244	320	189	222	155	456	514

Turning next to the impact of respondents’ use of force policy on patrol officer injuries, we found contrasting results from that reported for citizen injuries (see Table 5-8). Among all agencies, we find much more variation across likelihood response categories (“increases,” “decreases,” or “neither increases or decreases”). At the higher ends, St. Petersburg and Charlotte-Mecklenburg officers reported that their policy increases the likelihood of officer injuries (45.7% and 44.2% respectively). Knoxville officers reported the least percentage (19.4%) of officer injury potential, which was still higher than any agency reported for potential citizen injuries. Finally, Knoxville officers were the only group where the majority (58%) reported that their policy actually decreases the likelihood of officer injuries.

**Table 5-8. Effect of Policy on Potential Officer Injuries**

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FYPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<i>Increases the Likelihood</i>	69 (34.7)	88 (36.1)	88 (27.5)	61 (32.3)	101 (45.7)	30 (19.4)	201 (44.2)	143 (27.8)
<i>Decreases the Likelihood</i>	96 (48.2)	98 (40.1)	144 (45.0)	69 (36.5)	84 (38.0)	90 (58.0)	138 (30.3)	216 (42.0)
<i>Neither Increases Nor Decreases the Likelihood</i>	34 (17.1)	58 (23.8)	88 (27.5)	59 (31.2)	36 (16.3)	35 (22.6)	116 (25.5)	155 (30.2)
<b>Total</b>	<b>199</b>	<b>244</b>	<b>320</b>	<b>189</b>	<b>221</b>	<b>155</b>	<b>455</b>	<b>514</b>

Our third assessment of policy outcomes dealt with potential citizen complaints. Again, like that found in assessing potential officer injuries, we found (see Table 5-9) a good deal of variation across response categories. Of interest was the fact that officers in six agencies (i.e., Colorado Springs, Portland, Albuquerque, Fort Wayne, St. Petersburg, and Columbus) reported higher percentages that their policy actually increases the likelihood of citizen complaints over decreases the likelihood. Knoxville and Charlotte-Mecklenburg officers reported higher percentages (37.4 and 33.2 respectively) that the policy decreases the likelihood over increases the likelihood. Finally, over a third of all respondents (ranging from 33.5% in St. Petersburg to 42.6% in Knoxville) reported that their policy did not increase or decrease potential citizen complaints.

**Table 5-9. Effect of Policy on Potential Citizen Complaints**

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FYPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<i>Increases the Likelihood</i>	79 (39.7)	97 (39.8)	121 (37.8)	67 (35.4)	81 (36.6)	31 (20.0)	135 (29.7)	209 (40.6)
<i>Decreases the Likelihood</i>	44 (22.1)	49 (20.1)	75 (23.4)	43 (22.8)	66 (29.9)	58 (37.4)	151 (33.2)	93 (18.1)
<i>Neither Increases Nor Decreases the Likelihood</i>	76 (38.2)	98 (40.1)	124 (38.8)	79 (41.8)	74 (33.5)	66 (42.6)	169 (37.1)	213 (41.3)
<b>Total</b>	<b>199</b>	<b>244</b>	<b>320</b>	<b>189</b>	<b>221</b>	<b>155</b>	<b>455</b>	<b>515</b>

The final outcome item assesses officers’ perceptions of the effect of the less lethal force policy on potential lawsuits. As Table 5-10 illustrates, the most favorable assessments of the force policy were found among Knoxville officers, as nearly half of the officers (49.4%) reported that the policy decreases the likelihood of potential lawsuits. The least favorable assessments of the policy was found among Portland respondents, who reported the highest percentage (31.3) that the policy increases potential lawsuits, and the lowest percentage (22.2) that the policy decreases the likelihood potential lawsuits. Of note, with the exception of St. Petersburg and Knoxville, across all of the agencies, the modal response was that the policy “neither increases nor decreases the likelihood” of potential lawsuits.

**Table 5-10. Effect of Policy on Potential Lawsuits**

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FYPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<i>Increases the Likelihood</i>	42 (21.2)	76 (31.3)	91 (28.4)	55 (29.1)	45 (20.3)	7 (4.5)	72 (15.8)	120 (23.3)
<i>Decreases the Likelihood</i>	66 (33.3)	54 (22.2)	95 (29.7)	63 (33.3)	91 (41.0)	76 (49.4)	184 (40.3)	169 (32.8)
<i>Neither Increases Nor Decreases the Likelihood</i>	90 (45.5)	113 (46.5)	134 (41.9)	71 (37.6)	86 (38.7)	71 (46.1)	200 (43.9)	226 (43.9)
<b>Total</b>	<b>198</b>	<b>243</b>	<b>320</b>	<b>189</b>	<b>222</b>	<b>154</b>	<b>456</b>	<b>515</b>

### Summary

The focus of this section of the patrol officer survey was to assess respondents’ views of the potential impact of the less lethal use of force policy on a variety of important outcomes. That is, we asked officers if they thought that their respective policy increases, decreases, or neither increases nor decreases the likelihood of potential injuries to citizens and officers, citizen complains, and lawsuits.

Across each of these outcomes, there were a few findings that stood out. First, Knoxville respondents, as a group, once again expressed the most favorable assessments of their policy, as they reported the highest percentage of responses that their policy decreases the likelihood of potential citizen and officer injuries, citizen complaints, and potential lawsuits.

Second, across the outcomes, we found some patterns that emerged, especially with respect to the degree of variation within and across agencies. In terms of the likelihood of potential citizen injuries, the majority of respondents in all departments believed that their less lethal force policy decreased the likelihood, although Fort Wayne comprised the fewest percentage of officers in this response category.

By contrast, with respect to potential officer injuries, we found more division within and across agencies, although in every department respondents reported more of a likelihood for increases in officer injuries compared to citizen injuries. While the modal response, across agencies, was that the policy “decreases the likelihood for officer injuries (except for St. Petersburg and Charlotte-Mecklenburg where the mode was “increases”), Knoxville was the only agency where the majority of officers were found in this response category.

For potential citizen complaints, we found even more variation in responses, although (with the exception of Knoxville) approximately 30 percent (in Charlotte-Mecklenburg) to 40 percent (in Columbus) of the respondents thought their policy “increases the likelihood” of such actions, while roughly the same percentages reported “neither increases nor decreases the likelihood.”

Finally, for potential lawsuits, the modal response across agencies was either “decreases the likelihood” (i.e., Knoxville and St. Petersburg) or “neither increases nor decreases the likelihood” (i.e., all others). Compared to all other agencies, Portland comprised the highest percentage of officers (31.3%) that believed that their policy “increases the likelihood” for potential lawsuits.

### *Training and Less Lethal Force Policy*

Next, we asked respondents to assess the adequacy of their agency’s less lethal academy and in-service training. Both questions utilized Likert questionnaire survey items with response categories of “agree strongly,” “agree somewhat,” “disagree somewhat,” and “disagree strongly.” This section also allowed officers to report areas of academy and in-service training that they believed could receive more attention. As Table 5-11 illustrates, the majority of

officers, in varying degrees, agreed that their pre-service less lethal force training was adequate. Knoxville and Albuquerque officers were the most favorable (91% and 90.4%, respectively), while St. Petersburg and Colorado Springs officers were at the lower end of agreement (62.8% and 65.9%, respectively). While assessments of pre-service less lethal force training, across all agencies, were more positive than negative, it is important to note that the highest percentage of agreement (modal response) was found within the “agree somewhat” category.

**Table 5-11. Pre-Service LTLF Training is Adequate**

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FWPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<i>Agree Strongly</i>	32 (16.2)	55 (23.2)	115 (35.7)	46 (24.6)	35 (16.1)	55 (35.5)	159 (34.9)	177 (34.3)
<i>Agree Somewhat</i>	98 (49.7)	103 (43.5)	176 (54.7)	100 (53.5)	102 (46.7)	86 (55.5)	212 (46.6)	270 (52.4)
<i>Disagree Somewhat</i>	47 (23.9)	46 (19.4)	21 (6.5)	32 (17.1)	51 (23.4)	14 (9.0)	71 (15.6)	60 (11.6)
<i>Disagree Strongly</i>	20 (10.2)	33 (13.9)	10 (3.1)	9 (4.8)	30 (13.8)	0 (0)	13 (2.9)	9 (1.7)
<b>Total</b>	<b>197</b>	<b>237</b>	<b>322</b>	<b>187</b>	<b>218</b>	<b>155</b>	<b>455</b>	<b>516</b>

In addition to asking about the adequacy of pre-service training on less lethal force, we also asked officers, in an open-ended format, if any part of the training should receive more attention. Based on these responses, we coded the following twelve categories: more/continued training, defensive tactics/controlling techniques, ground fighting/take downs, hand to hand/hands on, any weapons or deadly force, role playing/scenarios/practical applications, dealing with verbal or passively resistant citizens, dealing with actively resistant citizens, aspects of the policy or use of force documentation, officer verbal skills or verbal judo, all aspects of force, and “other” (e.g., officer survival, situational awareness, decision making, disarming suspects, when to use or not use force, etc.). Roughly one-fifth to two-fifths of the officers that

responded to the adequacy of the pre-service training (in Table 5-11 above), followed up by describing the parts of the training that should receive more attention (see Table 5-12).

Looking across the three agencies (i.e., St. Petersburg, Colorado Springs, and Portland) that expressed the least overall agreement that the pre-service training was adequate, we found that Colorado Springs and Portland both (among other things) believed that more attention should be paid to “hand to hand/hands on” (25% in Colorado Springs and 14.1% in Portland) and “weapons/deadly force” (20.2% in Colorado Springs and 15.6% in Portland). St. Petersburg officers reported that “more/continued” training was needed (14.5%), as well as “defensive tactics/control techniques” (14.5%) and “scenarios/role playing/practical applications” (17.7%) instruction. Interestingly, none of the Knoxville officers, who expressed the most favorable attitudes toward their pre-service training, stated that “more/continued” training was needed, while 41.4 percent of the officers that did the follow up question noted that more “hand to hand/hands on” techniques should be conducted.

**Table 5-12. Pre-Service LTLF Training that Should Receive More Attention**

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FYPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<i>More/Continued</i>	4 (4.8)	7 (10.9)	13 (13.7)	12 (25.0)	9 (14.5)	0 (0)	7 (5.3)	1 (1.0)
<i>Defensive Tactics/ Control Techniques</i>	13 (15.5)	6 (9.4)	8 (8.4)	4 (8.3)	9 (14.5)	4 (13.8)	20 (15.2)	4 (4.1)
<i>Ground Fighting/ Take Downs</i>	4 (4.8)	9 (14.1)	7 (7.4)	1 (2.1)	0 (0)	1 (3.4)	4 (3.0)	15 (15.5)
<i>Hand to Hand/ Hands On</i>	21 (25.0)	9 (14.1)	13 (13.7)	4 (8.3)	8 (12.9)	12 (41.4)	18 (13.6)	24 (24.7)
<i>Weapons/ Deadly Force</i>	17 (20.2)	10 (15.6)	12 (12.6)	9 (18.8)	4 (6.5)	2 (6.9)	9 (6.8)	1 (1.0)
<i>Scenarios/Role Playing/Practical Applications</i>	6 (7.1)	5 (7.8)	12 (12.6)	2 (4.2)	11 (17.7)	1 (3.4)	22 (16.7)	11 (11.3)
<i>Verbal/Passive Resistant Citizens</i>	5 (6.0)	4 (6.3)	3 (3.2)	2 (4.2)	2 (3.2)	0 (0)	11 (8.3)	12 (12.4)
<i>Active Resistant Citizens</i>	1 (1.2)	2 (3.1)	2 (2.1)	0 (0)	0 (0)	2 (6.9)	2 (1.5)	2 (2.1)
<i>Policy/Force Documentation</i>	0 (0)	3 (4.7)	5 (5.3)	4 (8.3)	4 (6.5)	0 (0)	3 (2.3)	4 (4.1)
<i>Verbal Skills</i>	0 (0)	2 (3.1)	5 (5.3)	0 (0)	0 (0)	1 (3.4)	3 (2.3)	2 (2.1)
<i>All Aspects</i>	1 (1.2)	2 (3.1)	2 (2.1)	3 (6.3)	4 (6.5)	3 (10.3)	9 (6.8)	4 (4.1)
<i>Other</i>	12 (14.3)	6 (9.4)	13 (13.7)	7 (14.6)	11 (17.7)	3 (10.3)	24 (18.2)	17 (17.5)
<b>Total</b>	<b>84</b>	<b>64</b>	<b>95</b>	<b>48</b>	<b>62</b>	<b>29</b>	<b>132</b>	<b>97</b>

The last two questions in Section IV of the survey focused on perceptions of in-service less lethal force training. Like that noted for pre-service training, we found variation in agreement across the eight agencies. As reported in Table 5-13, the lowest percentages of agreement were found among Fort Wayne (56.1% agreed, and only 13.8% agreed “strongly”)

and Colorado Springs (59.4% agreed, and only 14.2% agreed “strongly”) respondents. On the other end of the spectrum were Columbus officers, where 88.5 percent of the officers agreed that their in-service training was adequate.

**Table 5-13. In-Service LTLF Training is Adequate**

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FYPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<i>Agree Strongly</i>	28 (14.2)	55 (22.7)	94 (29.3)	26 (13.8)	48 (21.7)	54 (34.8)	145 (31.9)	161 (31.4)
<i>Agree Somewhat</i>	89 (45.2)	113 (46.7)	157 (48.9)	80 (42.3)	92 (41.7)	77 (49.7)	215 (47.2)	293 (57.1)
<i>Disagree Somewhat</i>	54 (27.4)	53 (21.9)	51 (15.9)	55 (29.1)	50 (22.6)	20 (12.9)	65 (14.3)	47 (9.2)
<i>Disagree Strongly</i>	26 (13.2)	21 (8.7)	19 (5.9)	28 (14.8)	31 (14.0)	4 (2.6)	30 (6.6)	12 (2.3)
<b>Total</b>	<b>197</b>	<b>242</b>	<b>321</b>	<b>189</b>	<b>221</b>	<b>155</b>	<b>455</b>	<b>513</b>

When asked to provide information on the areas of in-service training that should receive more attention (see Table 5-14), 23.5 percent of Fort Wayne and 27 percent of Colorado Springs officers reported that they believed “more/continued training” should be conducted. A similar sentiment was also noted, not just among the least favorable in-service training assessment agencies, but also among Albuquerque (25.9%), St. Petersburg (41.1%), and Charlotte-Mecklenburg (32.1%) respondents. Among the most favorable perceptions of in-service less lethal force training, we found that roughly one-fifth of Columbus officers requested more attention on “ground fighting/take downs,” while 30.4 percent of Knoxville respondents requested more “hand to hand/hands on” training (which was similar to what they requested for pre-service training curriculums).

**Table 5-14. In-Service LTLF Training that Should Receive More Attention**

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FYPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<i>More/Continued</i>	24 (27.0)	15 (19.2)	21 (25.9)	16 (23.5)	23 (41.1)	2 (8.7)	36 (32.1)	12 (15.6)
<i>Defensive Tactics/ Control Techniques</i>	15 (16.9)	19 (24.4)	6 (7.4)	10 (14.7)	8 (14.3)	5 (21.7)	14 (12.5)	6 (7.8)
<i>Ground Fighting/ Take Downs</i>	6 (6.7)	5 (6.4)	3 (3.7)	0 (0)	0 (0)	0 (0)	1 (0.9)	16 (20.8)
<i>Hand to Hand/ Hands On</i>	11 (12.4)	7 (9.0)	9 (11.1)	7 (10.3)	3 (5.4)	7 (30.4)	14 (12.5)	7 (9.1)
<i>Weapons/ Deadly Force</i>	6 (6.7)	7 (9.0)	13 (16.0)	12 (17.6)	5 (8.9)	2 (8.7)	9 (8.0)	0 (0)
<i>Scenarios/Role Playing/Practical Applications</i>	5 (5.6)	7 (9.0)	2 (2.5)	6 (8.8)	6 (10.7)	0 (0)	6 (5.4)	7 (9.1)
<i>Verbal/Passive Resistant Citizens</i>	2 (2.2)	2 (2.6)	3 (3.7)	2 (2.9)	0 (0)	0 (0)	6 (5.4)	8 (10.4)
<i>Active Resistant Citizens</i>	2 (2.2)	2 (2.6)	0 (0.0)	0 (0)	0 (0)	0 (0)	2 (1.8)	2 (2.6)
<i>Policy/Force Documentation</i>	1 (1.1)	3 (3.8)	3 (3.7)	1 (1.5)	3 (5.4)	0 (0)	2 (1.8)	3 (3.9)
<i>Verbal Skills</i>	0 (0)	1 (1.3)	2 (2.5)	0 (0)	0 (0)	1 (4.3)	3 (2.7)	1 (1.3)
<i>All Aspects</i>	5 (5.6)	1 (1.3)	1 (1.2)	5 (7.4)	3 (5.4)	3 (13.0)	4 (3.6)	3 (3.9)
<i>Other</i>	12 (13.5)	9 (11.5)	18 (22.2)	9 (13.2)	5 (8.9)	3 (13.0)	15 (13.4)	12 (15.6)
<b>Total</b>	<b>89</b>	<b>78</b>	<b>81</b>	<b>68</b>	<b>56</b>	<b>23</b>	<b>112</b>	<b>77</b>

## Summary

The goal of this section of the survey was to assess officers' perceptions of the adequacy of their pre-service and in-service less lethal use of force training. While the majority of respondents, from all agencies, agreed that both types of training were adequate, we did find

variation within and among departments. First, assessments of *pre-service* less lethal use of force training were generally more favorable than *in-service* training. In terms of pre-service training, Knoxville and Albuquerque officers were the most favorable, while St. Petersburg, Colorado Springs, and Portland officers were the least favorable. For in-service training, the most favorable responses were reported among Columbus officers, while the least favorable were noted for Fort Wayne and Colorado Springs officers.

A subset of respondents answered our open-ended questions regarding areas of both types of training that should receive more attention. Across the agencies with the least favorable views of the pre-service training, a good deal of St. Petersburg officers, among other things, wanted more attention paid to “defensive tactics/control techniques,” “scenarios/role playing/practical applications,” and “more/continued” training, while both Colorado Springs and Portland officers generally wanted more “hand to hand/hands on” and “weapons/deadly force” training. In terms of the agencies with the least favorable attitudes toward in-service force training, among other areas, a fair number of both Fort Wayne and Colorado Springs officers wanted “more/continued training” (as did many other respondents) as well as “defensive tactics/control techniques” instruction.

### *Background and Demographics*

In this final section, we report findings on a variety of respondent background and demographic factors, as well as future aspirations. While the general patterns (i.e., majority) of these factors were somewhat similar across agencies, we did find fair amount of variation as well. As Table 5-15 displays, over three quarters of our respondents from all agencies were

males - ranging from 93.2 percent in Fort Wayne to 81 percent in St. Petersburg. For both sex and race (below), given potential confidentiality concerns by officers, we chose not to ask respondents on the survey. Instead, in constructing these measures, we utilized official agency records (as part of our master departmental rosters), linking that data with our unique identification number for each officer.

In terms of race, the majority of all respondents were white, although we do find variation across agencies. With respect to non-White respondents, the fewest were found in Knoxville (4.4%), while the most were found in Albuquerque (39.1%). Moreover, in five of our cities, the modal non-white respondent was Black. The modal non-White respondent in Colorado Springs and Albuquerque was Hispanic, while in Portland the modal non-White respondent was Asian.

We also asked officers to report their current marital status. With the exception of St. Petersburg, the majority of officers, from all agencies, were married (ranging from 79.8% in Portland to 61.7% in Albuquerque). Overall, roughly one-tenth of the respondents reported that they were divorced - ranging from 8.5 percent in Knoxville to 14.1 percent in Colorado Springs.

In an effort to possibly later deduce socializing influences, officers were asked to inform us as to whether they had a family member that was also in the policing occupation. The majority of respondents, across all sites, did not have a family member that was a police officer. The highest percentage of respondents that did have one (or more) was found in Albuquerque (38.2%), while the fewest percentage was noted for Charlotte-Mecklenburg (30%).

In terms of military experience, the majority of all respondents (regardless of department), did not have any military background. We did find variation in such experience

across sites, as 44.2 percent of Colorado Springs officers reported a military background, while only 22.9 percent of Portland officers reported such experience. We followed this question up, like we did later for college experience, by asking respondents (who responded “yes”) if they believed that their military experience helped prepare them to be a police officer. With the slight exception of Knoxville (76.7% responded “yes”), respondents overwhelmingly reported that they believed that their prior military experience helped them prepare to be a police officer (ranging from 98.3% in Fort Wayne to 85.5% in Portland).

With respect to education, we asked officers to report their highest level of formal education that they completed (i.e., from “less than high school” to “graduate degree”). Interestingly, the vast majority of respondents had some form of college experience (ranging from 79.8% in Albuquerque to 99.2% in Portland). Across this college experience though, we found variation in levels of completion. For example, the majority of college experience in Knoxville, St. Petersburg, and Albuquerque is found at the two years or more of college (without a bachelors degree) and below (56.6%, 53.4%, and 53.4%, respectively). By contrast, 60.6 percent of Portland, 50 percent of Charlotte-Mecklenburg, and 45.9 percent of Colorado Springs officers completed a bachelors degree. We also find that graduate work (and degrees) was much less common among respondents in all agencies (ranging from 3.7% in Columbus to 13.8% in Portland). As evidenced by reported bachelors degrees, graduate work, and graduate degrees, Portland respondents were the highest educated patrol officers, while the opposite was true of Knoxville and Albuquerque patrol officers.

As we did for military background, we asked officers if they believed that their college experiences (across all levels from “some” college to graduate degree) helped prepare them for

their occupation as a police officer. Of interest is the fact that we did not find the same degree of support for college experience helpfulness in policing as we did for those reporting military experience. Among those with college experience, we found in three agencies only, Colorado Springs, Portland, and Fort Wayne, where the majority of respondents believed college work help prepare them to be a police officer. Interestingly, among the two departments with the fewest percentages of officers with college experience (i.e., Albuquerque and Knoxville) we found the fewest percentages of respondents (40.4% and 32.3%, respectively) that responded “yes” that their college experience prepared them for policing.

Our final three measures (i.e., age, organizational experience, and overall policing experience), like that for sex and race reported previously, were not asked of respondents, but instead gleaned from master rosters from each site.<sup>35</sup> In terms of age of respondents, we found some degree of variation across sites. Our oldest respondents (mean of approximately 38 years old and a median of 36) were found among Colorado Springs and Portland officers. Average age across the rest of our sites ranged from a mean of 34.3 years old in Albuquerque to 36.7 years old in Fort Wayne.

With respect to organizational tenure, the average patrol officer experience ranged from 5.1 years in Albuquerque to 9.1 years in Fort Wayne. The officers with the least amount of organizational tenure were found in Albuquerque (mean = 5.1, median = 4.0), Knoxville (mean = 6.9, median = 5.0), and St. Petersburg (mean = 7.5, median = 4.0). Our survey also asked if

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<sup>35</sup> We were able to obtain, in many instances, this same type of information for education, but found that most agencies did not keep up-to-date, or complete, records for officer education. That is, departments would only record college degrees (and not college experience with less than a degree) at the time the officer was hired. As such, any college work done that did not result in a degree, or education while serving as a police officer was usually not accounted for in departmental records (or updated infrequently). Because of these concerns, we chose to capture this data, with the level and rigor we deemed as appropriate, on the survey. The same was not true for other officer-level data that we obtained from our agencies, such as sex, race, date of birth, and hire date, which were generally extremely accurate.

respondents had prior police experience with another police agency, and if so, how much. We added this time to the organizational tenure to capture *overall* police experience. This allowed us to account for instances where an officer transfers with 15 years of experience to one of our sites, where s/he might have worked for one year, and reports that information to us. While his/her organizational tenure is accurately captured at one year, this officer's total experience is missed, and thus they may not be thinking and processing police information attitudinally like someone with one year of experience. This measure allowed us to account for such discrepancies. As Table 5-15 illustrates, in comparing organizational experience to overall experience, the average years of police experience increased across agencies. The results reveal similar trends as that noted for organizational experience. That is, the least experienced officers were still found among Albuquerque (mean = 6.4, median = 4.0), Knoxville (mean = 7.9, median = 7.0), and St. Petersburg (mean = 8.0, median = 4.0) respondents, while the most experienced officers were found among Fort Wayne (mean = 10.3, median = 9.0), Portland (mean = 10.3, median = 9.0), and Colorado Springs (mean = 10.4, median = 8.0) respondents.

**Table 5-15. Background and Demographics**

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FYPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<b>Sex</b>								
Female	21 (10.6)	31 (12.8)	36 (11.4)	13 (6.8)	43 (19.0)	13 (8.3)	56 (12.0)	57 (10.9)
Male	178 (89.4)	212 (87.2)	281 (88.6)	177 (93.2)	183 (81.0)	143 (91.7)	410 (88.0)	466 (89.1)
<b>Race</b>								
White	159 (79.9)	213 (87.7)	192 (60.9)	162 (85.2)	179 (79.2)	149 (95.6)	370 (79.4)	469 (89.6)
Black	11 (5.5)	10 (4.1)	7 (2.2)	21 (11.1)	24 (10.6)	4 (2.6)	74 (15.9)	47 (9.0)
Hispanic	20 (10.1)	7 (2.9)	113 (35.9)	6 (3.2)	17 (7.5)	0 (0)	11 (2.4)	1 (0.2)
Asian	7 (3.5)	12 (4.9)	3 (1.0)	1 (0.5)	0 (0)	1 (0.6)	10 (2.1)	1 (0.2)
Native American	2 (1.0)	1 (0.4)	0 (0)	0 (0)	0 (0)	1 (0.6)	1 (0.2)	0 (0)
Other	0 (0)	0 (0)	0 (0)	0 (0)	6 (2.7)	1 (0.6)	0 (0)	5 (1.0)
<b>Marital Status</b>								
Single	28 (14.1)	26 (10.7)	82 (25.5)	20 (10.6)	91 (41.0)	43 (28.1)	113 (24.8)	106 (20.6)
Married	138 (69.8)	193 (79.8)	198 (61.7)	144 (76.2)	105 (47.2)	95 (62.1)	288 (63.2)	354 (68.7)
Separated	4 (2.0)	1 (0.4)	5 (1.6)	4 (2.1)	1 (0.5)	2 (1.3)	11 (2.4)	6 (1.2)
Divorced	28 (14.1)	22 (9.1)	35 (10.9)	20 (10.6)	25 (11.3)	13 (8.5)	44 (9.6)	49 (9.5)
Widowed	0 (0)	0 (0)	1 (0.3)	1 (0.5)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Family Officers</b>								
No	135 (68.2)	165 (67.3)	197 (61.8)	126 (66.3)	146 (65.8)	103 (66.5)	324 (70.0)	328 (63.2)
Yes	63 (31.8)	80 (32.7)	122 (38.2)	64 (33.7)	76 (34.2)	52 (33.5)	139 (30.0)	191 (36.8)
<b>Military Experience</b>								
No	111 (55.8)	189 (77.1)	216 (66.9)	132 (69.5)	167 (74.9)	110 (71.9)	298 (64.5)	367 (70.8)
Yes	88 (44.2)	56 (22.9)	107 (33.1)	58 (30.5)	56 (25.1)	43 (28.1)	164 (35.5)	151 (29.2)
<i>Help as Officer</i>								
No	5 (5.7)	8 (14.5)	9 (8.4)	1 (1.7)	7 (12.7)	10 (23.3)	18 (11.1)	21 (13.9)
Yes	83 (94.3)	47 (85.5)	98 (91.6)	57 (98.3)	48 (87.3)	33 (76.7)	144 (88.9)	130 (86.1)

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FYPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<b>Education</b>								
< High School	0 (0)	1 (0.4)	0 (0)	0 (0)	0 (0)	0 (0)	1 (0.2)	0 (0)
H.S./GED Diploma	3 (1.5)	1 (0.4)	64 (20.2)	23 (12.2)	7 (3.2)	29 (19.1)	46 (10.1)	81 (15.7)
Some Jr. College	14 (7.1)	16 (6.5)	100 (31.4)	36 (19.0)	49 (22.2)	54 (35.5)	73 (16.0)	106 (20.6)
Associates Degree	35 (17.7)	13 (5.3)	24 (7.5)	24 (12.7)	37 (16.7)	13 (8.6)	57 (12.5)	73 (14.2)
>2 Yrs. College	35 (17.7)	32 (13.0)	46 (14.5)	32 (16.9)	32 (14.5)	19 (12.5)	21 (4.6)	72 (14.0)
Bachelors Degree	91 (45.9)	149 (60.6)	61 (19.2)	65 (34.5)	81 (36.6)	28 (18.4)	228 (50.0)	164 (31.8)
Graduate School	12 (6.1)	18 (7.3)	17 (5.3)	5 (2.6)	8 (3.6)	2 (1.3)	13 (2.9)	12 (2.3)
Graduate Degree	8 (4.0)	16 (6.5)	6 (1.9)	4 (2.1)	7 (3.2)	7 (4.6)	17 (3.7)	7 (1.4)
<i>College Help as Officer</i>								
No	87 (45.1)	102 (41.6)	155 (59.6)	73 (44.0)	110 (51.4)	86 (67.7)	219 (53.9)	247 (58.4)
Yes	106 (54.9)	143 (58.4)	105 (40.4)	93 (56.0)	104 (48.6)	41 (32.3)	187 (46.1)	176 (41.6)
<b>Age</b>								
Mean	37.7	37.5	34.3	36.7	34.6	34.9	34.7	35.2
Median	36.0	36.0	33.0	35.5	33.0	34.0	34.0	35.0
SD	8.4	7.8	9.1	7.0	9.0	8.2	7.2	7.4
N	199	241	311	190	226	156	466	523
Range	25-59	24-61	21-70	24-60	21-61	22-60	22-63	22-61
<b>Experience (years)</b>								
<i>Organization</i>								
Mean	8.7	8.7	5.1	9.1	7.5	6.9	7.8	7.8
Median	7.0	8.0	4.0	7.0	4.0	5.0	7.0	7.0
SD	7.4	5.9	5.2	6.9	8.4	5.8	6.2	6.3
N	199	242	316	190	226	156	466	523
Range	0-33	1-31	0-34	0-31	0-38	1-32	0-28	0-36
<i>Overall</i>								
Mean	10.4	10.3	6.4	10.3	8.0	7.9	8.6	8.5
Median	8.0	9.0	4.0	9.0	4.0	7.0	8.0	7.0
SD	7.9	6.8	5.8	6.8	8.5	6.2	6.4	6.6
N	199	242	316	190	226	156	466	523
Range	0-33	1-32	0-38	2-31	0-38	1-32	0-30	0-36

The final table, 5-16, assesses respondents' occupational aspirations in terms of the relative importance they placed on being promoted to a higher rank and specialized unit, as well as their expectations of their highest ranking level when they retire from policing. For the first two questions, regarding the importance of getting promoted vertically and laterally, we utilized standard Likert survey items where respondents answered in terms of relative importance (i.e., "very unimportant," "somewhat unimportant," "somewhat important," and "very important"). In terms of promotion to a higher rank, respondents were generally split in agreement, across sites, as to its overall importance. While the modal response, for every site, was "somewhat important," in only three sites (i.e., Knoxville, Albuquerque, and St. Petersburg) did (at least) 60 percent of the respondents believe that getting promoted to a higher rank was important (i.e., combining "somewhat" and "very" responses). Of interest, is that in the five other sites, there was a greater percentage of officers that responded that such a promotion was "very unimportant" compared to those that believed it was "very important."

Whereas respondents were somewhat split in the importance of moving upward in their occupation, we found much more favorable attitudes toward moving to a specialized unit. In every agency, but Portland, the majority (and in many cases two-thirds and higher) believed it was important, in varying degrees, to be promoted laterally. While Knoxville officers placed a higher importance, of all sites, on vertical promotions (i.e., a higher percentage of respondents reported it was important overall as well as "very"), St. Petersburg lead the way with respect to specialized units. In fact, while every agency reported higher percentages of "very important" responses in moving across the organization, compared to moving up, no agency came close to the 40.6 percent found among St. Petersburg respondents. Based on these results, it is evident

that officers are aspiring, at least at this point in time, to moving to a specialized unit over moving up in rank.

Finally, as another indicator of their future aspirations, we asked respondents to indicate which rank they expected to hold when they retired. Given the varying vertical differentiation found in our agencies, producing varying ranks structures, some of the classifications listed were relevant for some departments, but not for others. In cases where a given rank did not exist in that particular agency, an asterisk was placed in the cell.<sup>36</sup> We found that roughly one-fifth, in Fort Wayne, to two-fifths, in Columbus, believed that they would be retiring at the patrol rank. At the other end of the spectrum, few respondents (ranging from 1.6% in Columbus to 7.4% in Knoxville) believed that they would retire at the assistant/deputy chief or chief levels. With the exception of Portland, who tended to split responses because of their unique “detective” response option, and Knoxville, the majority of respondents (across all agencies) believed that they would retire at a middle-level management rank (ranging from 60.9% in Colorado Springs to 50.4% in Columbus).<sup>37</sup>

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<sup>36</sup> Portland, unlike the rest of our agencies, regarded “criminalists” and “detectives” as advancements in rank. As such, their officers were the only ones for which we reported their responses to these positions. Each agency’s survey was tailored, for this question, to reflect the various ranks that existed in that departments. There were some officers, from other agencies, that responded “other” for this question, and wrote in (as instructed) that they expected to retire at the rank of detective/investigator. Since these were not officially designated ranks for their agency, and because all officers were not afforded the same opportunity to express the response of detective/investigator, we left these responses among the “other” category (found in the last row of Table 5-16). Among other examples of listed “other” ranks when retired, across sites, were: sheriff, inspector, community coordinator, arrest warrant officer, firefighter, etc.

<sup>37</sup> Because Charlotte-Mecklenburg was the only agency without a lieutenant rank, and because organizationally their captains had many of the same duties and responsibilities as lieutenants in other agencies, we added captains and sergeants together to draw these conclusions regarding middle-level management.

**Table 5-16. Officer Aspirations**

	<b>CSPD</b>	<b>PPB</b>	<b>APD</b>	<b>FYPD</b>	<b>SPPD</b>	<b>KPD</b>	<b>CMPD</b>	<b>CPD</b>
<b>Higher Rank</b>								
<i>Very Unimportant</i>	43 (21.6)	68 (27.5)	44 (13.6)	23 (12.1)	34 (15.2)	20 (12.8)	86 (18.6)	123 (23.7)
<i>Somewhat Unimp.</i>	55 (27.6)	71 (28.7)	81 (25.0)	72 (37.9)	54 (24.1)	32 (20.5)	130 (28.1)	176 (34.0)
<i>Somewhat Imp.</i>	71 (35.7)	91 (36.9)	142 (43.8)	76 (40.0)	93 (41.5)	63 (40.4)	179 (38.8)	183 (35.4)
<i>Very Important</i>	30 (15.1)	17 (6.9)	57 (17.6)	19 (10.0)	43 (19.2)	41 (26.3)	67 (14.5)	36 (6.9)
<b>Specialized Unit</b>								
<i>Very Unimportant</i>	24 (12.1)	44 (17.8)	30 (9.3)	24 (12.6)	24 (10.7)	16 (10.3)	58 (12.6)	51 (9.8)
<i>Somewhat Unimp.</i>	39 (19.6)	84 (34.0)	61 (18.8)	69 (36.4)	26 (11.6)	25 (16.1)	85 (18.5)	110 (21.2)
<i>Somewhat Imp.</i>	88 (44.2)	67 (27.1)	145 (44.8)	66 (34.7)	83 (37.1)	68 (43.9)	203 (44.1)	244 (47.0)
<i>Very Important</i>	48 (24.1)	52 (21.1)	88 (27.2)	31 (16.3)	91 (40.6)	46 (29.7)	114 (24.8)	114 (22.0)
<b>Expected Rank When Retire</b>								
<i>Patrol Officer</i>	58 (29.1)	68 (28.3)	83 (26.0)	38 (20.2)	73 (34.3)	57 (38.5)	146 (32.2)	194 (39.2)
<i>Criminalist</i>	*	3 (1.3)	*	*	*	*	*	*
<i>Detective</i>	*	49 (20.4)	*	*	*	*	*	*
<i>Sergeant</i>	84 (42.3)	56 (23.3)	103 (32.3)	86 (45.8)	72 (33.8)	22 (14.9)	163 (36.0)	138 (27.8)
<i>Lieutenant</i>	37 (18.6)	32 (13.3)	88 (27.6)	28 (14.9)	41 (19.2)	19 (12.8)	*	112 (22.6)
<i>Captain</i>	*	*	20 (6.3)	23 (12.2)	*	18 (12.2)	75 (16.6)	*
<i>Major</i>	*	*	*	*	9 (4.2)	*	19 (4.2)	*
<i>Precinct Commander</i>	* (3.8)	9	*	*	*	*	*	*
<i>Division Commander</i>	11 (5.5)	*	*	*	*	*	*	21 (4.2)
<i>Assist./Dep. Chief</i>	1 (0.5)	1 (0.4)	3 (0.9)	4 (2.1)	1 (0.5)	4 (2.7)	6 (1.3)	0 (0)
<i>Chief</i>	3 (1.5)	10 (4.2)	6 (1.9)	5 (2.7)	8 (3.8)	7 (4.7)	8 (1.8)	8 (1.6)
<i>Other</i>	5 (2.5)	12 (5.0)	16 (5.0)	4 (2.1)	9 (4.2)	21 (14.2)	36 (7.9)	23 (4.6)

## **Summary**

The purpose of the final section of the patrol officer survey was to capture a variety of background and demographic factors (some of which were gleaned from other official organizational data), as well as future aspirations of respondents. Across the various factors, we found both internal and external variation by site. At the same time, some patterns were revealed.

The majority of all respondents were white, married (with the exception of St. Petersburg), males, with no military experience, no relatives in policing, and had at least some college experience. Among the respondents that did have military and/or college backgrounds, the more powerful experiences (in terms of preparing to be a police officer) were noted for the military. The average age of respondents was roughly around 35 years old, and the oldest officers were found among Colorado Springs and Portland respondents. Experience ranged from less than a year to 38 years, while Albuquerque, Knoxville, and St. Petersburg had the least experienced (organizationally and overall) respondents.

In terms of overall police aspirations, officers (across all sites) expressed more of an interest in moving to a specialized unit over a promotion in rank. Finally, the modal response indicated that the majority of all respondents believed that they would ultimately retire at some type of middle management position.

## **CHAPTER 6**

### **Force Report Data**

In addition to surveying officers about their agency's use of force policy, a key part of the second phase of the project involved the collection and analysis of three pieces of official data: use of force reports, citizen complaints, and lawsuits. In this chapter we examine force reports to investigate which policy types are associated with varying degrees of force, as well as injuries to suspects and officers.

#### **Methodology**

At each of the sites we collected 24 months of force report data. The time frame varied to some degree from site to site to ensure we had a consistent time period with no policy changes either in substance (i.e., the content or type of policy changed, such as altering tactical placement) or reporting (i.e., the force report form changed or the threshold for reportable force was altered)(see footnote 26 for exact timeframe). Some of the research sites coded nearly all data electronically (i.e., Portland, Charlotte-Mecklenburg, Columbus), others only maintained paper copies (i.e., Colorado Springs, Fort Wayne, Knoxville), and yet others had some sort of combination between electronic data and paper copies (Albuquerque, St. Petersburg). Cities that captured use of force behavior solely on paper required us to code the data into electronic format. Even in cities where some (or most) of the data were already electronically coded, we often had to go back to the hard copy originals to adequately code all the variables we were interested in (i.e., parts of the force forms were electronically coded by the agencies, but had to be supplemented with information from hard copies by project staff). For example, in

Albuquerque, the type of force used was captured in such a way that we were unable to compare force types with that used in other cities simply due to the way it was coded in their dataset. Hence, we had to make copies of paper reports and then match them to the electronic cases to clarify the type of force used and code into the dataset.

While we were interested in a number of relevant situational and contextual variables from the force report data, the key variables we wanted to capture involved the types of force used in response to the types of resistance suspects presented to officers. Importantly, we wanted to ensure that the types of force being coded from each city were comparable. As such, we created “common measures” of resistance and force across each of the cities. For citizen resistance, the following categories were classified. Compliance involved suspect behavior that responded to officer direction without resistance. Passive resistance was defined as suspect behaviors that were unresponsive to police verbal communication or direction. Behaviors in this category must not have been verbalized or involve physical movements in a defensive or aggressive mode, but rather demonstrated through inactivity (e.g., ignored or disregarded police attempts at verbal communication or control, went limp, failed to physically respond or move). Verbal resistance included a suspect verbally rejecting police verbal communication or direction. Suspect behaviors in this category must have been verbal in nature and not physical (e.g., telling the officer he or she will not comply with police direction, to leave alone, or not to bother him or her). Defensive resistance was defined as suspect attempts to evade police attempts at control. Suspect behaviors in this category must have involved some type of physical behavior in a defensive mode (e.g., attempts to leave the scene, flee, hide from detection, pull away from officer’s grasp). Active resistance included the suspect either attempting or actually attacking or

striking an officer. Suspect behaviors in this category must have involved some type of physical behavior in an aggressive mode (e.g., lunging toward the police, striking police with hands, fists, kicks or any instrument that may be perceived as a weapon such as a knife, stick, frying pan).

Finally, deadly resistance was classified as attempts or actual attacks that could cause death.

Police use of force behavior was split into weaponless tactics and weapon tactics. For weaponless tactics, the following categories were classified. First, we coded handcuffing when it was noted in the dataset or on the use of force report forms. A firm grip involved an officer grabbing/holding a suspect, which could also involve an escort whereby an officer physically guides a suspect's movement (e.g., placed a suspect into a patrol car). This type of force is simply low level hands on force where the officer is touching or guiding a suspect, but not struggling or being aggressive with the suspect. Pressure points (i.e., pain compliance techniques) involved holds that cause pain to a specific body part (e.g., hammerlock, wristlock, finger grip). Control maneuvers went a step beyond a firm grip or pain compliance technique and involved an officer using hands on force to attempt to gain control of a suspect (e.g., hands on struggling to get a suspect's hands cuffed, an arm bar technique, bear hug, etc.). Takedowns involved instances when suspects were thrown, pushed, or shoved to the ground, against a wall, against a car or any other surface. Finally, empty hand strikes with the body included hitting/striking a suspect with the hands, fists, feet, legs, or any other part of the body (e.g., slapping, punching, kicking). For weapon tactics, the following categories, all self-defined, were classified as chemicals spray, baton, CED, impact munitions (e.g., beanbag), and firearm.<sup>38</sup>

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<sup>38</sup> We also coded officer pointing of the firearm when noted on the use of force report form.

## **Analyses and Findings**

### *Frequency of Force by Workload Measures*

We begin by examining how often officers used force across the eight cities. In addition, we examine how often force is used in relation to three workload measures: calls for service, reported crimes, and arrests. As illustrated in Table 6-1 (bottom row), the range of force usage over a two year period ranges from 738 in Colorado Springs to 5,787 in Columbus. Comparing force usage by standardized calls for service we see there is substantial variation across the cities. Officers in Colorado Springs, for instance, used force 1.4 times for every 1,000 calls for service. Viewed alternatively, officers used force once for every 729 calls for service. Contrasted with Portland (the city with the most frequent force usage in relation to calls for service) officers used force 9.8 times for every 1,000 calls for service, or once for every 102 calls for service. In other words, when using calls for service as a comparison point, officers in Portland used force seven times more frequently than officers in Colorado Springs.

A good deal of variation is also present when comparing cities by the amount of reported crimes. Here, Charlotte-Mecklenburg used force the least frequently. Officers used force once for every 87 reported Part I index crimes filed. Conversely, Fort Wayne used force once for every 12 Part I index crimes. Hence, officers in Fort Wayne used force over seven times more frequently than officers in Charlotte-Mecklenburg.

**Table 6-1. Force Usage Comparison by Calls for Service, Reported Crimes, Arrests<sup>39</sup>**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Force/Service Calls (1,000)</b>	1.4	9.8	2.2	5.6	5.3	2.1	3.8	4.6
<i>Force per call</i>	<i>1 of 729</i>	<i>1 of 102</i>	<i>1 of 447</i>	<i>1 of 177</i>	<i>1 of 189</i>	<i>1 of 481</i>	<i>1 of 264</i>	<i>1 of 608</i>
<b>Force/Part I Crimes (1,000)</b>	19.0	60.5	20.6	86.1	48.4	34.7	49.0	11.5
<i>Force per crime</i>	<i>1 of 52</i>	<i>1 of 16</i>	<i>1 of 48</i>	<i>1 of 12</i>	<i>1 of 21</i>	<i>1 of 29</i>	<i>1 of 20</i>	<i>1 of 87</i>
<b>Force/Part I Arrests (1,000)</b>	83.3	305.6	231.1	403.6	302.2	154.7	427.8	93.7
<i>Force per arrest</i>	<i>1 of 12.0</i>	<i>1 of 3.2</i>	<i>1 of 4.4</i>	<i>1 of 2.5</i>	<i>1 of 3.3</i>	<i>1 of 6.5</i>	<i>1 of 2.3</i>	<i>1 of 9.0</i>
<b>Total Number Force Reports</b>	<b>738</b>	<b>4374</b>	<b>1458</b>	<b>1997</b>	<b>1897</b>	<b>926</b>	<b>5787</b>	<b>1332</b>

<sup>39</sup> Calls for service, crime, and arrest totals compiled using a variety of sources including annual reports and raw data provided by the police departments. Calls for service totals (CSPD=538,280, PPB=446,869, APD=652,366, FWPD=354,175, SPPD=357,709, KPD=446,161, CPD=1,528,280, CMPD=810,423); Part I crime totals (CSPD=38,793, PPB=72,278, APD=70,683, FWPD=23,196, SPPD=39,181, KPD=26,652, CPD=117,982, CMPD=115,663); arrest totals (CSPD=8,857, PPB=14,309, APD=6,308, FWPD=4,948, SPPD=6,277, KPD=5,985, CPD=13,528, CMPD=12,060).

Finally, substantial variation was also unveiled when comparing force usage by arrests. Similar to calls for service, Colorado Springs used force the least frequently in terms of arrests (one force report filed per every 12 arrests made). On the other hand, Columbus officers used force most frequently (one force report filed per every 2.3 arrests made). Thus, officers in Columbus used force over five times more frequently than officers in Colorado Springs.

### *Force and Resistance Types*

Next, we turn to a breakdown of physical force types (weaponless tactics) as depicted in Table 6-2. Figures are computed by the type of force used in relation to the total number of force reports filed per city. Fort Wayne used the most physical force at 91.1 percent. This is not overly surprising given that this is the only city where everyday patrol officers do not carry a CED. At the opposite end of the continuum, just over half (53.9%) of the force reports filed by Colorado Springs officers involved a weaponless tactic.

In terms of a firm grip, some cities (i.e., St. Petersburg and Charlotte-Mecklenburg) report using a substantially higher number than others (i.e., Portland and Albuquerque) who report very few such uses of force. It appears much of this variation is a function more in terms of reporting procedures than actual differences in force use at this level. According to departmental officials in St. Petersburg, for instance, officers routinely report this level of hands on force when using it. In Portland, however, officials report that despite using this form of force regularly, officers often do not report it when used in conjunction with other more serious forms of force.

**Table 6-2. Frequency of Types of Physical Force (Weaponless) Used**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Any Physical</b>	398 (53.9)	3430 (78.4)	967 (66.3)	1820 (91.1)	1415 (74.6)	804 (86.8)	4532 (78.3)	1156 (86.8)
<b>Firm Grip</b>	39 (5.3)	3 (0.1)	17 (1.2)	167 (8.4)	787 (41.5)	209 (22.6)	640 (11.1)	529 (39.7)
<b>Pressure Point</b>	41 (5.6)	367 (8.4)	15 (1.0)	105 (5.3)	108 (5.7)	101 (10.9)	509 (8.8)	133 (10.0)
<b>Control Maneuver</b>	256 (34.7)	2181 (49.9)	493 (33.8)	1092 (54.7)	402 (21.2)	579 (62.5)	2289 (39.6)	1030 (77.3)
<b>Take Down</b>	172 (23.3)	1796 (41.1)	670 (46.0)	910 (45.6)	786 (41.4)	440 (47.5)	2261 (39.1)	732 (55.0)
<b>Strike</b>	153 (20.7)	541 (12.4)	242 (16.6)	640 (32.0)	133 (7.0)	183 (19.8)	398 (6.9)	211 (15.8)
<b>Other</b>	0 (0.0)	233 (5.3)	17 (1.2)	0 (0.0)	1 (0.1)	0 (0.0)	18 (0.3)	0 (0.0)
<b>Total</b>	<b>738</b>	<b>4374</b>	<b>1458</b>	<b>1997</b>	<b>1897</b>	<b>926</b>	<b>5787</b>	<b>1332</b>

With respect to other soft hand tactics, Knoxville reports using the most pressure points (10.9%), while Charlotte-Mecklenburg reports using the most control maneuvers (77.3%) and take down (55.0%) techniques. Finally, Fort Wayne officers used hard hand striking tactics in nearly one of every three force reports (32.0%). The city with the next most frequent hard hand strikes is Colorado Springs with 20.7 percent. Both St. Petersburg and Columbus reported using such force relatively infrequently (7.0% and 6.9%, respectively).

In Table 6-3 we examine a breakdown of weapon based force types. Once again, figures are computed by the type of force used in relation to the total number of force reports filed per city. Colorado Springs used the most weapon force at 62.7 percent, while Fort Wayne used some form of a weapon in just over 25 percent. When looking at this table as a whole it is evident that a bulk of the weapon force used are chemical sprays and CEDs. Baton and impact munitions are relatively infrequent. For example, Albuquerque used the baton most often yet such force was only used in 2.7 percent of the cases. Looking at chemical sprays, Albuquerque and Fort Wayne rely on such force in 24.8 percent and 22.1 percent of their force encounters respectively, but Charlotte-Mecklenburg, Knoxville, and Portland all report roughly four to five percent.

Perhaps the type of force that stands out most in Table 6-3 is the CED. In particular, Colorado Springs reported using a CED in half of all force encounters (49.5%). The city with the next highest frequency of use is Portland at 23.4 percent, or less than half what Colorado Springs reports. Understandably, Fort Wayne reports very few deployments of a CED (only a hand full of officers are CED equipped).

**Table 6-3. Frequency of Types of Weapons Used**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Any Weapon</b>	463 (62.7)	1553 (35.5)	720 (49.4)	511 (25.6)	613 (32.3)	274 (29.6)	1678 (29.0)	398 (29.9)
<b>Chemical Spray</b>	91 (12.3)	248 (5.7)	361 (24.8)	442 (22.1)	202 (10.6)	44 (4.8)	1049 (18.1)	56 (4.2)
<b>Baton</b>	3 (0.4)	37 (0.8)	39 (2.7)	45 (2.3)	3 (0.2)	21 (2.3)	34 (0.6)	15 (1.1)
<b>CED</b>	365 (49.5)	1023 (23.4)	305 (20.9)	9 (0.5)	406 (21.4)	193 (20.8)	600 (10.4)	252 (18.9)
<b>Impact Munitions</b>	0 (0.0)	122 (2.8)	13 (0.9)	12 (0.6)	0 (0.0)	1 (0.1)	0 (0.0)	6 (0.5)
<b>Point</b>	7 (0.9)	351 (8.0)	17 (1.2)	0 (0.0)	32 (1.7)	16 (1.7)	18 (0.3)	57 (4.3)
<b>Deadly</b>	6 (0.8)	18 (0.4)	0 (0.0)	1 (0.1)	6 (0.3)	0 (0.0)	0 (0.0)	15 (1.1)
<b>Other</b>	10 (1.4)	175 (4.0)	48 (3.3)	15 (0.8)	17 (0.9)	30 (3.2)	38 (0.7)	71 (5.3)
<b>Total</b>	<b>738</b>	<b>4374</b>	<b>1458</b>	<b>1997</b>	<b>1897</b>	<b>926</b>	<b>5787</b>	<b>1332</b>

Finally, Portland reported a substantially higher use of both firearm pointing and other forms of force not clearly specified in the force reports. For example, Portland officers reported pointing their firearms in 8.0 percent of the cases. The next highest city was Charlotte-Mecklenburg at 4.3 percent.

Table 6-4 provides a look at the highest use of force applied. For ease of presentation, the categories of force have been collapsed into the following categories: soft hands (i.e., firm grip, pressure points, control maneuver, take downs), hard hands (i.e., empty hand strikes) and chemical spray, and CED/impact (i.e., CED, baton, munitions). Note that ranking force usage according to the highest level is a difficult proposition. As the national agency survey results indicated in Chapter 3, as well as the eight selected cities in Phase II, there is no commonly accepted ranking of force. Nonetheless, based on the national agency survey results, the most common ranking used conforms with the ranking used in Table 6-4, and hence the reason for presenting in this order. As shown in this table, Columbus is most likely to use the lowest form of force (soft hands, 65.1%); Fort Wayne most likely to use the intermediate level (hard hands/chemical spray, 47.1%), and Colorado Springs most likely to use the highest level (CED/impact, 51.3%). There were very few instances of deadly force in any of the cities. Conversely, Colorado Springs used the least soft hands (22.0%), Portland the least hard hands/chemical sprays (14.5%), and Fort Wayne the least CED/impact (4.1%).

**Table 6-4. Officer Force Types (Highest)**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Soft Hands</b>	162 (22.0)	2353 (54.5)	533 (36.7)	974 (48.8)	970 (57.5)	498 (54.6)	3707 (65.1)	752 (56.5)
<b>Hard Hands/ Chemical Spray</b>	191 (25.9)	625 (14.5)	524 (36.1)	941 (47.1)	293 (17.4)	177 (19.4)	1320 (22.8)	227 (17.1)
<b>CED/ Impact</b>	378 (51.3)	1318 (30.6)	394 (27.2)	81 (4.1)	418 (22.0)	237 (25.6)	665 (11.7)	336 (25.3)
<b>Deadly</b>	6 (0.8)	18 (0.4)	0 (0.0)	1 (0.1)	6 (0.3)	0 (0.0)	0 (0.0)	15 (1.1)
<b>Total</b>	<b>737</b>	<b>4314</b>	<b>1451</b>	<b>1997</b>	<b>1687</b>	<b>912</b>	<b>5692</b>	<b>1330</b>

Table 6-5 takes a look at citizen resistance.<sup>40</sup> Nearly all the cities report high levels of citizen resistance. With the exception of Portland, all the cities are in the high ninety percent range or report all cases where citizens resisted in some manner. When looking at the types of resistance reported, there is a vast degree of variation in failure to comply, with less variation, although still quite substantial, in relation to defensive and aggressive physical. In terms of failure to comply (i.e., passive and verbal resistance), Columbus shows that nearly every force case involved this type of resistance, while Albuquerque and Fort Wayne are in the 30 percent range. For physically defensive resistance, Colorado Springs, St. Petersburg, Knoxville, and Charlotte-Mecklenburg are all in the 70 to 80 percent range, while Portland and Albuquerque are in the 40 percent range. Overall, variation is less evident from a relative perspective for aggressive physical resistance. With the exception of St. Petersburg, the range of this form of resistance across the remaining seven cities is 31 to 51 percent. Hence, Knoxville (51.3%) reports more than two and a half times the amount of aggressive physical resistance compared to St. Petersburg (20.0%).

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<sup>40</sup> While Portland captured suspect resistance on their use of force report form, they did so in such a way that we were unable to create and match up the types of resistance reported with our common measures of resistance. As a result, we needed to secure hard copies of their incident/investigation reports where the narrative portion of the force incident was described. However, obtaining these reports, due to sheer volume and departmental workload limitations, proved difficult. Nonetheless, we were only able to get one year's worth of reports. From these, we were then able to code suspect resistance in accordance with our common measures definitions.

**Table 6-5. Suspect Resistance Types (Any)**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Any Resistance</b>	738 (100.0)	1868 (89.8)	1458 (100.0)	1997 (100.0)	1850 (97.5)	919 (99.2)	5707 (96.6)	1326 (99.5)
<b>Fail to Comply</b>	305 (41.3)	1595 (76.7)	507 (34.8)	749 (37.5)	881 (46.4)	392 (42.3)	5630 (97.3)	716 (53.8)
<b>Defensive Physical</b>	568 (77.0)	953 (45.5)	723 (49.6)	1303 (65.2)	1381 (72.8)	734 (79.3)	3870 (66.9)	1112 (83.5)
<b>Aggressive Physical</b>	233 (31.6)	680 (32.7)	707 (48.5)	619 (31.0)	380 (20.0)	475 (51.3)	1965 (34.0)	561 (42.1)
<b>Deadly</b>	8 (1.1)	0 (0.0)	35 (2.4)	28 (1.4)	24 (1.3)	36 (3.9)	103 (1.8)	23 (1.7)
<b>Total</b>	<b>738</b>	<b>2080</b>	<b>1458</b>	<b>1997</b>	<b>1897</b>	<b>926</b>	<b>5787</b>	<b>1332</b>

\* 1-year

Similar to Table 6-4 for the highest level of physical force used, Table 6-6 looks at the highest level of resistance posed across the eight cities. As shown in this table, Columbus reported the most failure to comply cases as the highest form of suspect resistance (25.7%); Fort Wayne was most likely to report defensive physical resistance (64.0%), and Knoxville most likely to report aggressive physical resistance (48.8%). There were much fewer instances of deadly resistance in any of the cities, with Knoxville reporting the most (3.9%).

Given the somewhat difficult manner in which to interpret how officers are using force compared to resistance based on the series of tables thus far, Tables 6-7a and 6-7b offer a more consolidated way to interpret the highest levels of force and resistance across the eight cities. Using the ranking of force offered in Table 6-4 (0=soft, 1=hard/chemical, 2=CED/impact, 4=deadly), Table 6-7a shows that Colorado Springs had the highest mean level of force (1.31), while Columbus had the least (0.47). Similarly, using the ranking of resistance offered in Table 6-6 (0=none, 1=fail to comply, 2=defensive, 3=aggressive, 4=deadly), Table 6-7b shows that Albuquerque had the highest mean level of resistance (2.53), while Portland had the least (1.92). When looking at Tables 6-7a and 6.7b in tandem, one can see that for some of the cities the ranking of resistance and force are closely similar. For example, Albuquerque officers used the second most force but faced the most resistant suspects. Moreover, Charlotte-Mecklenburg ranks fourth on force usage and third in terms of resistance. However, some of the cities show more of a disconnect between the level of force used in relation to the amount of resistance faced, at least in the aggregate as depicted here. For instance, Colorado Springs officers used the highest amount of force, but only encountered the fifth most (i.e., highest level of) resistance.

**Table 6-6. Suspect Resistance Types (Highest)**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Fail to Comply</b>	58 (7.9)	414 (19.9)	8 (0.5)	75 (3.8)	336 (17.7)	32 (3.5)	1489 (25.7)	40 (3.0)
<b>Defensive Physical</b>	439 (59.5)	774 (37.2)	708 (48.6)	1279 (64.0)	1117 (58.9)	399 (43.1)	2213 (38.2)	711 (53.4)
<b>Aggressive Physical</b>	233 (31.6)	680 (32.7)	707 (48.5)	615 (30.8)	373 (19.7)	452 (48.8)	1902 (32.9)	552 (41.4)
<b>Deadly</b>	8 (1.1)	0 (0.0)	35 (2.4)	28 (1.4)	24 (1.3)	36 (3.9)	103 (1.8)	23 (1.7)
<b>Total</b>	<b>738</b>	<b>2080</b>	<b>1458</b>	<b>1997</b>	<b>1897</b>	<b>926</b>	<b>5787</b>	<b>1332</b>

\* 1-year

**Table 6-7a. Aggregate Mean Levels of Force (Highest)**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Mean</b>	1.31	0.77	0.90	0.55	0.68	0.70	0.47	0.71
<b>(Rank)</b>	(1)	(3)	(2)	(7)	(6)	(5)	(8)	(4)

**Table 6-7b. Aggregate Mean Levels of Resistance (Highest)**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>An</b>	2.26	1.92	2.53	2.30	2.00	2.52	2.08	2.42
<b>(Rank)</b>	(5)	(8)	(1)	(4)	(7)	(2)	(6)	(3)

Portland shows a similar degree of disconnect (i.e., using substantially more force than the resistance faced). Several cities, however, particularly Fort Wayne and Knoxville, exhibit a reverse pattern. For instance, Knoxville officers report the second highest degree of resistance from suspects yet only used the fifth highest amount of force. While these comparisons do not offer a full picture concerning the individual micro-level dynamics of resistance/force, they do provide a big picture comparison in terms of where cities stand in the aggregate.

### *Bivariate Analyses*

Next we consider how different departments instruct officers (via force policy) on the type of force that should be used in relation to the type of subject resistance faced so we can dig a little deeper to examine how officers are using various forms of force within their individual policy context. Table 6-8 shows the six departments in our study that link resistance to force. The other two cities (Fort Wayne and Columbus) do not link resistance to force via their policy, but rather simply lay out the force continua with no explicit connection to specific types of resistance. Interestingly, Colorado Springs, who employs a wheel force continuum design for the stated purpose that they do not want officers to think “linearly,” still connects resistance to force within the text of their policy.

**Table 6-8. Allowable Force by Resistance Type<sup>41</sup>**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Char.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Albq.</b>
<i>Resistance</i>						
<b>Verbal</b>	Soft	Verbal	Verbal	Soft	Soft	Soft Chem Hard CED
<b>Passive</b>	Soft	Soft	Soft	Soft	Soft	Soft Chem Hard
<b>Physical Defensive</b>	Chem CED	Chem CED	Chem Hard	Chem Hard Impact	Chem Hard CED Impact	Soft Chem Hard CED
<b>Physical Aggressive</b>	Hard Impact	Hard Impact	CED Impact	CED	Chem Hard CED Impact	Impact

<sup>41</sup> Of course, lesser forms of force are always permitted as one moves up for the force continuum. For instance, in Colorado Springs chemical spray and a CED are permissible forms of force when officers are faced with physically defensive resistant suspects, but officers may also use a lesser form of force as well (in this case, soft hand force). Similarly, officers facing physically aggressive suspects may use any form of force (soft, chemical spray, CED, hard, impact) short of deadly force.

We begin by examining how officers in each of the cities responded to those suspects whose highest level of resistance throughout the encounter was failure to comply (i.e., passive and verbal resistance). As illustrated in Table 6-9, a majority of these encounters result in officers using some type of soft hand tactic (i.e., firm grip, control maneuver, pressure points, take downs). Of the cities that linked force to resistance, only Albuquerque allowed officers to use anything more coercive than soft hand tactics on suspects who verbally or passively resisted.<sup>42</sup> In other words, Albuquerque allowed officers to use hard hand tactics, chemical spray, and/or the CED on those who non-physically failed to comply. Despite this, officers in Albuquerque still relied quite a bit on soft hand tactics.

Table 6-10 also depicts those encounters when officers were faced with suspects who failed to comply, but in this instance responded with hard hand tactics (i.e., striking the suspects with hand, fist, feet). Fort Wayne officers were most likely to use hard hand tactics (22.7%) in these situations, but their policy does not specify that officers are prohibited from such force (recall their policy does not link resistance and force). Colorado Springs officers used hard hand strikes in roughly one of every five (19.0%) such encounters, despite their policy restricting such usage (Table 6-8). Conversely, Albuquerque, whose policy allows such force, only reported facing eight encounters of this type, but in none of them did officers report using a hard hand strike.

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<sup>42</sup> When we refer to agency policies “allowing” or “permitting” various types of force given various types of resistance, we are assuming that such resistance stands alone (i.e., occurred once during the encounter). However, we know from prior work (Terrill, 2005) that suspects sometimes resist multiple times with the same resistance type within the same encounter, which would affect whether an officer is operating within or outside policy parameters. For example, an officer may use a hard hand tactic on a suspect whose highest level of resistance never rises above failure to comply, which would appear to be out of policy (e.g., in Colorado Springs and Portland). However, it is possible that a given suspect will repeatedly fail to comply prompting an officer to work his/her way up the continuum to a hard hand tactic, which would in effect be within policy in this scenario. As a result, one must use caution with interpretation of the findings we present here.

**Table 6-9. Suspects Highest Level of Resistance was Fail to Comply  
Did Officer Use *Soft Hands*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	25 (43.1)	270 (65.2)	5 (62.5)	57 (76.0)	222 (66.1)	24 (75.0)	880 (59.1)	34 (85.0)
<b>No</b>	33 (56.9)	144 (34.8)	3 (37.5)	18 (24.0)	114 (33.9)	8 (25.0)	609 (40.9)	6 (15.0)
<b>Total</b>	<b>58</b>	<b>414</b>	<b>8</b>	<b>336</b>	<b>32</b>	<b>1489</b>	<b>1489</b>	<b>40</b>

\* 1-year

**Table 6-10. Suspects Highest Level of Resistance was Fail to Comply  
Did Officer Use *Hard Hands*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	11 (19.0)	29 (7.0)	0 (0.0)	17 (22.7)	13 (3.9)	2 (6.2)	24 (1.6)	1 (2.5)
<b>No</b>	47 (81.0)	385 (93.0)	8 (100)	58 (77.3)	323 (96.1)	30 (93.8)	1465 (98.4)	39 (97.5)
<b>Total</b>	<b>58</b>	<b>414</b>	<b>8</b>	<b>75</b>	<b>336</b>	<b>32</b>	<b>1489</b>	<b>50</b>

\* 1-year

Table 6-11 looks at failure to comply with chemical spray usage. Once again, of the eight cases in Albuquerque, the one city that permits this type of force on this type of resistant suspect, none resulted. Columbus had 31.4 percent of its cases result in chemical spray use followed by St. Petersburg at 23.5 percent. For CED use (Table 6-12), Albuquerque officers used such force in three of its eight cases (37.5%), while Colorado Springs officers used a CED on 26 of 58 passive or verbally resistant suspects (44.8%). Table (6-13) depicts cases where suspects failed to comply as their highest form of resistance and shows few instances where officers used a baton. Knoxville was the highest at 9.4 percent, but this consisted of just 3 of 32 cases.

Overall, when looking at instances where a suspect's highest level of resistance was failure to comply (Tables 6-9 to 6-13), it appears a department's policy has little effect. For instance, while the number of cases are low (N=8), we see that Albuquerque officers were not necessarily using higher forms of force (i.e., hard hands, chemical spray, CED) on such suspects even though their policy allowed it. Conversely, we see officers in other cities using forms of force that were restricted from being used on failure to comply suspects. For example, Colorado Springs officers used a CED on passive or verbally resistant suspects in 44.8 of the cases, while Knoxville officers used such force in 21.9 of the cases.

**Table 6-11. Suspects Highest Level of Resistance was Fail to Comply  
Did Officer Use *Chemical Spray*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	7 (12.1)	19 (4.6)	0 (0.0)	13 (17.3)	79 (23.5)	0 (0.0)	467 (31.4)	2 (5.0)
<b>No</b>	51 (87.9)	395 (95.4)	8 (100)	62 (82.7)	257 (76.5)	32 (100)	1022 (68.6)	38 (95.0)
<b>Total</b>	<b>58</b>	<b>414</b>	<b>8</b>	<b>75</b>	<b>336</b>	<b>32</b>	<b>1489</b>	<b>40</b>

\* 1-year

**Table 6-12. Suspects Highest Level of Resistance was Fail to Comply  
Did Officer Use *CED*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	26 (44.8)	80 (19.3)	3 (37.5)	0 (0.0)	23 (6.8)	7 (21.9)	110 (7.4)	5 (12.5)
<b>No</b>	32 (55.2)	334 (80.7)	5 (62.5)	75 (100)	313 (93.2)	25 (78.1)	1379 (92.6)	35 (87.5)
<b>Total</b>	<b>58</b>	<b>414</b>	<b>8</b>	<b>75</b>	<b>336</b>	<b>32</b>	<b>1489</b>	<b>40</b>

\* 1-year

**Table 6-13. Suspects Highest Level of Resistance was Fail to Comply  
Did Officer Use *Baton*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	0 (0.0)	1 (0.2)	0 (0.0)	1 (1.3)	0 (0.0)	3 (9.4)	2 (0.1)	0 (0.0)
<b>No</b>	58 (100.0)	413 (99.8)	8 (100.0)	74 (98.7)	336 (100.0)	29 (90.6)	1487 (99.9)	40 (100.0)
<b>Total</b>	<b>58</b>	<b>414</b>	<b>8</b>	<b>75</b>	<b>336</b>	<b>32</b>	<b>1489</b>	<b>40</b>

\* 1-year

The next set of tables (6-14 to 6-18) take a similar approach to the last set, but in these cases the form of resistance is physical defensive (i.e., physical behaviors to evade police attempts at control such as bracing, pulling away, and/or fleeing from an officer). To consider the type of force used in relation to the type of resistance faced, it is again important to place the findings into the context of Table 6-8 showing what each city's policy permits. For instance, soft hands are permitted in all the cities for this type of resistance, but other forms of force are allowed (or not) depending on the city. For example, Colorado Springs and Portland allow officers to use chemical spray and a CED, but not hard hand strikes nor impact methods (e.g., baton blows or munitions). Other cities mix and match different variations for this level of resistance.

Similar to failure to comply cases previously, a majority of physically defensive encounters result in officers using some type of soft hand tactics (Table 6-14). Again, Colorado Springs is the only city in which officers responded to such resistance with soft hand tactics in less than 50 percent of the cases. When the results are examined for hard hand tactics (Table 6-15) it is difficult to discern a pattern based on policy differences. For example, in Portland, a city that does not permit hard hand strikes on defensively resistant suspects, the frequency of use was 13.0 percent. However, in three of the cities that permit hard hand strikes (Albuquerque, Knoxville, and Charlotte) the percentages are very similar at 14.7 percent, 15.3 percent, and 14.9 percent, respectively. Colorado Springs, which similar to Portland, restricts hard hand strikes on defensively resistant suspects, used such force in 22.1 percent of its encounters. The highest frequency city was Fort Wayne (31.7%), which does not link force to resistance.

**Table 6-14. Suspects Highest Level of Resistance was Physical Defensive  
Did Officer Use *Soft Hands*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	199 (45.3)	607 (78.4)	466 (65.8)	1090 (85.2)	823 (73.7)	327 (82.0)	1848 (83.5)	621 (87.3)
<b>No</b>	240 (54.7)	167 (21.6)	242 (34.2)	189 (14.8)	294 (26.3)	72 (18.0)	365 (16.5)	90 (12.7)
<b>Total</b>	<b>439</b>	<b>774</b>	<b>708</b>	<b>1279</b>	<b>1117</b>	<b>339</b>	<b>2213</b>	<b>711</b>

\* 1-year

**Table 6-15. Suspects Highest Level of Resistance was Physical Defensive  
Did Officer Use *Hard Hands*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	97 (22.1)	101 (13.0)	104 (14.7)	405 (31.7)	70 (6.3)	61 (15.3)	77 (3.5)	106 (14.9)
<b>No</b>	342 (77.9)	673 (87.0)	604 (85.3)	874 (68.3)	1047 (93.7)	338 (84.7)	2136 (96.5)	605 (85.1)
<b>Total</b>	<b>439</b>	<b>774</b>	<b>708</b>	<b>1279</b>	<b>1117</b>	<b>399</b>	<b>2213</b>	<b>711</b>

\* 1-year

With the exception of Albuquerque (18.4%) and Fort Wayne (18.1%), the use of chemical spray was fairly infrequent on physically defensive suspects as shown in Table 6-16. Alternatively, CED use (Table 6-17) was more frequent in a number of cities. Colorado Springs used a CED far more frequently in these circumstances (50.1%) than any of the other cities. Interestingly, the two cities that generally restrict the CED (St. Petersburg and Charlotte-Mecklenburg) actually diverge in terms of how often a CED is used in these types of resistant cases. St. Petersburg, who instructs officers to use a CED on physically aggressive resistant suspects (but not physical defensive), relied on such force 23.9 percent of the time. Conversely, Charlotte-Mecklenburg, who has a similar, although slightly less restrictive, policy used the CED on just 10.5 percent of the cases. Finally, baton usage, like that on failure to resist suspects, was rare on defensive resistant suspects as shown in Table 6-18. Fort Wayne was the highest at just 2.0 percent. Six of the cities had less than 10 such cases of baton use across the two year period.

**Table 6-16. Suspects Highest Level of Resistance was Physical Defensive  
Did Officer Use *Chemical Spray*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	44 (10.0)	31 (4.0)	130 (18.4)	232 (18.1)	82 (7.3)	10 (2.5)	202 (9.1)	18 (2.5)
<b>No</b>	395 (90.0)	743 (96.0)	578 (81.6)	1047 (81.9)	1035 (92.7)	389 (97.5)	2011 (90.9)	693 (97.5)
<b>Total</b>	<b>439</b>	<b>774</b>	<b>708</b>	<b>1279</b>	<b>1117</b>	<b>339</b>	<b>2213</b>	<b>711</b>

\* 1-year

**Table 6-17. Suspects Highest Level of Resistance was Physical Defensive  
Did Officer Use *CED*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	220 (50.1)	172 (22.2)	132 (18.6)	5 (0.4)	267 (23.9)	69 (17.3)	217 (9.8)	75 (10.5)
<b>No</b>	219 (49.9)	602 (77.8)	576 (81.4)	1274 (99.6)	850 (76.1)	330 (82.7)	1996 (90.2)	636 (89.5)
<b>Total</b>	<b>439</b>	<b>774</b>	<b>708</b>	<b>1279</b>	<b>1117</b>	<b>399</b>	<b>2213</b>	<b>711</b>

\* 1-year

**Table 6-18. Suspects Highest Level of Resistance was Physical Defensive  
Did Officer Use *Baton*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	1 (0.2)	1 (0.1)	10 (1.4)	26 (2.0)	2 (0.2)	6 (1.5)	8 (0.4)	3 (0.4)
<b>No</b>	438 (99.8)	773 (99.9)	698 (98.6)	1253 (98.0)	1115 (99.8)	393 (98.5)	2205 (99.6)	708 (99.6)
<b>Total</b>	<b>439</b>	<b>774</b>	<b>708</b>	<b>1279</b>	<b>1117</b>	<b>399</b>	<b>2213</b>	<b>711</b>

\* 1-year

Next, we examine how officers in each of the cities responded to aggressively resistant suspects (i.e., hostile or overt physical aggression towards and officer such as attempting or actually striking an officer). Beginning with Table 6-19, we see that in all the cities except Colorado Springs, a majority of the encounters involved soft hand tactics when dealing with aggressive suspects. Knoxville had the highest amount at 87.4 percent while Colorado Springs had the lowest at 39.9 percent. A substantial degree of variation is found when examining hard hand tactics and aggressive resistance as displayed in Table 6-20. Here, Fort Wayne officers resorted to hard hand tactics in 35.3 percent of their encounters while Columbus officers used such force in just 13.9 percent of their encounters.

Moving to the use of weapons, Table 6-21 looks at chemical spray and aggressive resistance. Albuquerque and Fort Wayne used the most chemical spray in these types of cases (32.1% and 30.9%, respectively), while Charlotte-Mecklenburg and Knoxville used the least (6.3% and 7.1 percent, respectively). With respect to CED usage, Table 6-22 shows Colorado Springs officers were much more likely to resort to a CED when dealing with aggressively resistant suspects compared to the other cities. Specifically, Colorado Springs officers used CED force in 51.1 percent of these types of cases. The next closest city was Portland at 33.2 percent. Finally, Table 6-23 examines baton usage and aggressively resistant suspects. As shown, baton usage on the whole was infrequent. Albuquerque (3.8%) and Fort Wayne (2.6%) used the baton most, while St. Petersburg (0.3%) and Colorado Springs (0.9%) used it least.

**Table 6-19. Suspects Highest Level of Resistance was Physical Aggressive  
Did Officer Use *Soft Hands*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	93 (39.9)	439 (64.6)	424 (60.0)	500 (81.3)	292 (78.3)	395 (87.4)	1510 (79.4)	479 (86.8)
<b>No</b>	140 (60.1)	241 (35.4)	283 (40.0)	115 (18.7)	81 (21.7)	57 (12.6)	392 (20.6)	73 (13.2)
<b>Total</b>	<b>233</b>	<b>680</b>	<b>707</b>	<b>615</b>	<b>373</b>	<b>452</b>	<b>1902</b>	<b>552</b>

\* 1-year

**Table 6-20. Suspects Highest Level of Resistance was Physical Aggressive  
Did Officer Use *Hard Hands*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	45 (19.3)	122 (17.9)	137 (19.4)	217 (35.3)	45 (12.1)	107 (23.7)	265 (13.9)	100 (18.1)
<b>No</b>	188 (80.7)	558 (82.1)	570 (80.6)	398 (64.7)	328 (87.9)	345 (76.3)	1637 (86.1)	452 (81.9)
<b>Total</b>	<b>233</b>	<b>680</b>	<b>707</b>	<b>615</b>	<b>373</b>	<b>452</b>	<b>1902</b>	<b>552</b>

\* 1-year

**Table 6-21. Suspects Highest Level of Resistance was Physical Aggressive  
Did Officer Use *Chemical Spray*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	40 (17.2)	90 (13.2)	227 (32.1)	190 (30.9)	40 (10.7)	32 (7.1)	337 (17.7)	35 (6.3)
<b>No</b>	193 (82.8)	590 (86.8)	480 (67.9)	425 (69.1)	333 (89.3)	420 (92.9)	1565 (82.3)	517 (93.7)
<b>Total</b>	<b>233</b>	<b>680</b>	<b>707</b>	<b>615</b>	<b>373</b>	<b>452</b>	<b>1902</b>	<b>552</b>

\* 1-year

**Table 6-22. Suspects Highest Level of Resistance was Physical Aggressive  
Did Officer Use *CED*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	119 (51.1)	226 (33.2)	146 (20.7)	2 (0.3)	109 (29.2)	103 (22.8)	247 (13.0)	170 (30.8)
<b>No</b>	114 (48.9)	454 (66.8)	561 (79.3)	613 (99.7)	264 (70.8)	349 (77.2)	1655 (87.0)	382 (69.2)
<b>Total</b>	<b>233</b>	<b>680</b>	<b>707</b>	<b>615</b>	<b>373</b>	<b>452</b>	<b>1902</b>	<b>552</b>

\* 1-year

**Table 6-23. Suspects Highest Level of Resistance was Physical Aggressive  
Did Officer Use *Baton*?**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	2 (0.9)	14 (2.1)	27 (3.8)	16 (2.6)	1 (0.3)	11 (2.4)	20 (1.1)	11 (2.0)
<b>No</b>	231 (99.1)	666 (97.9)	680 (96.2)	680 (96.2)	372 (99.7)	441 (97.6)	1882 (98.9)	541 (98.0)
<b>Total</b>	<b>233</b>	<b>680</b>	<b>707</b>	<b>615</b>	<b>373</b>	<b>452</b>	<b>1902</b>	<b>552</b>

\* 1-year

Given the voluminous nature concerning the number of tables examining force use by resistance type (Table 6-9 through 6-23), the next three tables offer a more consolidated look. Table 6-24 combines Tables 6-9 through 6-13 in terms of the various types of force used in relation to suspect encounters where the highest level of suspect resistance is failure to comply. Tables 6-25 and 6-26 follow similar logic by combining physical defensive resistance (Tables 6-14 through 6-18) and physical aggressive resistance (Tables 6-19 through 6-23). Looking at these three tables as a collective whole several themes emerge.

First, Columbus used the most soft hand tactics with all three types of resistance. Second, Fort Wayne used the most hard hand tactics when dealing with all three types of resistance. One explanation for this latter finding may be the fact that patrol officers in Fort Wayne are not equipped with CEDs. Another explanation is that their policy may be considered less restrictive than the six agencies that link resistance to force. However, Columbus also does not link resistance to force and we do not find a similar result in that city. Third, Colorado Springs CEDs most often when dealing with all three types of resistance. Perhaps the wheel design helps explain such a finding, although from the text of the policy it seems rather apparent that officers are discouraged from using a CED on a passive or verbally resistant suspect.

Fourth, Albuquerque was most reliant on chemical sprays when dealing with both physically defensive and aggressive suspects. Fifth, Columbus officers were most likely to use chemical sprays on failure to comply suspects, which would seem in accordance with their policy (chemical sprays are placed low on the continuum policy). Sixth, Knoxville had the highest baton usage on failure to comply suspects (9.4%), despite the fact that its use is restricted within their policy.

**Table 6-24. Force Usage when Highest Level of Resistance was Failure to Comply**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Soft Hands</b>	25 (43.1)	270 (65.2)	5 (62.5)	57 (76.0)	222 (66.1)	24 (75.0)	880 (59.1)	34 (85.0)
<b>Hard Hands</b>	11 (19.0)	29 (7.0)	0 (0.0)	17 (22.7)	13 (3.9)	2 (6.2)	24 (1.6)	1 (2.5)
<b>Chemical Spray</b>	7 (12.1)	19 (4.6)	0 (0.0)	13 (17.3)	79 (23.5)	0 (0.0)	467 (31.4)	2 (5.0)
<b>CED</b>	26 (44.8)	80 (19.3)	3 (37.5)	0 (0.0)	23 (6.8)	7 (21.9)	110 (7.4)	5 (12.5)
<b>Baton</b>	0 (0.0)	1 (0.2)	0 (0.0)	1 (1.3)	0 (0.0)	3 (9.4)	2 (0.1)	0 (0.0)
<b>Total</b>	<b>58</b>	<b>414</b>	<b>8</b>	<b>75</b>	<b>336</b>	<b>32</b>	<b>1489</b>	<b>40</b>

\* 1-year

**Table 6-25. Force Usage when Highest Level of Resistance was Physical Defensive**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Soft Hands</b>	199 (45.3)	607 (78.4)	466 (65.8)	1090 (85.2)	823 (73.7)	327 (82.0)	1848 (83.5)	621 (87.3)
<b>Hard Hands</b>	97 (22.1)	101 (13.0)	104 (14.7)	405 (31.7)	70 (6.3)	61 (15.3)	77 (3.5)	106 (14.9)
<b>Chemical Spray</b>	44 (10.0)	31 (4.0)	130 (18.4)	232 (18.1)	82 (7.3)	10 (2.5)	202 (9.1)	18 (2.5)
<b>CED</b>	220 (50.1)	172 (22.2)	132 (18.6)	5 (0.4)	267 (23.9)	69 (17.3)	217 (9.8)	75 (10.5)
<b>Baton</b>	1 (0.2)	1 (0.1)	10 (1.4)	26 (2.0)	2 (0.2)	6 (1.5)	8 (0.4)	3 (0.4)
<b>Total</b>	<b>439</b>	<b>774</b>	<b>708</b>	<b>1279</b>	<b>1117</b>	<b>399</b>	<b>2213</b>	<b>711</b>

\* 1-year

**Table 6-26. Force Usage when Highest Level of Resistance was Physical Aggressive**

	<b>Col. Sp.</b>	<b>Port.*</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Soft Hands</b>	93 (39.9)	439 (64.6)	424 (60.0)	500 (81.3)	292 (78.3)	395 (87.4)	1510 (79.4)	479 (86.8)
<b>Hard Hands</b>	45 (19.3)	122 (17.9)	137 (19.4)	217 (35.3)	45 (12.1)	107 (23.7)	265 (13.9)	100 (18.1)
<b>Chemical Spray</b>	40 (17.2)	90 (13.2)	227 (32.1)	190 (30.9)	40 (10.7)	32 (7.1)	337 (17.7)	35 (6.3)
<b>CED</b>	119 (51.1)	226 (33.2)	146 (20.7)	2 (0.3)	109 (29.2)	103 (22.8)	247 (13.0)	170 (30.8)
<b>Baton</b>	2 (0.9)	14 (2.1)	27 (3.8)	16 (2.6)	1 (0.3)	11 (2.4)	20 (1.1)	11 (2.0)
<b>Total</b>	<b>23</b>	<b>680</b>	<b>707</b>	<b>615</b>	<b>373</b>	<b>452</b>	<b>1902</b>	<b>552</b>

\* 1-year

## Summary

From this set of analyses it is difficult to state apparent policy effects. For instance, Colorado Springs' high frequency use of a CED, or Knoxville's high frequency use of a baton, on passive and verbally defensive suspects despite their policies advising against such usage; or the extent to which Portland officers used hard hand tactics on defensively resistant suspects. However, there are other findings that seem to be in line with an agency's policy and the type of force used in relation to the type of suspect resistance faced, as many of the force types used by officers across all the cities fall in line or within the framework of what is permitted.

## *Multivariate Analyses*

In addition to examining various forms of force in relation to suspect resistance in a bivariate manner, we also wanted to look more globally at the severity of force officers use while controlling for suspect resistance levels and other factors that may account for why officers use force. As a result, we ran two multivariate models (ordered logit) with the highest level of force as the dependent variable (0=soft hands, 1=hard hands and chemical spray, 2=CED and impact weapons, 3=deadly force).<sup>43</sup>

Table 6-27 provides an overview of how the independent variables were defined, along with hypothesized relationships to force. Table 6-28 provides descriptive statistics for the

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<sup>43</sup> Even with multivariate analyses, it is important to note the difficulty of isolating or pinpointing a so-called "policy effect." Relying on force reports for data analyses ultimately limits the amount of control. While the multivariate approach allows us to control for numerous alternative factors that may cause officers to use certain types of force, one cannot control all factors. For instance, we cannot control for multiple uses of the same resistance type within the same encounter as noted in footnote 43. Nonetheless, our concerns are somewhat mitigated when we are comparing cities. More specifically, one would have to assume that multiple instances of the same type of resistance operates differently across cities for this to be a concern. Hence, if one city is found to be using significantly more force, we can make a reasonable assumption it is a true effect rather than one attributed to multiple instances of the same resistance. For the converse to be true, one would have to suspect that citizen resistance is somehow unique to a given city.

dependent and each of the independent variables.<sup>44</sup> The models include variables that have been found to influence (or posited to influence) police use of force behavior in prior research (Paoline and Terrill, 2004; Paoline and Terrill, 2007; Terrill and Mastrofski, 2002; Terrill, Paoline, and Manning, 2003).<sup>45</sup> For example, one would expect that officers may resort to force, irrespective of explicit resistance, if a suspect has a weapon. Similarly, prior research has shown suspect characteristics such as sex and race influence police behavior. Perhaps the key variables in each of the models are the dummy variables reflecting the cities. By incorporating these measures, we are most closely able to isolate policy effects across the cities.

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<sup>44</sup> Columbus did not capture suspect race as part of their force reporting system and is thus excluded from the analyses.

<sup>45</sup> We were somewhat limited with respect to the situational independent variables that could be used in the analyses given that the official reports did not reliably capture numerous measures (e.g., suspect demeanor, suspect wealth/class, or number of bystanders/officers present).

**Table 6-27. Description of Independent Variables**

<b>Variable</b>	<b>Hypothesized Effect</b>	<b>Definition</b>
Suspect Resistance	+	4=deadly, 3=physical aggressive, 2=physical defensive, 1=failure to comply, 0=none
Suspect Sex	+	1=male, 0=female
Suspect Race	+	1=non-white, 0=white
Suspect Age	+	Years
Suspect Drug	+	1=Suspect shows behavioral effects of drug/alcohol, 0=all other
Suspect Mental	+	1=Suspect shows behavioral effects of mental impairment, 0=all other
Suspect Weapon	+	1=Suspect has weapon, 0=all other
Colorado Springs	+/-	1=Colorado Springs, 0=all other
Charlotte-Mecklenburg	+/-	1=Charlotte-Mecklenburg, 0=all other
Portland	+/-	1=Portland, 0=all other
St. Petersburg	+/-	1=St. Petersburg, 0=all other
Knoxville	+/-	1=Knoxville, 0=all other
Albuquerque	+/-	1=Albuquerque, 0=all other
Fort Wayne	+/-	1=Fort Wayne, 0=all other

**Table 6-28. Descriptive Statistics for Multivariate Models**

<b>Variable</b>	<b>Range</b>	<b>Mean</b>	<b>Std. Dev.</b>
<i>Dependent</i>			
Highest level of force Soft Hands Hard Hands/Chemical Spray CED/Impact Weapons Deadly	0-3	.76	.833
<i>Independent</i>			
Suspect Resistance	0-4	2.23	.739
Suspect Sex	0-1	.86	.345
Suspect Race	0-1	.61	.488
Suspect Age	8-84	30.42	11.150
Suspect Drug	0-1	.47	.499
Suspect Mental	0-1	.09	.292
Suspect Weapon	0-1	.10	.302
Colorado Springs	0-1	.07	.308
Charlotte-Mecklenburg	0-1	.13	.334
Portland	0-1	.20	.400
St. Petersburg	0-1	.18	.386
Knoxville	0-1	.09	.284
Albuquerque	0-1	.14	.347
Fort Wayne	0-1	.19	.394

We begin by examining the highest level of force, as illustrated in Table 6-29. In this model, we use Albuquerque as the reference category since their policy may be considered less restrictive than the other cities as outlined in Table 6-8 (e.g., with the exception of impact force, all other forms of force are located at the bottom of the continuum); consequently we would expect Albuquerque officers to use more force. Thus, we posit that officers in each of the cities in the model will use less force than Albuquerque officers.

With the exception of Colorado Springs, the results show, as posited, that officers in each of the cities are all less likely to use higher forms of force compared to Albuquerque officers. Of these, only Portland fails to reach statistical significance. Conversely, Colorado Springs officers were significantly more likely to use higher levels of force, compared to Albuquerque, most likely the result of such high CED use as indicated in previous analyses. In general, such findings lend some degree of support in terms of a policy effect (i.e., the policy translates to behavioral differences).

**Table 6-29. Ordered Logit Estimates of Highest Force (N = 10,428)  
Reference Category: Albuquerque**

<b>Variable</b>	<b>B</b>	<b>S.E.</b>	<b>Sig.</b>
Suspect Resistance	.557	.029	.000
Suspect Sex	1.105	.064	.000
Suspect Race	.047	.043	.279
Suspect Age	.006	.002	.000
Suspect Drug	-.151	.042	.000
Suspect Mental	.261	.069	.000
Suspect Weapon	.639	.065	.000
Colorado Springs	1.089	.091	.000
Charlotte-Mecklenburg	-.482	.073	.000
Portland	-.120	.069	.082
St. Petersburg	-.297	.071	.000
Knoxville	-.492	.084	.000
Fort Wayne	-.591	.069	.000
Chi Square	1239.514		
- 2 Log Likelihood	13160.279		
Pseudo R square	.118		

**Table 6-30. Ordered Logit Estimates of Highest Force (N = 10,428)  
Reference Category: Charlotte-Mecklenburg**

<b>Variable</b>	<b>B</b>	<b>S.E.</b>	<b>Sig.</b>
Suspect Resistance	.557	.029	.000
Suspect Sex	1.105	.064	.000
Suspect Race	.047	.043	.279
Suspect Age	.006	.002	.000
Suspect Drug	-.151	.042	.000
Suspect Mental	.261	.069	.000
Suspect Weapon	.639	.065	.000
Colorado Springs	1.571	.094	.000
Albuquerque	.482	.073	.000
Portland	.362	.072	.000
St. Petersburg	.184	.074	.012
Knoxville	-.011	.086	.901
Fort Wayne	-.109	.072	.127
Chi Square	1239.514		
- 2 Log Likelihood	13160.279		
Pseudo R square	.118		

Table 6-30 also examines the highest level of force. In this model we use Charlotte-Mecklenburg as the reference category since their policy may be considered more restrictive than the other cities as outlined in Table 6-8 (e.g., CED and impact force are located at the top of the continuum); consequently we would expect Charlotte-Mecklenburg officers to use less force. Thus, we posit that officers in each of the cities in the model will use more force than Charlotte-Mecklenburg officers.

Here we find that officers in Colorado Springs, Albuquerque, Portland, and St. Petersburg all use significantly more force than Charlotte-Mecklenburg officers. However, no statistically significant differences were found between Knoxville, Fort Wayne, and Charlotte-Mecklenburg officers. As result, we once again find some partial support in terms of a policy effect (i.e., the policy translates to behavioral differences).

### **Summary**

Much like our summary assessment from the bivariate analyses, the multivariate analyses indicate that it is difficult to pinpoint any sort of consistent policy effects. In some cases we find officers operating along the lines that one might expect given the varying policy approaches, while in other instances we do not. What appears most evident is that Colorado Springs officers are using the highest levels of force net of policy and other controls (e.g., suspect resistance, suspect having a weapon, suspect demographics).

### *Suspect Injuries and Force*

In this section we examine the extent to which officers reported suspects being injured. In particular, we want to examine whether any differences in injuries may be related to the varying types of force policies used by our eight agencies. We begin with Table 6-31. Figures are computed with respect to the frequency of injury in relation to the total number of force reports filed per city. As illustrated, Charlotte-Mecklenburg, by far, reported the highest number of suspect injuries at 73.5 percent. This is followed by Knoxville (45.9%) and Colorado Springs (37.1%). The next four cities (Fort Wayne, Portland, Albuquerque, and Columbus) all reported in the 26 to 27 percent range. Finally, St. Petersburg reported the least amount of injuries at 15.9 percent.

Table 6-32 looks at the types of injuries suspects sustained. Note that no percentages are offered for Colorado Springs nor Albuquerque since this information was not reliably captured on their use of force report form. As shown, Fort Wayne had the most bruises (17.4%), Portland the most abrasions (50.4%), Knoxville the most lacerations (49.2%), Fort Wayne the most broken bones (2.2% , although we offer caution since the number of cases are so few) and Fort Wayne the most “other” injuries.<sup>46</sup> Interestingly, in three of the five categories Fort Wayne ranked at the top. Further, the city with the most suspect injuries (Charlotte-Mecklenburg) did not rank at the top in any individual injury type category.

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<sup>46</sup> Precisely how these categories were defined across all the cities is unknown. In some cities (e.g., Portland), these five categories were pre-labeled on the force report form without definition and were simply circled by the officer. In other cities (e.g., Columbus, Fort Wayne, St. Petersburg), an empty fill-in box was presented to the officer to identify the injury. If the research team had to make a determination of injury type, we used the following definitions: bruises (any mention of “bruise” by the officer or reporting of black and blue skin conditions), abrasions (any mention of “abrasion” by the officer or reporting of scraps/surface to the skin marks), lacerations (any mention of “laceration” by the officer or reporting of cuts to the skin), broken bones (any mention of “broken bone” by the officer or reporting of a fracture).

**Table 6-31. Was Suspect Injured?**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	274 (37.1%)	1206 (27.6%)	392 (26.9%)	542 (27.1%)	302 (15.9%)	425 (45.9%)	1531 (26.4%)	979 (73.5%)
<b>No</b>	464 (62.9%)	3168 (72.4%)	1066 (73.1%)	1455 (72.9%)	1595 (84.1%)	501 (54.1%)	4256 (73.6%)	353 (26.5%)
<b>Total</b>	<b>738</b>	<b>4374</b>	<b>1458</b>	<b>1997</b>	<b>1897</b>	<b>926</b>	<b>5787</b>	<b>1332</b>

**Table 6-32. Suspect Injury Types**

	<b>Col. Sp.</b>	<b>Portl.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Bruises</b>	-	158 (13.1%)	-	93 (17.4%)	15 (5.0%)	18 (4.3%)	64 (4.4%)	18 (1.8%)
<b>Abrasions</b>	-	608 (50.4%)	-	139 (26.0%)	140 (47.0%)	150 (35.5%)	467 (32.1%)	353 (36.1%)
<b>Lacerations</b>	-	195 (16.2%)	-	126 (23.6%)	93 (31.2%)	208 (49.2%)	674 (46.3%)	404 (41.3%)
<b>Broken Bones</b>	-	6 (0.5%)	-	12 (2.2%)	5 (1.7%)	8 (1.9%)	18 (1.2%)	10 (1.0%)
<b>Other</b>	-	239 (19.8%)	-	165 (30.8%)	45 (15.1%)	39 (9.2%)	231 (16.0%)	194 (19.8%)
<b>Total</b>	-	<b>1206</b>	-	<b>535</b>	<b>298</b>	<b>423</b>	<b>1454</b>	<b>979</b>

Several interesting points of reference emerge. First, Charlotte-Mecklenburg and St. Petersburg both restrict CED use to aggressively resistant suspects (high on the continuum), yet they fall on opposite ends in terms of suspect injuries (Charlotte-Mecklenburg reported the most injuries while St. Petersburg the least). Moreover, Colorado Springs officers used a CED far more often than officers in all the other cities, yet they have the third highest percentage of injuries. Second, arguably the three cities with the least restrictive policies (Fort Wayne and Columbus because they do not link resistance to force, and Albuquerque because they are permitted to use any form of force on any form of resistance with the exception of impact force on failure to comply suspects) all fall in the middle to low range on suspect injuries. One may posit that less policy restriction may lead to more injuries (i.e., because officers will have more freedom), but in fact we find that such policies were related with less injuries comparatively.

Third, Knoxville and Colorado Springs resulted in the second and third highest percentage of injuries. However, their policies are substantially different. Colorado Springs employs a wheel design and reserves hard hand tactics and impact force to aggressive resistant suspects, while Knoxville allows officers to use not only hard hands tactics and impact methods on defensively resistant suspects, but also chemical spray and a CED. Fourth, if suspect injuries are ranked in terms of most injuries to least injuries and then compared to suspect resistance levels (see Table 6-7b) there is a fair amount of similarity found. For example, St. Petersburg reports the lowest mean level of resistance and the lowest percentage of suspects being injured. The biggest difference when making this type of comparison is found in Albuquerque, which ranks highest in terms of resistance levels, but just sixth in injuries.

Fifth, if suspect injuries are ranked in terms of most injuries to least and then compared to officer force levels (see Table 6-7a), there is less similarity found than when compared to resistance levels. For instance, Charlotte-Mecklenburg had the most injuries but only the fourth highest level of force, while Albuquerque had just the sixth most injuries but the second highest level of force.

### *Officer Injuries and Force*

In this section we examine the extent to which officers reported receiving injuries during their force encounters with suspects. According to the 2007 Federal Bureau of Investigation's publication of *Law Enforcement Officers Killed and Assaulted*, 57 officers across the United States were killed by citizens, and 59,201 were assaulted (rate of 11.4 per 100 officers), of which 5,479 resulted in a documental injury (rate of 3.0 per 100 officers). Our figures are computed with respect to the frequency of injury in relation to the total number of force reports filed per city. Note that no percentages are offered for Albuquerque since this information was not reliably captured on their use of force report form. As shown in Table 6-33, Knoxville reported the highest number of officer injuries (14.8%), followed by Charlotte-Mecklenburg (13.4%), Colorado Springs (12.7%), Fort Wayne (12.2%), St. Petersburg (9.3%), Portland (9.0%), and Columbus (8.1%).

Table 6-34 looks at the types of injuries officers sustained. No percentages are offered for Colorado Springs nor Albuquerque as this information was not reliably captured on their force report form. As shown, Portland had the most bruises (16.5%), Charlotte-Mecklenburg the most abrasions (43.8%), Knoxville the most lacerations (33.6%) and broken bones (2.9% ,

although we offer caution since the number of cases are so few), and Columbus the most “other” injuries.<sup>47</sup> Interestingly, in two of the five categories Knoxville ranked at the top.

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<sup>47</sup> Similar to suspect injuries, precisely how these categories were defined across all the cities is unknown. In some cities these categories were pre-labeled on the force report. If the research team had to make a determination, we used the following: bruises (any mention of “bruise” or reporting of black and blue skin conditions), abrasions (any mention of “abrasion” or reporting of scraps/surface to the skin marks), lacerations (any mention of “laceration” or reporting of cuts to the skin), broken bones (any mention of “broken bone” or reporting of a fracture).

**Table 6-33. Was Officer Injured?**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Yes</b>	94 (12.7%)	393 (9.0%)	-	243 (12.2%)	177 (9.3%)	137 (14.8%)	467 (8.1%)	178 (13.4%)
<b>No</b>	644 (87.3%)	3981 (91.0%)	-	1754 (87.8%)	1720 (90.7%)	789 (85.2%)	5320 (91.9%)	1154 (86.6%)
<b>Total</b>	<b>738</b>	<b>4374</b>	<b>-</b>	<b>1997</b>	<b>1897</b>	<b>926</b>	<b>5787</b>	<b>1332</b>

**Table 6-34. Officer Injury Types**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Bruises</b>	-	65 (16.5%)	-	38 (15.8%)	24 (13.8%)	16 (11.7%)	30 (6.8%)	6 (3.4%)
<b>Abrasions</b>	-	170 (43.3%)	-	82 (34.0%)	64 (36.8%)	35 (25.5%)	110 (24.9%)	78 (43.8%)
<b>Lacerations</b>	-	55 (14.0%)	-	53 (22.0%)	37 (21.3%)	46 (33.6%)	126 (28.5%)	42 (23.6%)
<b>Broken Bones</b>	-	6 (1.5%)	-	3 (1.2%)	2 (1.1%)	4 (2.9%)	5 (1.1%)	3 (1.7%)
<b>Other</b>	-	97 (24.7%)	-	65 (27.0%)	47 (27.0%)	36 (26.3%)	171 (38.7%)	49 (27.5%)
<b>Total</b>	-	<b>393</b>	-	<b>241</b>	<b>174</b>	<b>137</b>	<b>442</b>	<b>178</b>

Several interesting points of reference emerge. First, the percentages of officer injuries are much lower on average than that of suspect injuries. In fact, the city with the highest percentage of officer injuries (Knoxville, 14.8%), was still lower than the city with the lowest percentage of suspect injuries (St. Petersburg, 15.9%). Thus, the extent to which officers are injured, across all cities, is substantially lower than the extent to which suspected are injured. Second, there is not a great deal of variation found across officer injuries when compared to suspect injuries. The small range of injuries goes from 8.1 percent in Columbus up to just 14.8 percent in Knoxville. Recall that the range for suspect injuries was 15.9 percent in St. Petersburg up to 73.5 percent in Charlotte-Mecklenburg. Third, Charlotte-Mecklenburg and St. Petersburg both restrict CED use to aggressively resistant suspects (high on the force continuum), yet Charlotte-Mecklenburg reported the second highest percentage of officer injuries, while St. Petersburg reported just the fifth highest percentage out of seven cities. Moreover, Colorado Springs officers used a CED far more frequently than officers in all the other cities, yet this city still had the third highest percentage of officer injuries.

Fourth, two of the cities with arguably the least restrictive policies (Fort Wayne and Columbus because they do not link resistance to force) fall in the middle to low range on officer injuries. One may posit that less restrictive policies may lead to more injuries (i.e., because officers will have more freedom), but in fact we find that such policies were related to less injuries comparatively. Fifth, Knoxville and Charlotte-Mecklenburg resulted in the first and second highest percentage of injuries. However, their policies are substantially different. In particular, officers in Charlotte-Mecklenburg are restricted from using a CED or impact force on suspects unless they are aggressively resistance. Knoxville's policy is less restrictive with the

use of a CED and impact weapons, permitting such force to be used on suspects who display just defensive resistance. Sixth, if officer injuries are ranked in terms of most injuries to least injuries and then compared to suspect resistance levels (see Table 6-7b) there is a fair amount of similarity found. For example, Knoxville reports the second highest mean level of resistance and the highest percentage of officers being injured. Other cities show similarities in terms of degree (i.e., the more resistance posed by suspects the more officers reported being injured).

## **CHAPTER 7**

### **Citizen Complaint Data**

As with force reports, a key part of the second phase of the project involved the collection of complaint data. In this chapter we examine complaints to investigate the relationship between policy types and the number, types, and outcomes of citizen complaints.

#### **Methodology**

The data collection process for complaints mirrored that of the force data and consisted of the same 24 month periods for each city. These time frames ensured that there was a consistent two-year period with no changes in substance or reporting with respect to each site's use of force policies. Much like the force report data, some of the research sites coded all complaint data electronically (i.e., Columbus, Charlotte-Mecklenburg, Colorado Springs, and Portland), others only maintained paper files (i.e., Fort Wayne, Knoxville, and St. Petersburg), and the others had a combination of electronic and paper data (i.e., Albuquerque). Sites that only kept paper files of complaint cases required coding into electronic format. Even in sites that kept data electronically, the research team had to refer to hard copies of the complaint files in order to obtain the necessary information (e.g., dispositions and discipline). In some instances, this meant having to gather the data from multiple, external sources. For example, in Albuquerque, much of the complaint information was recorded and stored electronically by Internal Affairs. However, certain key variables, such as the demographic information of complainants, were better collected by the city's Independent Review Office, the office that oversaw complaint investigations. Thus, we had to collect complaint data from each source in order to adequately capture all of the variables necessary for comparing complaints across each of the eight sites.

We wanted to ensure that the complaint data collected were comparable across sites. This proved to be challenging because the complaint processes for each site varied. For example, complaints were investigated solely by Internal Affairs in some sites (i.e., Fort Wayne), by a combination of Internal Affairs and officers' chain of command in other sites (i.e., Columbus, Charlotte-Mecklenburg, Colorado Springs, St. Petersburg, and Knoxville), or by a combination of departmental entities and external oversight agencies in the remaining sites (i.e., Portland and Albuquerque). Furthermore, the process by which complaints were evaluated for investigative merit also varied. In order to ensure that we were including similar types of complaints across sites, only complaints that were investigated by some type of department or external entity were included for analysis. As such, complaints that were rejected, declined, inactivated, not deemed to be a violation of policy, mediated, withdrawn, resolved at intake, or cancelled for cause were not included in the study.

We focused our attention on citizen complaints against officers. Our aim was to gain a better understanding of the types, numbers, and outcomes of complaints filed in each department. In all, we were able to collect all investigated citizen complaints for our eight sites. Finally, it should be noted that, for the following analyses, only external complaints lodged against sworn officers were included. As such, complaints against non-sworn police personnel were not included in the study.

Across each of our research sites, a number of characteristics related to the complaint incident, the citizens who filed the complaint, and the officers receiving the complaint were collected. For the current purpose, however, the key variable that allows for comparisons to be made across sites, and allows for the findings to be related back to each site's force policy, was

the type of alleged misconduct lodged against officers. Specifically, our focus centered on two types of allegations that prior research has identified as important indicators when examining complaints in relation to use of force: force and discourtesy allegations (Terrill and McCluskey, 2002). Across each site, each allegation of force and each allegation of discourtesy was coded from the complaint data.

In addition to coding force and discourtesy complaints, common measures of the investigation findings were coded as well. Four primary findings were coded from the data and classified as sustained, exonerated, not sustained, or unfounded. Finally, common measures of disciplinary actions were also created. Disciplinary actions were coded as none, supervisory actions, command counseling, written reprimand, suspension, termination, or “other.” The “other” category reflected actions taken infrequently, such as demotions or actions that were pending at the time the data was collected.

## **Analyses and Findings**

### *Frequency of Complaints*

Our analysis begins by examining the frequency of citizen complaints across the eight departments. Table 7-1 presents the frequencies and percentages of all citizen complaints across each site. It should be noted that the analyses presented in this chapter focus on the number of complaint allegations made against officers in the eight departments. In some cases, multiple complaint allegations may have been made against officers in a single incident, while in other instances multiple complaint allegations may have been made against multiple officers in an

incident. We treat each individual allegation of misconduct as an outcome of interest. In other words, *complaints refer to each separate allegation of misconduct filed against officers.*

Based on Table 7-1, the total number of citizen complaints ranged from 94 in Fort Wayne to 2,542 in Columbus for the two year period. Based on the total number of citizen complaints filed, Fort Wayne, Charlotte-Mecklenburg, and Knoxville had the highest percentages of use of force allegations. For example, of the 94 citizen complaints in Fort Wayne, 43 percent were for use of force. Furthermore, just over a third of all external complaints were for use of force in Charlotte-Mecklenburg, while almost one-quarter of all external complaints were for force in Knoxville. St. Petersburg and Albuquerque were the two sites with the lowest number of external force complaints with only 8.2 and 14.5 percent, respectively. Similar results were found for external discourtesy complaints, Fort Wayne and Knoxville had the highest percentages, while Albuquerque and St. Petersburg had the lowest percentages.

An interesting finding emerges when combining the total number of external force and discourtesy complaints and examining them in relation to the total number of all external complaints for each site. In Fort Wayne, 88 of the 94 (93.6%) external complaints were either for alleged force or discourtesy violations. This is substantially higher than the next highest departments, Knoxville (55%) and Charlotte-Mecklenburg (53%). Although Fort Wayne had the lowest number of citizen complaints, the vast majority of these were for force or discourtesy violations.

## **Summary**

The aim of this introductory section was to report the total number of citizen complaints (i.e., allegations), as well as the number (and percentage of overall total) of use of force and discourtesy allegations. While we find substantial variation (especially in totals) across our cities, a couple of clear patterns emerge. First, in relation to the total citizen complaints levied across our agencies, the percentage of use of force and discourtesy complaints was, by far, the highest in Fort Wayne, and to a lesser extent in Knoxville and Charlotte-Mecklenburg (see Table 7-1). Second, on the other end of the spectrum, we found both St. Petersburg and Albuquerque - which reported the lowest percentage of force and discourtesy complaints, when compared to all citizen complaints.

**Table 7-1. Citizen Complaint Allegations: Overall, Use of Force, and Discourtesy**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
Total Citizen Complaints	848	1350	962	94	245	158	390	2542
Total Citizen <i>Use of Force</i> Complaints	192 (22.6%)	274 (20.3%)	139 (14.5%)	40 (42.5%)	20 (8.2%)	37 (23.4%)	132 (33.8%)	505 (19.9%)
Total Citizen <i>Discourtesy</i> Complaints	197 (23.2%)	244 (18.1%)	77 (8.0%)	48 (51.1%)	39 (15.9%)	50 (31.6%)	76 (19.5%)	600 (23.6%)

### *Dispositions of Complaints*

In addition to the types and frequencies of complaints levied against the eight departments, we also collected data on complaint findings. Although allegations of misconduct themselves, especially excessive/improper force, present serious problems for police departments, accusations do not necessarily mean that the misconduct occurred. That is, even though all complaints were deemed to have investigative merit by departments, complaints are often difficult to substantiate (Lersch and Mieczkowski, 2000). Therefore, it is also important to examine the dispositions of complaints to determine how often complaints, particularly those for excessive/improper force and discourtesy, were substantiated across each department over the two year period.

Our analysis of complaint dispositions starts with the total number of dispositions for all types of citizen complaints investigated by departments. Table 7-2 presents the frequencies and percentages for the four common measures of dispositions across departments: sustained (i.e., the misconduct occurred), not sustained (i.e., the misconduct could not be proven or disproven), exonerated (i.e., the conduct in question was proper), or unfounded (the allegation of misconduct was found to be false).<sup>48</sup> These numbers provide a baseline for the results of complaint investigations across departments.

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<sup>48</sup> Column totals in Table 7-2 may not add to 100 percent. This is due to the fact that there may have been findings other than the four presented across sites. These were findings that were unique and often used infrequently by departments or findings that were still pending at the time of the study. Also, findings in Portland are unique which makes it difficult to make comparisons to the other seven sites. For example, almost 25 percent of complaint dispositions in Portland were still pending at the time of the study. In addition, almost 45 percent of findings were disposed of as service complaints, or “minor rule violations resolved by a supervisor.” This was unique to Portland in the sense that service complaints were treated as dispositions, while in other sites these types of complaints would have been addressed by the type of actions taken as a result of the investigation (e.g., disciplinary actions). These aspects should be kept in mind when interpreting dispositions for Portland.

**Table 7-2. Total Investigated Citizen Complaint Dispositions**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
Total Citizen Complaints	848	1350	962	94	245	158	390	2542
<b>Sustained</b>	<b>89 (10.5%)</b>	<b>29 (2.1%)</b>	<b>170 (17.7%)</b>	<b>9 (9.6%)</b>	<b>72 (29.4%)</b>	<b>22 (13.9%)</b>	<b>55 (14.1%)</b>	<b>226 (8.9%)</b>
Not Sustained	108 (12.7%)	55 (4.1%)	217 (22.6%)	61 (64.9%)	106 (43.3%)	21 (13.3%)	281 (72.1%)	568 (22.3%)
Exonerated	273 (32.2%)	146 (10.8%)	431 (44.8%)	1 (1.1%)	15 (6.1%)	51 (32.3%)	28 (7.2%)	589 (23.2%)
Unfounded	355 (41.9%)	91 (6.7%)	144 (15.0%)	10 (10.6%)	35 (14.3%)	64 (40.5%)	26 (6.7%)	1147 (45.1%)

**Table 7-3. Use of Force and Discourtesy Investigated Citizen Complaint Dispositions**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
<i>Use of Force</i> Complaints	192	274	139	40	20	37	132	505
<b>Sustained</b>	<b>1</b> <b>(0.5%)</b>	<b>4</b> <b>(1.5%)</b>	<b>7</b> <b>(5.0%)</b>	<b>0</b> <b>(0.0%)</b>	<b>0</b> <b>(0.0%)</b>	<b>1</b> <b>(2.7%)</b>	<b>5</b> <b>(3.8%)</b>	<b>5</b> <b>(1.0%)</b>
Not Sustained	22 (11.5%)	12 (4.4%)	25 (18.0%)	29 (72.5%)	6 (30.0%)	6 (16.2%)	114 (86.4%)	74 (14.7%)
Exonerated	88 (45.8%)	72 (26.3%)	96 (69.1%)	1 (2.5%)	4 (20.0%)	23 (62.2%)	7 (5.3%)	168 (33.3%)
Unfounded	76 (39.6%)	21 (7.7%)	11 (7.9%)	3 (7.5%)	4 (20.0%)	7 (8.9%)	6 (4.5%)	258 (51.1%)
<i>Discourtesy</i> Complaints	197	244	77	48	39	50	76	600
<b>Sustained</b>	<b>16</b> <b>(8.1%)</b>	<b>5</b> <b>(2.0%)</b>	<b>11</b> <b>(14.3%)</b>	<b>6</b> <b>(12.5%)</b>	<b>7</b> <b>(17.9%)</b>	<b>14</b> <b>(28.0%)</b>	<b>15</b> <b>(19.7%)</b>	<b>40</b> <b>(6.7%)</b>
Not Sustained	39 (19.8%)	12 (4.9%)	36 (46.8%)	29 (60.4%)	28 (71.8%)	8 (16.0%)	54 (71.1%)	242 (40.3%)
Exonerated	48 (24.4%)	8 (3.3%)	13 (16.9%)	0 (0.0%)	0 (0.0%)	11 (22.0%)	5 (6.6%)	37 (6.2%)
Unfounded	92 (46.7%)	11 (4.5%)	17 (22.1%)	7 (14.6%)	4 (10.3%)	17 (34.0%)	2 (2.6%)	281 (46.8%)

Although the results in Table 7-2 display frequencies and percentages for each finding category, the current discussion focuses on the number of sustained citizen complaints across each site. Based on the total number of citizen complaints, the number of sustained dispositions ranged from approximately 10 percent, of the total number of complaints, in Fort Wayne to almost 30 percent in St. Petersburg.

Table 7-3 presents dispositions for citizen complaints for the use of force and discourtesy. Recall from Table 7-1 that the frequency of force complaints roughly ranged between 8 and 43 percent of the total number of citizen complaints lodged across departments. Based upon the results in Table 7-3, relatively few of these force complaints are sustained against officers from any of the eight sites. In fact, the percentage of external force complaints sustained ranged from zero (in Fort Wayne and St. Petersburg) to only 5 percent (in Albuquerque).

Table 7-3 also displays dispositions for discourtesy complaints. When compared to use of force dispositions, sustained dispositions for discourtesy were found to be much more frequent. Recall from Table 7-1 that roughly 8 (Albuquerque) to 51 (Fort Wayne) percent of departments' complaints were for discourtesy. The total number of sustained discourtesy complaints ranged from approximately 8 (Colorado Springs) to 28 (Knoxville) percent.<sup>49</sup>

### **Summary**

The focus of this section was to assess complaint dispositions (i.e., sustained versus all others) across our eight cities. As we examine overall, use of force, and discourtesy allegations, a few interesting findings emerge. First, with respect to all citizen complaints combined, St. Petersburg (29.4) and Albuquerque (17.7) had the highest percentages of sustained complaints,

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<sup>49</sup> Again, this discussion excludes Portland due to the nature of their findings.

while Fort Wayne (9.6) and Columbus (8.9) had the lowest percentage. Recall that there were difficulties in comparing Portland's percentages to the rest of the cities.

In examining use of force and discourtesy allegations, it is clear that a much smaller percentage of force complaints are sustained. In illustrating this point, we found that the highest percentage of total sustained use of force complaints were found in Albuquerque (5.0%) and Charlotte-Mecklenburg (3.8%). So, at the high end, we find that only one out of every twenty use of force complaints is sustained. On the other hand, a higher percentage of sustained complaints were found for discourtesy allegations. Knoxville was found to have the highest percentage of sustained allegations, while Columbus had the fewest.

### *Disciplinary Actions*

We also examined, across the eight cities, the types of actions taken against officers accused of misconduct. These results are presented in Tables 7-4 through 7-6. We begin by examining the various actions taken across all types of citizen complaints for each city, which is reported in Table 7-4. The first row indicates the total number of actions taken for all complaint types. Two aspects should be noted about the coding of disciplinary actions. First, the total number of actions could exceed the total number of complaints. This is due to the fact that multiple actions could be taken for a single complaint. For example, an officer could receive a written reprimand and a suspension for a single complaint. Furthermore, actions may have been taken even if complaints were not found to be substantiated. Second, disciplinary actions were usually administered based on the entire complaint investigation, meaning that in cases where multiple allegations were made against officers, discipline was based upon the totality of the

circumstances of the complaint case. Since our analyses focus on each separate complaint allegation, the same disciplinary action was coded for each separate complaint allegation. Thus, some of the frequencies presented may initially appear rather high. For example, there were 20 suspensions coded in Albuquerque over the two year period. This was due to the fact that the same disciplinary action would have been coded for each allegation associated with the complaint incident. These two issues should be kept in mind when assessing discipline across each city.

Most citizen complaints resulted in no disciplinary action being taken. Across cities, roughly 71 (in Colorado Springs and St. Petersburg) to 92 (in Columbus) percent of complaints resulted in no action. This is not surprising given that the majority of complaints against officers were not substantiated. Across cities, there were five primary types of actions taken. Supervisory actions consisted of counseling and training at the officers' direct supervisory level. Supervisory actions were considered to be informal and most cities did not consider these to be disciplinary in nature. The remaining actions were formal actions that consisted of command counseling, written reprimands, suspensions, and terminations. One way to make comparisons is to examine the nature of discipline for complaints where at least one type of action was taken. Although we present all types of actions, discussion is focused on comparisons across cities for the formal disciplinary actions of written reprimands, suspensions, and terminations.<sup>50</sup>

For all complaint types, the results in Table 7-4 indicated that when at least some type of action was taken, more formal forms of discipline were taken in St. Petersburg and Charlotte-

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<sup>50</sup> We restrict discussion to these three categories for two primary reasons. First, supervisory actions were not considered to be formal discipline. Second, it was difficult to identify the nature of command counseling for some cities. For example, in Colorado Springs, counseling was considered to be an informal supervisory action. The nature of counseling in Charlotte-Mecklenburg, on the other hand (i.e., formal or informal discipline), was not as discernable. To ensure we are making consistent comparisons for similar types of disciplinary actions, we focus on written reprimands, suspensions, and terminations, all of which were treated the same across sites.

Mecklenburg. For example, in St. Petersburg some type of disciplinary action was taken in 72 out of the 245 total actions.<sup>51</sup> Approximately 53 percent of these 72 actions were formal disciplinary measures consisting of written reprimands, suspensions, or terminations. For Charlotte-Mecklenburg 51 percent of their actions were formal in nature. On the other hand, the results in Table 7-4 indicate that Colorado Springs and Portland relied on more informal actions when examining all types of citizen complaints.

With respect to disciplinary actions for use of force citizen complaints, a few patterns emerge. As Table 7-5 illustrates, once again, formal actions were extremely infrequent and this is due to the fact that few use of force citizen complaints were substantiated across sites. Once again, Portland and Colorado Springs relied on informal actions more often than the other cities. In terms of formal disciplinary actions, Charlotte-Mecklenburg (3.1) and Knoxville (2.7) recorded the highest percentages.

Turning next to disciplinary actions for discourtesy complaints (see Table 7-6), formal actions were taken infrequently, but at consistently higher amounts compared to the use of force complaints. Portland, Colorado Springs, and Knoxville relied on informal actions to address discourtesy complaints more than the other five cities. On the other hand, Charlotte-Mecklenburg had the highest percentage of formal actions and suspensions for discourtesy, while Columbus did not take a single formal action for any discourtesy citizen complaint.

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<sup>51</sup> Calculated by subtracting the no action taken row from the total number of disciplinary action row.

**Table 7-4. Investigated Citizen Complaint Disciplinary Actions: *All* Complaints**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
Disciplinary Actions for <i>All</i> Citizen Complaints	919	1350	996	94	245	159	400	2543
No Action Taken	649 (70.6%)	236 (17.5%)	790 (79.3%)	82 (87.2%)	173 (70.6%)	133 (83.6%)	324 (81.0%)	2333 (91.8%)
Supervisory Action	204 (22.2%)	711 (52.7%)	111 (11.1%)	1 (1.1%)	0 (0.0%)	17 (10.7%)	1 (0.2%)	4 (0.2%)
Command Counseling	N/A	2 (0.1%)	N/A	N/A	32 (13.1%)	N/A	34 (8.5%)	160 (6.3%)
Written Reprimand	19 (2.1%)	8 (0.6%)	36 (3.6%)	4 (4.3%)	22 (9.0%)	1 (0.6%)	16 (4.0%)	8 (0.3%)
Suspension	3 (0.3%)	5 (0.4%)	20 (2.0%)	1 (1.1%)	12 (4.9%)	7 (4.4%)	22 (5.5%)	16 (0.6%)
Termination	3 (0.3%)	0 (0.0%)	3 (0.3%)	0 (0.0%)	4 (1.6%)	0 (0.0%)	1 (0.2%)	22 (0.9%)
Other	41 (4.5%)	388 (28.7%)	36 (3.6%)	6 (6.4%)	2 (0.8%)	1 (0.6%)	2 (0.5%)	0 (0.0%)

**Table 7-5. Investigated Citizen Complaint Disciplinary Actions: *Use of Force* Complaints**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
Disciplinary Actions for <i>Use of Force</i> Complaints	199	274	139	40	20	37	132	505
No Action Taken	159 (79.9%)	84 (30.7%)	130 (93.5%)	39 (97.5%)	20 (100.0%)	36 (97.3%)	126 (95.5%)	500 (99.0%)
Supervisory Action	35 (17.6%)	68 (24.8%)	4 (2.9%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	2 (0.4%)
Command Counseling	N/A	2 (0.7%)	N/A	N/A	0 (0.0%)	N/A	1 (0.8%)	N/A
Written Reprimand	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	3 (2.3%)	2 (0.4%)
Suspension	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	1 (2.7%)	1 (0.8%)	1 (0.2%)
Termination	0 (0.0%)	0 (0.0%)	1 (0.7%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)
Other	5 (2.5%)	120 (43.8%)	4 (2.9%)	1 (2.5%)	0 (0.0%)	0 (0.0%)	1 (0.8%)	0 (0.0%)

**Table 7-6. Investigated Citizen Complaint Disciplinary Actions: *Discourtesy* Complaints**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
Disciplinary Actions for <i>Discourtesy</i> Complaints	218	244	77	48	39	51	81	600
No Action Taken	157 (72.0%)	24 (9.8%)	65 (84.4%)	40 (83.3%)	32 (82.1%)	35 (68.6%)	59 (72.8%)	561 (93.5%)
Supervisory Action	54 (24.8%)	155 (63.5%)	4 (5.2%)	1 (2.1%)	0 (0.0%)	12 (23.5%)	0 (0.0%)	0 (0.0%)
Command Counseling	N/A	0 (0.0%)	N/A	N/A	3 (7.7%)	N/A	12 (14.8%)	39 (6.5%)
Written Reprimand	3 (1.4%)	3 (1.2%)	6 (7.8%)	3 (6.2%)	2 (5.1%)	1 (2.0%)	4 (4.9%)	0 (0.0%)
Suspension	0 (0.0%)	0 (0.0%)	1 (1.3%)	1 (2.1%)	1 (2.6%)	2 (3.9%)	6 (7.4%)	0 (0.0%)
Termination	0 (0.0%)	0 (0.0%)	1 (1.3%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)
Other	4 (1.8%)	62 (25.4%)	0 (0.0%)	3 (6.2%)	1 (2.6%)	1 (2.0%)	0 (0.0%)	0 (0.0%)

## **Summary**

The goal of this section was to shed light on the disciplinary actions across total citizen complaints, as well as those for use of force and discourtesy. One thing that is abundantly clear is that formal disciplinary action (i.e., written reprimands, suspensions, and terminations), across all types of complaints, is the exception rather than the norm. When we compare across the cities, we find a few common tendencies. More specifically, across all allegations, and those for force and discourtesy, Colorado Springs and Portland (and Knoxville for discourtesy complaints only) consistently relied on formal disciplinary actions less frequently than all other cities. The cities that did lead the way, in terms of formal disciplinary actions across complaint types, were St. Petersburg (for all citizen complaints combined), Albuquerque (for discourtesy allegations) and Charlotte-Mecklenburg (for all complaints combined as well as use of force and discourtesy allegations).

### *Frequency of Complaints by Workload Measures*

While the preceding sections were concerned with describing the frequency of force and discourtesy complaints (and subsequent outcomes) across cities, in making comparisons to overall complaint totals, the remaining sections focus on more in-depth analyses of our primary areas of concern - use of force and discourtesy allegations. We begin this discussion by examining how often external use of force and discourtesy complaints were made against the eight cities in relation to four department workload measures: calls for service, reported crimes, arrests, and use of force reports. Table 7-7 reports these results for use of force complaints, while Table 7-8 presents the results for discourtesy complaints. Comparing use of force

complaints by calls for service, we find substantial variation across the eight cities. For example, in Portland, citizens filed one force complaint for every 1,631 calls for service. In contrast, use of force complaints in St. Petersburg were filed by citizens once for every 17,885 calls for service. Thus, when using calls for service as a baseline, Portland received roughly ten times more force complaints than officers in St. Petersburg. With respect to discourtesy complaints, similar patterns were found for Portland and Charlotte-Mecklenburg. Portland had a substantially higher discourtesy complaint rate per 1,000 calls for service than the other seven cities. Charlotte-Mecklenburg, on the other hand, had the lowest rate: one discourtesy complaint for every 10,663 calls for service.

Variation was also present when comparing each city's complaint rates by Part I reported crimes. Colorado Springs had the highest rates of force and discourtesy complaints per 1,000 Part I crimes across the eight cities. Citizens filed use of force complaints for every 202 Part I crimes and filed discourtesy complaints for every 197 Part I crimes. On the other hand, St. Petersburg had use of force and discourtesy complaints filed once for every 1,959 and 1,004 Part I crimes, respectively. In the context of the amount of crime, officers in Colorado Springs received use of force complaints approximately ten times more frequently, and discourtesy complaints roughly five times more frequently, than officers in St. Petersburg.

When looking at the frequency of use of force and discourtesy complaints in relation to the number of arrests for Part I crimes, officers in Columbus had the highest rates. Columbus had a use of force complaint filed for every 27 arrests and a discourtesy complaint filed for every 23 arrests. Once again, St. Petersburg had the lowest complaint rates in relation to arrests. St. Petersburg had a use of force complaint filed for every 314 arrests and a discourtesy complaint

filed for every 161 arrests. In the context of the number of arrests, officers in Columbus received external complaints approximately twelve (use of force) and seven (discourtesy) times more frequently than officers in St. Petersburg.

Finally, we examined the frequency of use of force and discourtesy complaints in relation to the number of use of force reports filed in each city over the two year period. When examining the results in Tables 7-7 and 7-8, several interesting patterns were found. For five of the eight cities, the number of force and discourtesy complaints per force report was calculated to be one complaint for approximately every 10 to 25 force reports filed. Two cities, however, had much lower complaint rates. First, Fort Wayne had one force complaint for every 50 force reports filed, and one discourtesy complaint for every 42 force complaints filed. Second, St. Petersburg had one force complaint for every 95 force reports filed, and one discourtesy complaint for every 49 force reports filed. On the other hand, Colorado Springs had higher complaint rates than the other cities. In Colorado Springs, citizens filed one use of force complaint for every four force reports. This was also the same for discourtesy complaints, one complaint for every four force reports filed. Thus, Colorado Springs had approximately use of force complaints filed almost 24 times more frequently and discourtesy complaints filed almost 12 times more frequently than St. Petersburg (the city with the lowest rate).

**Table 7-7. External Use of Force Complaint Comparison by Calls for Service, Reported Crimes, Arrests, and Force Reports**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
Complaint/Service Calls (1,000)	0.35	0.61	0.21	0.11	0.06	0.08	0.16	0.33
<i>Complaint per call</i>	<i>1 of 2,803</i>	<i>1 of 1,631</i>	<i>1 of 4,693</i>	<i>1 of 8,854</i>	<i>1 of 17,885</i>	<i>1 of 12,058</i>	<i>1 of 6,139</i>	<i>1 of 3,026</i>
Complaint/Part I Crimes (1,000)	4.94	3.79	1.97	1.72	0.51	1.39	1.14	4.28
<i>Complaint per crime</i>	<i>1 of 202</i>	<i>1 of 264</i>	<i>1 of 508</i>	<i>1 of 580</i>	<i>1 of 1,959</i>	<i>1 of 720</i>	<i>1 of 876</i>	<i>1 of 233</i>
Complaint/Part I Arrests (1,000)	21.70	19.10	22.00	8.08	3.18	6.18	10.94	37.30
<i>Complaint per arrest</i>	<i>1 of 46</i>	<i>1 of 52</i>	<i>1 of 45</i>	<i>1 of 124</i>	<i>1 of 314</i>	<i>1 of 162</i>	<i>1 of 91</i>	<i>1 of 27</i>
Complaint/Force Report (100)	26.01	6.26	9.50	2.00	1.05	3.99	9.91	8.70
<i>Complaint per force report</i>	<i>1 of 4</i>	<i>1 of 16</i>	<i>1 of 10</i>	<i>1 of 50</i>	<i>1 of 95</i>	<i>1 of 25</i>	<i>1 of 10</i>	<i>1 of 11</i>
<b>Total Number External Force Complaints</b>	<b>192</b>	<b>274</b>	<b>139</b>	<b>40</b>	<b>20</b>	<b>37</b>	<b>132</b>	<b>505</b>

**Table 7-8. External *Discourtesy* Allegation Comparison by Calls for Service, Reported Crimes, Arrests, and Force Reports**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
Complaint/Service Calls (1,000)	0.36	0.55	0.12	0.14	0.11	0.11	0.09	0.39
<i>Complaint per call</i>	<i>1 of 2,732</i>	<i>1 of 1,831</i>	<i>1 of 8,472</i>	<i>1 of 7,378</i>	<i>1 of 9,172</i>	<i>1 of 8,923</i>	<i>1 of 10,663</i>	<i>1 of 2,547</i>
Complaint/Part I Crimes (1,000)	5.07	3.37	1.09	2.07	0.99	1.88	0.66	5.08
<i>Complaint per crime</i>	<i>1 of 197</i>	<i>1 of 296</i>	<i>1 of 918</i>	<i>1 of 483</i>	<i>1 of 1,004</i>	<i>1 of 533</i>	<i>1 of 1,522</i>	<i>1 of 197</i>
Complaint/Part I Arrests (1,000)	22.24	17.05	12.21	9.70	6.21	8.35	6.30	44.35
<i>Complaint per arrest</i>	<i>1 of 45</i>	<i>1 of 59</i>	<i>1 of 82</i>	<i>1 of 103</i>	<i>1 of 161</i>	<i>1 of 120</i>	<i>1 of 159</i>	<i>1 of 23</i>
Complaint/Force Report (100)	26.69	5.58	5.28	2.40	2.06	5.40	5.70	10.37
<i>Complaint per force report</i>	<i>1 of 4</i>	<i>1 of 18</i>	<i>1 of 19</i>	<i>1 of 42</i>	<i>1 of 49</i>	<i>1 of 18</i>	<i>1 of 17</i>	<i>1 of 10</i>
<b>Total Number External Discourtesy Complaints</b>	<b>197</b>	<b>244</b>	<b>77</b>	<b>48</b>	<b>39</b>	<b>50</b>	<b>76</b>	<b>600</b>

## Summary

The focus of this section was to compare external complaints for the use of force and discourtesy against a set of important departmental workload measures (please see Chapter Six for a similar set of analyses for the use of force). In doing so, a few cities distinguished themselves from the rest.

In terms of beneficial outcomes, two departments were ahead of the rest. That is, St. Petersburg, by far, had the fewest use of force citizen complaints per citizen call for service, crime, arrest, and force report. With respect to discourtesy citizen complaints, St. Petersburg had the fewest per arrest and force report, and the second fewest per call and crime. Charlotte-Mecklenburg also distinguished themselves, as they had the fewest discourtesy citizen complaints per call and crime, while they had the second fewest discourtesy complaints per arrest.

On the opposite end of the spectrum, three departments, across the four measures, were found to exhibit the least beneficial comparisons. That is, Colorado Springs officers had the most force and discourtesy citizen complaints per use of force report and crime (tied with Columbus). Portland officers were found to have the most force and discourtesy citizen complaints per citizen call. Finally, Columbus officers had the most force and discourtesy citizen complaints per arrest, and tied with Colorado Springs for the most discourtesy citizen complaints per crime.

### *Use of Force and Discourtesy Officer Totals*

The next analysis extends the examination of citizen complaints for the use of force and discourtesy to the officer level. That is, we examine, across the eight cities, the distribution of such complaints across officers, in shedding light on the range of complaint totals (per officer), mean complaint amounts across officers, and the percentage of sworn personnel with a force and/or discourtesy citizen complaint. In doing so, we restrict our analyses to citizen complaints for the use of force and discourtesy where an individual officer (either by name or badge number) was identified. This decision was based on the fact that we did not want to misrepresent individual level totals by including unnamed officers. For example, in Columbus there were 242 complaints made against the “Division of Police” as a whole, and if we included these allegations, it would appear that a single officer had this many complaints over the two-year study period. As such, we excluded such cases and our external complaints for the use of force and discourtesy totals differ from that cited previously in Table 7-1.<sup>52</sup>

Table 7-9 displays a variety of officer-level totals regarding external complaints for the use of force and discourtesy. We begin by presenting the number of officers (in our columns) that received  $x$  number of complaints. As we examine the distribution of citizen complaints across our cities, we find that two-year totals range from one complaint (in every city) to fourteen (in Columbus). It is apparent, that in some cities (e.g., St. Petersburg and Fort Wayne) there is a much tighter clustering in terms of the number of complaints per officer (at the lower end) than that found in others (e.g., Columbus and Portland), where officer totals are more dispersed (and at higher levels).

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<sup>52</sup> The following represents the total number of complaints, per city, that did not name an individual officer (and thus were excluded): Colorado Springs (2), Portland (13), Albuquerque (1), Fort Wayne (0), St. Petersburg (0), Knoxville (0), Charlotte-Mecklenburg (0), and Columbus (242).

Beneath these totals we also present the total number of citizen complaints for force and discourtesy (where an officer was named), mean totals that represent the average number of complaints per officer<sup>53</sup>, as well standard deviations. It is apparent that there is a degree of variation across our cities. For example, Fort Wayne, St. Petersburg, Knoxville, and Charlotte-Mecklenburg averaged approximately one and a quarter complaint, while Columbus and Portland averaged close to two complaints per officer.

The last three rows in Table 7-9 represent the number of officers that made up the complaint totals (per city), the total number of sworn personnel in each department (as a potential pool of officers that could receive a citizen complaint), and the percentage of sworn personnel that were in the pool of officers with a complaint. For example, 231 officers in Colorado Springs comprised the 387 total citizen complaints for force and discourtesy, while roughly 35% of their sworn personnel had at least one of these complaints. Across the cities, we found that St. Petersburg and Charlotte-Mecklenburg had the fewest percentage of sworn personnel with a citizen complaint for force and/or discourtesy (9.2 and 10.3, respectively), while Colorado Springs (34.5%) and Portland (26.7%) were at the other end of the spectrum.

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<sup>53</sup> Note that these means do not include organizational members that did not receive any complaints. As such, these figures represent the average number of complaints among those officers that had at least one (over the two year period).

**Table 7-9. External Complaints for Force or Discourtesy: Officer Totals**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
<b>Number of Complaints</b>								
1	146	150	91	63	40	57	136	244
2	50	60	33	8	7	10	26	101
3	16	22	7	1	0	2	5	51
4	7	17	4	0	0	1	0	15
5	8	7	3	0	1	0	1	11
6	3	2	1	1	0	0	0	3
7	1	1	0	0	0	0	0	9
8	0	2	0	0	0	0	0	3
9	0	0	0	0	0	0	0	1
10	0	2	0	0	0	0	0	1
11	0	1	0	0	0	0	0	1
12	0	0	0	0	0	0	0	0
13	0	0	0	0	0	0	0	0
14	0	0	0	0	0	0	0	1
<i>N</i> Complaints	387	505	215	88	59	87	208	863
Mean	1.68	1.91	1.55	1.21	1.23	1.24	1.24	1.96
S.D.	1.16	1.56	0.97	0.87	0.66	0.58	0.56	1.63
<i>N</i> Officers	231	264	139	73	48	70	168	441
Total # Sworn	669	989	986	457	520	382	1638	1819
Complaint Officers/ Sworn	34.53	26.69	14.10	15.97	9.23	18.32	10.26	24.24

## **Summary**

The purpose of this section of this chapter was to extend the analyses of citizen complaints for the use of force and discourtesy to the officer level. In doing so, we presented (per agency) the number (and averages) of citizen complaints officers received, as well as comparisons to the overall population of sworn personnel. The results revealed some interesting comparisons. First, the range of complaints per officer, across sites, varied from one to 14. In addition, the average total complaints (among officers identified by the citizen) was the lowest for Fort Wayne, St. Petersburg, Knoxville, and Charlotte-Mecklenburg, while the highest was found in Columbus and Portland. Second, in examining the percentage of departmental sworn personnel with at least one citizen complaint, we found variation across cities. The fewest percentage of sworn personnel with a citizen complaint for force and/or discourtesy was found in St. Petersburg and Charlotte-Mecklenburg, with the highest in Colorado Springs.

## *Multivariate Analyses*

The final analysis extends the preceding work by examining external use of force and discourtesy complaints from a multivariate framework. The purpose here is to determine if some cities have a higher probability of receiving complaints for force and discourtesy, while controlling for theoretically relevant factors. For this analytical model, we include three characteristics of the citizen (i.e., sex, race, and age) who filed the complaint. Citizen sex and gender are binary variables where male complainants and non-white complainants were coded as one. Citizen age reflects the complainant's age in years at the time the complaint was filed. In

addition, we include dummy variables which measure the city where the complaint was filed.<sup>54</sup>

Descriptive statistics for all variables used in the multivariate analysis is provided in Table 7-10.

Table 7-11 presents the logistic regression results predicting external use of force and discourtesy complaints. When controlling for citizen characteristics, every city had a significantly less likelihood of receiving a force or discourtesy complaint when compared to Fort Wayne. Although all effects were substantial, Albuquerque and St. Petersburg were the cities with the most pronounced differences. Officers in both of these cities were least likely, than the rest of the cities, to have force or discourtesy complaints made against them than officers in Fort Wayne. Finally, we found that none of the citizen characteristics were statistically significant.

### **Summary**

The primary aim of this section was to utilize a multivariate approach to predict use of force and discourtesy citizen complaints. In doing so, we were able to isolate the independent effects of each city, controlling for the other cities as well as theoretically relevant citizen controls (i.e., sex, race, and age). In terms of comparing cities, we found in every instance that our seven research sites had a significantly lower likelihood of receiving a use of force or discourtesy citizen complaint than our reference category - Fort Wayne. The most pronounced differences, from Fort Wayne, were found for Albuquerque and St. Petersburg. In terms of our citizen controls, none were statistically distinguishable in our multivariate model.

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<sup>54</sup> A series of multivariate models were run to determine which site would best serve as the reference category for the final model. Since there were few theoretical reasons to choose one site over the other, multivariate comparisons were made using each site as the reference category. In the end, the results for Fort Wayne provided the most consistent results across all models. That is, in nearly every case, Fort Wayne was found to have significantly more complaints than each of the other seven sites. Given this information, as well as the extremely high percentage of external use of force and discourtesy complaints (per all complaints) noted in Table 7-1, we use Fort Wayne as the reference category in our analytical model.

**Table 7-10. Descriptive Statistics for Multivariate Model**

<b>Variable</b>	<b>Range</b>	<b>Mean</b>	<b>Std. Dev.</b>
<i>Dependent</i>			
Use of Force Complaint	0-1	.20	.40
Discourtesy Complaint	0-1	.20	.40
Combined Complaint	0-1	.41	.49
<i>Independent</i>			
Citizen Sex	0-1	.56	.49
Citizen Race	0-1	.54	.50
Citizen Age	11-79	36.2	12.49
Colorado Springs	0-1	.13	.34
Portland	0-1	.20	.40
Albuquerque	0-1	.15	.36
Fort Wayne	0-1	.01	.18
St. Petersburg	0-1	.04	.19
Knoxville	0-1	.02	.15
Charlotte-Mecklenburg	0-1	.06	.24
Columbus	0-1	.38	.49

**Table 7-11. Logistic Regression Predicting Citizen Complaints  
Reference Category: Fort Wayne**

<b>Variable</b>	<b>B</b>	<b>S.E.</b>	<b>Sig.</b>	<b>Exp(B)</b>
Citizen Sex	.09	.07	.170	1.10
Citizen Race	.00	.07	.956	1.00
Citizen Age	.00	.00	.223	1.00
Colorado Springs	-2.74	.43	.000	.06
Portland	-3.20	.43	.000	.04
Albuquerque	-3.86	.44	.000	.02
St. Petersburg	-3.84	.45	.000	.02
Knoxville	-3.10	.49	.000	.05
Charlotte-Mecklenburg	-2.50	.45	.000	.08
Columbus	-2.85	.43	.000	.06
Constant	2.74	.44	.000	15.53

Chi Square                    262.10  
- 2 Log Likelihood        5239.32  
Pseudo R square            .084  
N=4,060

## **CHAPTER 8**

### **Civil Litigation Data**

The final piece of the second phase of the project involved the collection and analysis of civil litigation data. In this chapter, we examine these data to investigate how often citizens alleged police misconduct (particularly the misuse of force), the outcome or dispositions of such allegations, and the monetary payout cities have made.

#### **Methodology**

Similar to use of force and complaint data, at each of the sites we collected 24 months of data within the same timeframe as noted in Chapters 6 and 7. By far, attempting to gather civil litigation data proved more challenging than any other aspect of the project; and even in those cities where we were successful the substance of the information collected was often limited. Many of the difficulties we experienced have been discussed by previous scholars (Cheh, 1995, Fyfe, 1986, Worrell, 2001), but perhaps best summarized by Archbold and Maguire (2002) with respect to insufficient departmental data collection protocols and/or a department or city's reluctance to release such information to researchers.

In Albuquerque and Columbus the city attorney to the police department chose not to make these data available to our research team. In Albuquerque we were continually promised that the data would be disclosed without success. A somewhat similar scenario played out in Columbus.<sup>55</sup> Hence, Albuquerque and Columbus failed to submit the requested data. We leave it to the reader to draw conclusions as to why this may be the case, and the implications failure to

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<sup>55</sup> The city attorney for the police department in Columbus initially released cursory information on lawsuits filed, but failed to respond to any future requests detailing the specifics of these lawsuits; in Albuquerque the city attorney for the police failed to release any information at any time.

disclose the data may have on the findings. In Charlotte-Mecklenburg, police department officials were willing to collect and disclose the data, but in the end we were unable to obtain and analyze it prior to the conclusion of the project. Finally, Knoxville provided us with civil litigation data, but the format was insufficient for our purposes so as to draw any substantive conclusions.

The remaining four cities were willing and able to disclose civil litigation data in a format that we could use to compare cities. We caution, however, that the information provided is still limited in scope. Specifically, the only information we were fully and confidently able to glean included the number of lawsuits filed during our two-year study period, the outcome or dispositions of these cases, and the extent of monetary payout. As a result, these data are what we were able to rely on for the following analyses.

### **Analyses and Findings**

Given the relatively few civil litigation cases filed (in comparison with force or complaints), we do not place the number of lawsuits within the context of calls for service, reported crimes, or arrests. Rather, we examine the findings as illustrated in Table 8-1.

**Table 8-1. Lawsuits Filed, Outcomes, and Monetary Payouts**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>
<b># All Lawsuits</b>	17	75	91	22
<b># Force Lawsuits</b>	3 (17.6%)	48 (64.0%)	51 (56.0%)	3 (13.6%)
<b>All Lawsuits Outcome</b>	Dismissed=10 Pending=3 Settled=4	Dismissed=15 Pending=27 Arbitration-win=1 Arbitration-loss=1 Settled=31	Dismissed=7 Pending=11 Denied=43 Settled=22 Loss=8	Dismissed=4 Pending=6 Settled=11 Loss=1
<b>Force Lawsuits Outcome</b>	Dismissed=2 Pending=1	Dismissed=7 Pending=20 Arbitration-win=1 Arbitration-loss=1 Settled=19	Dismissed=3 Pending=7 Denied=21 Settled=14 Loss=6	Dismissed=1 Settled=2
<b>All Lawsuits Monetary Payout</b>	\$5,259,326 <sup>56</sup>	\$1,292,649	\$113,899 <sup>57</sup>	\$145,899 <sup>58</sup>
<b>Force Lawsuits Monetary Payout</b>	\$0	\$967,656	\$54,674 <sup>59</sup>	\$5,500

<sup>56</sup> \$5,250,000 of this amount was paid as part of one settlement.

<sup>57</sup> This figure computed based on 20 of the 30 settled/loss cases. Monetary figures were not reported for the remaining 10 cases.

<sup>58</sup> This figure computed based on the 11 settled cases. The one case the city lost was being appealed.

<sup>59</sup> This figure computed based on 11 of the 20 settled/loss cases. Monetary figures were not reported for the remaining 9 cases.

The top two rows indicate both the total number of lawsuits filed during the two-year study period as well as the number and percentage of the total that allege some form of improper force usage. As shown, there is a fairly clear distinction between the two cities with the most lawsuits filed (i.e., Fort Wayne and Portland) and the two cities with the least lawsuits filed (i.e., St. Petersburg and Colorado Springs). Fort Wayne experienced the most suits filed overall (n=91), as well as for force (n=51). Portland had the second highest frequency of lawsuits filed overall (n=75), as well as for force (n=48). These two cities also had a relatively high percentage of their overall lawsuits involve allegations of improper force (56.0% in Fort Wayne and 64.0% in Portland). St. Petersburg and Colorado Springs were at the other end of the spectrum. St. Petersburg received 22 lawsuits with three (13.6%) being for force, while Colorado Springs received 17 lawsuits with three (17.6%) being for force.

The middle two rows in Table 8-1 indicate the case dispositions of all the lawsuits filed as well as the case dispositions for those cases involving force. As illustrated, while there are some similarities as to how the cities label various types of disposition outcomes (i.e., dismissed, pending, settled, loss), there are also some unique categorizations within some cities. In particular, Portland had two cases “arbitrated” (one for a win and one for a loss), while Fort Wayne had a substantial number of claims (n=43) “denied” (i.e., cases that failed to meet minimal evidence of wrongdoing to move forward in the civil system).

Perhaps the best way to glean meaningful substance from these outcomes is to compute the percentage of cases where the city either lost or settled the case in relation to the total number of lawsuits filed. Using this strategy and beginning with the all lawsuits filed row, St. Petersburg lost/settled the highest percentage of cases at 54.5 percent (i.e., 12 of the 22 cases).

This is followed by Portland, which settled/lost 32 of their 75 cases for a percentage of 42.7.

Fort Wayne had the next highest percentage at 33.0 (30 of 91 cases). Finally, Colorado Springs fared the best with losing or settling just 23.5 percent of the time (4 of 17 cases).

Applying a similar strategy for force dispositions (i.e., row 4), we see that St. Petersburg lost/settled the highest percentage of cases at 66. percent (i.e., 2 of the 3 force cases). This is followed by Portland, which settled/lost 20 of their 48 cases for a percentage of 41.7. Fort Wayne had the next highest percentage at 39.2 (20 of 51 cases). Finally, Colorado Springs fared the best losing or settling none of their three force cases.

Finally, the last two rows of Table 8-1 depicts the monetary payout the cities made in regard to their lawsuits during the two-year study period. As shown, Colorado Springs had the highest payout of the four cities at \$5,259,326. However, it is important to note that nearly all of this figure (\$5,250,000) resulted from one case involving a number of officers over a dispute involving the city pay structure, including overtime. Moreover, none of the cases involving force involved a monetary payout. Portland had the next highest payout at \$1,292,649 for all lawsuits and \$967,656 for lawsuits involving force. The remaining two cities had substantially less payout. St. Petersburg ended up paying \$145,899, but only \$5,500 of the total amount was for force cases. Fort Wayne paid out a little less overall for their lost/settled cases at \$113,899, but more in terms of force cases (\$54,674). A degree of caution should be noted when interpreting the monetary payouts as indicated in the footnotes at the bottom of Table 8-1 - as the figures are reported based on the available information.

## Summary

Although we were only able to collect and analyze a limited amount of information pertaining to civil litigation across four of our cities several important findings emerge. Colorado Springs fared extremely well. Over the course of the two-year study period, only three lawsuits pertaining to the misuse of force were filed. Of these, two were dismissed and one was still pending at the conclusion of the project. Viewed alternatively, Colorado Springs had no misuse of force cases settled or lost during the study and subsequently paid out no money. Not far behind Colorado Springs was St. Petersburg which settled just two cases. Moreover, the payout for these two cases cost just \$5,500 in total.

Conversely, both Portland and Fort Wayne had 20 cases that involved the improper use of force that were either settled or lost during the study period. However, the monetary payout between the two cities was substantial as Portland paid nearly one million dollars for these lawsuits, while Fort Wayne ended up paying just over \$50,000. One has to be cognizant though to the fact that monetary figures were not reported in nine of the 20 Fort Wayne cases, which could increase their payout significantly and bring it more on par with Portland.

## **CHAPTER 9**

### **Project Summary Findings**

#### **Phase I**

In Chapter 3 we presented results of a national mail survey designed to assess the various types of written use of force policies police agencies use throughout the country, particularly those that incorporate the use of a force continuum. What follows is a summary of the key findings:

#### *Force Continuum Policies*

- ▶ Over 80 percent of the responding agencies use some type of force continuum policy. Of these agencies, the linear design was the most frequently used (73%), followed by matrix/box designs and circular/wheel designs, each with roughly 10 percent of the agencies using them.
- ▶ With respect to the tactical placement of force tactics (soft hands, pain compliance controls, hard hands) and weapons (batons, chemical sprays, CEDs), and how police agencies rank the order of such in terms of progression, the key finding uncovered was the enormous variation present.
  - ▶ Of the 476 agencies that outlined their force progression, a total of 123 different permutations were uncovered, ranging from three to nine different levels (the vast majority, 390 or 82.0%, relied on five or six levels).
  - ▶ Of the 371 agencies that listed citizen resistance progression, a total of 23 permutations were uncovered, ranging from three to seven different levels (the vast majority, 343 or 92.4%, relied on five or six levels).
- ▶ For departments that attempt to incorporate a force continuum approach into their policy and provide officers with explicit guidance as to the types of force most appropriate given varying types of resistance (i.e., link citizen resistance to force), it was difficult to identify a typically used preference.
  - ▶ The most frequent approach was used by only 20 percent of the departments, while the second and third most frequently used approaches were just half of that at 10 percent.

- ▶ The placement of chemical sprays and CEDs appear to offer the greatest challenge for police administrators as to the proper placement within the force continuum.
  - ▶ Roughly 30 percent of the agencies place chemical sprays with pain compliance techniques, another 30 percent of the departments place chemical sprays with hard hand tactics, and just over a third of the agencies place chemical sprays with impact weapons. A handful of departments even place chemical sprays as low as empty-hand soft techniques (n=12) and as high as deadly force (n=6).
  - ▶ Compared to chemical sprays, there was somewhat less variation when it comes to CED placement, but far from a clear consensus. Nearly 60 percent of the agencies place CEDs at the impact weapon level, while another 2.0 percent place it along with deadly force. The remaining agencies place CEDs with some sort of hands on force (a quarter of the agencies place CEDs at the same level as hard empty-hand tactics, with another 13.1 percent placing CEDs with pain compliance techniques).

## **Phase II**

In the second phase of the project we selected eight police agencies for in-depth study on use of force policies and practices. Each agency had a different policy approach with respect to instructing officers on the application of force, and we sought to determine which types of policies offer more beneficial outcomes to police practitioners. To do so, we relied on four primary sources of data: a patrol officer survey, use of force report data, complaint data, and civil litigation data. Here we present the key findings gleaned from each of these sources of data.

### *Patrol Officer Survey Data*

In Chapter 5, our patrol officer survey, we captured information on perceptions of the overall less lethal use of force policy, relevant outcomes of the policy, as well as the training

associated with the policy. What follows is a summary of key findings of each of these primary sections.

### **Less Lethal Force Policy Perceptions**

In assessing officers' perceptions of their less lethal use of force policy, we utilized responses from survey items that focused on policy assistance, restrictiveness, clarity, guidance, and review fairness. In doing so, we rank order cities based on their overall agreement and disagreement (i.e., combining "strongly" and "somewhat" responses) with each of the relevant survey items. At the end of this section, we present cumulative rank ordering across the following five major policy perception areas. For all rankings in this section, lower scores indicate more positive or favorable perceptions.

#### *Assistance*

We begin by ranking each department in terms of their agreement with the survey question that their less lethal force policy "assists officer decision making." In terms of assistance, Knoxville officers expressed the most positive assessments, while St. Petersburg expressed the least favorable evaluations.

▶ **Rankings:**

1-Knoxville, 2-Albuquerque, 3-Fort Wayne, 4-Columbus,  
5-Colorado Springs, 6-Portland, 7-Charlotte-Mecklenburg, 8-St. Petersburg.

#### *Restrictiveness*

In a similar manner, we also rank each department in terms of their disagreement with the survey question that their less lethal force policy "is too restrictive." St. Petersburg officers expressed the strongest beliefs that their policy was restrictive, while Knoxville officers were at the other end of the spectrum (i.e., policy is not too restrictive).

▶ Rankings:

1-Knoxville, 2-Colorado Springs, 3-Fort Wayne, 4-Albuquerque,  
5-Columbus, 6-Portland, 7-Charlotte-Mecklenburg, 8-St. Petersburg.

*Clarity*

Next, we present the rank ordering of departments in terms officers' agreement that their less lethal use of force policy "is clear." The most favorable assessments of policy clarity come from Knoxville, while Portland officers held the least positive perceptions that their policy is clear.

▶ Rankings:

1-Knoxville, 2-Albuquerque, 3-Charlotte-Mecklenburg, 4-Fort Wayne,  
5-Colorado Springs, 6-Columbus, 7-St. Petersburg, 8-Portland.

*Guidance*

In ranking departments in terms of guidance, we utilized agreement levels across the survey item that asked officers the extent to which their policy provides guidance in terms of "when force can and cannot be used." Across departments, Portland ranked last in their agreement that the policy provides them with adequate guidance. On the other hand, Knoxville, as they did for assistance and clarity, held the strongest positive attitudes that their policy adequately guides their use of force.

▶ Rankings:

1-Knoxville, 2-Albuquerque, 3-Charlotte-Mecklenburg, 4-Columbus,  
5-St. Petersburg, 6-Colorado Springs, 7-Fort Wayne, 8-Portland.

### *Review Fairness*

Our final topic, in assessing overall less lethal force policy perceptions, departs from the previous four areas that focused on policy interpretation and utilization, and instead deals with the review process after use of force is used. Below, we present the departmental ranking of assessments that the “supervisory review of use of force reports is fair.” The most positive attitudes in supervisory review fairness were found among Portland officers, while the least positive attitudes were found in Colorado Springs.

▶ **Rankings:**

1-Portland, 2-Knoxville, 3-Columbus, 4-Fort Wayne,  
5-Charlotte-Mecklenburg, 6-Albuquerque, 7-St. Petersburg, 8-Colorado Springs.

### *Summary*

While this section illuminated differences across departments in ranking their perceptions of core areas of their use of force policy individually, one might also wonder how departments ordered in terms of these dimensions cumulatively. Table 9-1 does just that by combining the ranking results from the previous five sub-sections to give a more global characterization of departmental ranking of their less lethal use of force policy in general. Not surprisingly, Knoxville, leads all departments, by far, in their overall assessment of their force policy, while St. Petersburg is last.

▶ **Rankings:**

1-Knoxville, 2-Albuquerque, 3-Fort Wayne, 4-Columbus, 5-Charlotte-Mecklenburg, 6-Colorado Springs, 7-Portland, 8-St. Petersburg.

**Table 9-1. Perceptions of LTLF Policy Comparison Rank: Cumulative Results.**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
<b>Assistance Rank</b>	5	6	2	3	8	1	7	4
<b>Restrictiveness Rank</b>	2	6	4	3	8	1	7	5
<b>Clarity Rank</b>	5	8	2	4	7	1	3	6
<b>Guidance Rank</b>	6	8	2	7	5	1	3	4
<b>Supervisory Review Rank</b>	8	1	6	4	7	2	5	3
<b>Total</b>	26	29	16	21	35	6	25	22
<b>Overall Rank</b>	6	7	2	3	8	1	5	4

\*Lower ranks indicate more favorable perceptions of the policy

## **Outcomes of Less Lethal Force Policy**

In addition to evaluating agencies in terms of the use of force policy in general, we were also interested in assessing views of the policy in terms of important outcomes, all of which have been studied behaviorally as part of this project. That is, we asked officers what impact, in their estimation, the less lethal use of force policy had on potential citizen injuries (studied behaviorally in Chapter 6), officer injuries (studied behaviorally in Chapter 6), citizen complaints (studied behaviorally in Chapter 7), and lawsuits (studied behaviorally in Chapter 8). Officers were asked to respond to these questions with one of the following categories: “increases the likelihood,” “decreases the likelihood,” or “neither increases nor decreases the likelihood.”

### *Potential Citizen Injuries*

In terms of citizen injuries, the modal response by patrol officers from all departments was that their agency’s force policy decreases the likelihood of potential citizen injuries. Variation in these modal responses allow us to rank order agencies with lower values indicating more positive assessments (i.e., highest percentage of respondents reporting that the policy decreases the likelihood). As was the case for overall views of the force policy, Knoxville ranked first. On the other end of the spectrum was Fort Wayne, which had the fewest percentage of respondents that reported that the policy decreased the likelihood for potential citizen injuries.

► **Rankings:**

1-Knoxville, 2-St. Petersburg, 3-Albuquerque, 4-Colorado Springs,  
5-Charlotte-Mecklenburg, 6-Portland, 7-Columbus, 8-Fort Wayne.

### *Potential Officer Injuries*

When asked what the effect of the force policy has on potential officer injuries, six of the agencies' modal responses was "decreases the likelihood," while St. Petersburg and Charlotte-Mecklenburg were divergent, and both had a modal response that their policy actually *increases* officer injury potential. Given that the latter would suggest negative assessments (more so than the lowest percentage of responses found for "decreases the likelihood"), we still rank order departments from most to least positive. Once again, Knoxville held the most favorable policy attitudes, while St. Petersburg held the least positive assessments of their policy (i.e., in terms of the likelihood of officer injuries).

► Rankings:

1-Knoxville, 2-Colorado Springs, 3-Albuquerque, 4-Columbus,  
5-Portland, 6-Fort Wayne, 7-Charlotte-Mecklenburg, 8-St. Petersburg.

### *Potential Citizen Complaints*

Assessing attitudes regarding force policy and citizen complaints was more problematic than the previous two outcomes. While approximately a third of all respondents, across all departments, indicated that the policy increased the likelihood of citizen complaints, the modal response in six of our eight departments was that officers believed that their policy neither increases nor decreases the likelihood of potential citizen complaints, while Colorado Springs and St. Petersburg had modal responses which indicated that officers believed that the policy increases the potential for citizen complaints. Because responses of "neither increases nor decreases the likelihood" suggest no impact, departments were unable to be scored against one another.

### *Potential Lawsuits*

Like that for the outcome of citizen complaints, views of the force policy's effect on potential lawsuits, with a stronger intensity, were generally negligible across most departments (and thus not ranked). The modal response in six of our eight department was that officers believed that their policy neither increases nor decreases the likelihood of potential lawsuits, while St. Petersburg and Knoxville's modal response indicated that officers believed that the policy *decreases* lawsuit potential.

### *Summary*

In shedding light on officers' views of the potential impact of the force policy on a variety of outcomes, modal responses suggest that rank ordering agencies was less problematic for assessing citizen and officer injuries. Knoxville held the most favorable assessments of the policy's effect on both citizen and officer injuries. The least positive evaluations of the policy were found for Fort Wayne (for citizen injuries) and St. Petersburg (for officer injuries). On the other hand, beliefs regarding citizen complaints and lawsuits, for most departments, were negligible.

### **Training and Less Lethal Force Policy**

Our final assessment of officer perceptions of less lethal force has to do with the training that police receive, which presumably incorporates aspects of the agency's policy. While the majority of patrol officers, from all departments, agreed that their training was adequate, we found substantial variation across sites. What follows is a ranking of departments for pre-service and in-service training separately, as well as cumulatively (in adding up rank totals across the two dimensions).

### *Pre-Service Training*

In terms of academy (or pre-service) training on less lethal force, the most favorable assessments were found in Knoxville (see Table 9-2). On the other end of the spectrum were St. Petersburg officers, who reported the least positive views of pre-service force training.

▶ **Rankings:**

1-Knoxville, 2-Albuquerque, 3-Columbus, 4-Charlotte-Mecklenburg, 5-Fort Wayne, 6-Portland, 7-Colorado Springs, 8-St. Petersburg.

### *In-Service Training*

With respect to in-service force training, we also found substantial variation across departments, and also generally less positive attitudes than those noted for pre-service training. The most favorable views of in-service force training were found in Columbus, while the least favorable were among Fort Wayne patrol officers.

▶ **Rankings:**

1-Columbus, 2-Knoxville, 3-Charlotte-Mecklenburg, 4-Albuquerque, 5-Portland, 6-St. Petersburg, 7-Colorado Springs, 8-Fort Wayne.

### *Summary*

The last row in Table 9-2 reports the overall ranking by combining departmental positions noted for pre-service and in-service training. As was the case for overall policy perceptions, Knoxville led the rest of the departments in their positive assessments of training. The least positive views of overall force training was found in Colorado Springs and St. Petersburg.

▶ **Rankings:**

1-Knoxville, 2-Columbus, 3-Albuquerque, 4-Charlotte-Mecklenburg, 5-Portland, 6-Fort Wayne, 7-Colorado Springs, 7-St. Petersburg.

**Table 9-2. Perceptions of LTLF Pre-Service and In-Service Training Comparison Rank**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
<b>LTLF Pre-Service Rank</b>	7	6	2	5	8	1	4	3
<b>LTLF In-Service Rank</b>	7	5	4	8	6	2	3	1
<b>Total</b>	14	11	6	13	14	3	7	4
<b>Overall Rank</b>	7	5	3	6	7	1	4	2

\*Lower ranks indicate more positive assessments

## Summary

Finally, in an effort to summarize agency rankings further, we assessed the combined rankings of officers' perceptions of the overall policy (from Table 9-1), the policy impact on potential citizen and officer injuries (see pages 185-186), and pre-service and in-service training associated with the policy (from Table 9-2). These three rankings were added together to come up with an overall assessment across cities. As such, the city with the most favorable perceptions, across the board, was Knoxville, while the least favorable cumulative assessments were found in St. Petersburg and, to a lesser extent, Portland and Fort Wayne.

### Overall Policy

#### Ranking

- 1-Knoxville
- 2-Albuquerque
- 3-Fort Wayne
- 4-Columbus
- 5-Charlotte-Mecklenburg
- 6-Colorado Springs
- 7-Portland
- 8-St. Petersburg

### Citizen/Officer Injury

#### Ranking

- 1-Knoxville
- 2-Colorado Springs
- 2-Albuquerque
- 4-St. Petersburg
- 5-Portland
- 5-Columbus
- 7-Charlotte-Mecklenburg
- 8-Fort Wayne

### Training

#### Ranking

- 1-Knoxville
- 2-Columbus
- 3-Albuquerque
- 4-Charlotte-Mecklenburg
- 5-Portland
- 6-Fort Wayne
- 7-Colorado Springs
- 7-St. Petersburg

### Combined Policy Perceptions

#### Ranking

- 1-Knoxville
- 2-Albuquerque
- 3-Columbus
- 4-Colorado Springs
- 5-Charlotte-Mecklenburg
- 6-Portland
- 6-Fort Wayne
- 8-St. Petersburg

### *Force Report Data*

In Chapter 6, we looked at a multitude of ways to compare cities in relation to how officers use force, the nature of resistance officers face, and the combination of the two. In addition, we examined suspect and officer injuries. Here we attempt to summarize key findings, and more importantly, place the findings into a meaningful context so readers can more easily assess the merits/drawbacks of the various policy approaches.

#### **Aggregate Officer Force Usage in Relation to Calls for Service, Reported Crimes, and Arrests**

Table 9-3 ranks each of the cities with respect to how their force usage varies when placed within the context of calls for service, reported crimes, and arrests.<sup>60</sup> Depicted across each of the rows is where the cities ranked relative to the indicator (i.e., calls, crimes, arrests). Lower numbers indicate less force, while higher numbers indicate more force. These ranks are then summed up for a composite ranking across all three indicators. As shown, Colorado Springs fared the best (i.e., officers used the least amount of force), while Fort Wayne fell on the opposite end of the spectrum.(i.e., officers used the most amount of force).

► **Rankings:**

1-Colorado Springs, 2-Charlotte-Mecklenburg, 3-Knoxville, 4-Albuquerque, 5-St. Petersburg, 6-Columbus, 7-Portland, 8-Fort Wayne.

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<sup>60</sup> The summary tables depicted here draw on more detailed tables that were presented in Chapter 6.

**Table 9-3. Force Comparison Rank for Calls for Service, Reported Crimes, and Arrests**

	Col. Sp.	Port.	Albq.	Ft. Wy.	St. Pete	Knox.	Colum.	Char.
<b>Calls</b>	1	8	3	7	6	2	4	5
<b>Crimes</b>	2	7	3	8	5	4	6	1
<b>Arrests</b>	1	6	4	7	5	3	8	2
<b>Total</b>	4	21	10	22	16	9	18	8
<b>Rank</b>	1	7	4	8	5	3	6	2

**Table 9-4. Force Comparison Rank to by Force Type**

	Col. Sp.	Port.	Albq.	Ft. Wy.	St. Pete	Knox.	Colum.	Char.
<i>Weaponless</i>								
<b>Soft Hands</b>	1	4	2	6	5	7	3	8
<b>Hard Hands</b>	7	3	5	8	2	6	1	4
<i>Weapon</i>								
<b>Chemical</b>	5	3	8	7	4	2	6	1
<b>Baton</b>	2	4	8	6	1	6	3	5
<b>CED</b>	8	7	5	1	6	4	2	3
<b>Impact</b>	1	8	7	6	1	4	1	5
<b>Point</b>	3	8	4	1	5	5	2	7
<b>Deadly</b>	7	6	1	4	5	1	1	8
<b>Other</b>	4	7	6	2	3	5	1	8
<b>Total</b>	38	50	46	41	32	40	20	49
<b>Rank</b>	3	8	6	5	2	4	1	7

\*Lower ranks indicate less force, higher ranks indicated more force

### **Aggregate Officer Force**

Table 9-4 incorporates a similar ranking system to Table 9-3 for tallying and ranking force, but in this instance examines the amount of force used by various types. Examining force in this manner shows that Columbus officers, by far, used the least amount of force. Conversely, Portland officers used the most force overall.

- ▶ Rankings:  
1-Columbus, 2-St. Petersburg, 3-Colorado Springs, 4-Knoxville,  
5-Fort Wayne, 6-Albuquerque, 7-Charlotte-Mecklenburg, 8-Portland.

### **Aggregate Suspect Resistance**

Table 9-5 follows the same approach by ranking the amount of suspect resistance officers faced by type. The difference here is that the rankings are opposite. In these cases, lower numbers indicate more resistance, while higher numbers indicate less resistance. Hence, Knoxville officers faced the most challenging suspects (i.e., those who resist the most), while Fort Wayne officers faced the least challenging suspects (i.e., those who resist the least).

- ▶ Rankings:  
1-Knoxville, 2-Charlotte-Mecklenburg, 3-Columbus, 4-Albuquerque,  
5-Colorado Springs, 6-St. Petersburg, 7-Portland, 8-Fort Wayne.

**Table 9-5. Resistance Comparison Rank for Resistance Types**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Fail to Comply</b>	6	2	8	7	4	5	1	3
<b>Defensive</b>	3	8	7	6	4	2	5	1
<b>Aggressive</b>	6	5	2	7	8	1	4	3
<b>Deadly</b>	7	8	2	5	6	1	3	4
<b>Total</b>	22	23	19	25	22	9	13	11
<b>Rank*</b>	5	7	4	8	5	1	3	2

\*Lower ranks indicate more resistance, higher ranks indicated less resistance

## **Force Relative to Resistance**

The primary reason for reversing the ranking system between Tables 9-4 and 9-5 is to compare “relative” force to resistance as depicted in Table 9-6. For instance, a city ranking 8<sup>th</sup> on force and 8<sup>th</sup> on resistance (summing to 16) indicates a city where officers use a lot of force, but face little resistance, relatively. Conversely, a city ranking 1<sup>st</sup> on force and 1<sup>st</sup> on resistance (summing to 2) indicates a city where officers use little force, but face a lot of resistance, relatively. Those cities that have a lot of force *and* resistance, or little force *and* resistance are treated equally. For example, a city ranking 8<sup>th</sup> on force and 1<sup>st</sup> on resistance (i.e., a lot of force and resistance) would sum to 9, and rank identical to a city ranking 1<sup>st</sup> on force and 8<sup>th</sup> resistance (i.e., a little force and resistance). Thus, a higher number and rank indicates a city where officers are using relatively more force than the resistance faced, while a lower number and rank indicates a city where officers face relatively more resistance than the force used. Within this context, Table 9-6 shows that Columbus officers used the least amount of force relative to resistance faced. Conversely, Portland officers used a relatively high amount of force compared to the level of resistance faced.

► **Rankings:**

1-Columbus, 2-Knoxville, 3-St. Petersburg, 4-Colorado Springs,  
5-Charlotte-Mecklenburg, 6-Albuquerque, 7-Fort Wayne, 8-Portland.

**Table 9-6. Force Relative to Resistance Comparison Rank**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Force Rank</b>	3	8	6	5	2	4	1	7
<b>Resistance Rank</b>	5	7	4	8	5	1	3	2
<b>Total</b>	8	15	10	13	7	5	4	9
<b>Overall Rank</b>	4	8	6	7	3	2	1	5

**Table 9-7. Force Ranking Results from Table 9-3 and Table 9-6**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Colum.</b>	<b>Char.</b>
<b>Table 9-3 Rank</b>	1	7	4	8	5	3	6	2
<b>Table 9-6 Rank</b>	4	8	6	7	3	2	1	5
<b>Total</b>	5	15	10	15	8	5	7	7
<b>Overall Rank</b>	1	7	6	7	5	1	3	3

\*Lower ranks indicate less force, higher ranks indicated more force

### *Summary*

Taking the aggregate levels findings from Table 9-3 and incorporating them with the findings presented in Table 9-6 allows us to make a more definitive assessment as to which cities fare better in terms of how frequently they use force, while also accounting for the nature of suspect resistance. As Table 9-7 shows, when summing and comparing the rankings, Colorado Springs and Knoxville fare relatively well; Charlotte-Mecklenburg, Columbus, St. Petersburg, and Albuquerque fall in the middle range; and Portland and Fort Wayne fare relatively poorly.

- ▶ Rankings:

- 1-Colorado Springs, 1-Knoxville, 3-Charlotte-Mecklenburg, 3-Columbus, 5-St. Petersburg, 6-Albuquerque, 7-Fort Wayne, 7-Portland.

### **Force and Resistance Comparisons**

After looking at force and resistance in an aggregate manner, we turned to bivariate and multivariate examinations. In particular, we looked at how officers responded (i.e, the types of force they used) to specific types of resistance (i.e., failure to comply, defensive physical, aggressive physical). In addition, we looked at the highest level of force officers use across the cities controlling for alternative factors than may prompt force. The key findings are as follows:

- ▶ Colorado Springs, Columbus, and St. Petersburg officers used various forms of hard hand tactics, chemical sprays, and CEDs on suspects who displayed just failure to comply resistance, despite their policy advising against such force.
  - ▶ Meanwhile, Albuquerque' policy permitted the use of CEDs on verbally resistant suspects but rarely did officers use it.
- ▶ Portland's policy advises officers against the use of hard hand tactics on defensively resistant suspects, while Albuquerque, Knoxville, and Charlotte-Mecklenburg's policy permits such force. Yet, officers in all four cities used this form of force similarly.

- ▶ Moreover, Colorado Springs policy, similar to Portland, advises against hard hand tactics on defensively resistant suspect, yet Colorado Springs officers used such force more frequently than any of the other cities.
- ▶ St. Petersburg and Charlotte-Mecklenburg generally restrict use of the CED to instances where suspects are aggressively resistant, yet officers in these two cities used this type of force much differently despite the similarity in policy (i.e., St. Petersburg officers used the CED frequently, while Charlotte-Mecklenburg used the CED infrequently).
- ▶ Consistent with our bivariate analyses, the multivariate analyses indicated that it is difficult to pinpoint any sort of consistent policy effects. In some cases we found officers operating along the lines that one might expect given the varying policy approaches, while in other instances we do not.

### *Summary*

From this set of analyses, we were unable to find a distinct link in terms of officer behavior operating within the realm of policy - in fact, we often found officers using force on suspects that appeared to fall outside the policy. Such behavior was not restricted to a certain city or policy approach. While the findings call into question the connection between policy and behavior, the reader should interpret this with a degree of caution. First, there are certainly instances, as illustrated in Chapter 6, where officer behavior falls within the realm of their policy mandate. Second, mainly of the were bivariate in nature and do not permit control of other rival causal factors that may explain the reasons officers used the force they did, and thus justify that the behavior was actually within policy rather than what appears outside of policy (see also footnotes 43 and 44).

### **Suspect Injuries and Force**

Drawing on data derived from the force reports we also examined suspect injuries. More specifically, we computed suspect injury rates with respect to the frequency of injuries in

relation to the total number of force reports filed per city. The following ranks how cities fared from the city with the least suspect injuries (i.e., St. Petersburg) to the city with the most suspect injuries (i.e., Charlotte-Mecklenburg).

▶ Rankings:

1-St. Petersburg, 2-Columbus, 3-Albuquerque, 4-Fort Wayne,  
5-Portland, 6-Colorado Springs, 7-Knoxville, 8-Charlotte-Mecklenburg.

From a policy perspective, we note several interesting findings:

- ▶ The range of injuries across cities varies widely: from 15.9 percent in St. Petersburg to 73.5 percent in Charlotte-Mecklenburg.
- ▶ Charlotte-Mecklenburg and St. Petersburg both restrict CED use to aggressively resistant suspects, yet they fall on opposite ends in terms of suspect injuries (Charlotte-Mecklenburg officers had the most injuries, St. Petersburg the least).
  - ▶ Moreover, Colorado Springs officers used a CED far more frequently than officers in other cities, yet they had just the third highest percentage of injuries.
- ▶ Arguably, the three cities with the least restrictive policies (Fort Wayne and Columbus do not link resistance to force, and Albuquerque permits all types of force on verbally resistant suspects) all fall in the middle to low range on suspect injuries.
- ▶ Knoxville and Colorado Springs resulted in the second and third highest percentage of injuries. However, their policies are substantially different. Colorado Springs employs a wheel design and reserves hard hand tactics and impact force to aggressive resistant suspects, while Knoxville allows officers to use not only hard hands tactics and impact methods on defensively resistant suspects, but also chemical spray and a CED.

### **Officer Injuries and Force**

Drawing on data derived from the force reports we also examined officer injuries. More specifically, we computed officer injury rates with respect to the frequency of injuries in relation to the total number of force reports filed per city. The following ranks how cities fared from the

city with the least officer injuries (i.e., Columbus) to the city with the most officer injuries (i.e., Knoxville).<sup>61</sup>

▶ Rankings:

1-Columbus, 2-Portland, 3-St. Petersburg, 4-Fort Wayne,  
5-Colorado Springs, 6-Charlotte-Mecklenburg, 7-Knoxville.

From a policy perspective, we note several interesting findings:

- ▶ There is little variation across cities with respect to officer injuries when compared to suspect injuries.
  - ▶ The small range of injuries goes from 8.1 percent in Columbus up to just 14.8 percent in Knoxville.
- ▶ Officer injury rates are much lower on average than that of suspect injuries.
  - ▶ The city with the highest percentage of officer injuries (Knoxville, 14.8%), was still lower than the city with the lowest percentage of suspect injuries (St. Petersburg, 15.9%).
- ▶ Charlotte-Mecklenburg and St. Petersburg both restrict CED use to aggressive resistance, yet Charlotte-Mecklenburg reported the second highest percentage of officer injuries, while St. Petersburg reported just the fifth highest percentage.
  - ▶ Moreover, Colorado Springs officers used a CED far more frequently than officers in all the other cities, yet this city still had just the third highest percentage of officer injuries.
- ▶ Two of the cities with the least restrictive policies (Fort Wayne and Columbus) fall in the middle to low range on officer injuries. One may posit that less policy restriction may lead to more injuries (i.e., because officers will have more freedom), but we find that such policies were related to less injuries.
- ▶ Knoxville and Charlotte-Mecklenburg had the highest percentage of injuries, yet their policies are substantially different. In particular, officers in Charlotte-Mecklenburg are restricted from using a CED or impact force on suspects unless they are aggressively resistant. Knoxville's policy is less restrictive with the use of a CED and impact weapons, permitting such force to be used on suspects who display just defensive resistance.

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<sup>61</sup> Recall that Albuquerque did not report officer injuries.

## Summary

Finally, in an attempt to summarize agency rankings further we assessed the frequency of force usage (while also accounting for the nature of suspect resistance - see page 197) as displayed in column one below, along with a combined ranking of how agencies fared in terms of suspect injuries (see page 199) and officer injuries (see page 200), as displayed in column two below, to come up with an overall ranking of how cities compare as displayed in column three below. Hence, using these multiple indicators gleaned from the use of force report data, we found that Columbus fared the best in their application of force.

<u>Force Usage Ranking</u>	<u>Suspect/Officer Injury Ranking<sup>62</sup></u>	<u>Combined Force and Injury Ranking<sup>63</sup></u>
1-Colorado Springs	1-Columbus	1-Columbus
1-Knoxville	2-St. Petersburg	2-Colorado Springs
3-Charlotte-Mecklenburg	3-Albuquerque	2-St. Petersburg
3-Columbus	3-Portland	4-Knoxville
5-St. Petersburg	5-Fort Wayne	5-Albuquerque
6-Albuquerque	6-Colorado Springs	6-Charlotte-Mecklenburg
7-Fort Wayne	7-Charlotte-Mecklenburg	6-Portland
7-Portland	7-Knoxville	8-Fort Wayne

<sup>62</sup> For this ranking order we simply summed the ranking of suspect injuries with that of officer injuries. Given that officer injury data were not captured on the Albuquerque use of force report form, we used an average ranking of 4 (i.e., the middle of the range of 1-8) for officer injuries and then summed to their ranking for suspect injuries.

<sup>63</sup> For this ranking order we simply summed the ranking in the force usage column with that of the suspect/officer injuries column.

### *Citizen Complaint Data*

In Chapter 7 we examined citizen complaint data in order to assess the different use of force policy approaches utilized by the eight agencies. In doing so, we analyzed external complaints, with a focus on two complaint types that relate most to the use of force (i.e., discourtesy and use of force allegations). Our analyses, across our sites, focused on explaining complaint frequencies, dispositions, discipline, comparisons to workload measures (i.e., calls for service, reported crimes, arrests, and force), totals across officers, and multivariate comparisons. What follows is a summary of the key findings from each of these sections.

#### **Frequency of Complaints**

We begin by comparing cities' frequency of complaints for the use of force and discourtesy. What follows is how cities ranked in terms of the percentage of citizen complaints for use of force and discourtesy (compared to all external complaints). Summary rankings are based on more detailed tables presented prior in our citizen complaint Chapter 7.

#### *Use of Force Complaints*

Across our two-year study period of citizen complaints that were reported and investigated across our eight cities, St. Petersburg had the fewest for the use of force. Conversely, we find the highest percentage of citizen complaints for the use of force (of all external complaints) in Fort Wayne. For these rankings, and the remaining in this section, lower numbers reflect more positive outcomes (i.e., less complaints), while the opposite is true for higher rankings.

▶ Rankings:

1-St. Petersburg, 2-Albuquerque, 3-Columbus, 4-Portland,  
5-Colorado Springs, 6-Knoxville, 7-Charlotte-Mecklenburg, 8-Fort Wayne.

*Discourtesy Complaints*

In terms of the percentage of external complaints for discourtesy, Albuquerque had the lowest ranking of the eight cities. Once again, Fort Wayne had the highest ranking based on their percentage of external complaints that were for discourtesy, and thus the least positive outcome.

▶ Rankings:

1-Albuquerque, 2. St. Petersburg, 3-Portland, 4-Charlotte-Mecklenburg,  
5-Colorado Springs, 6-Columbus, 7-Knoxville, 8-Fort Wayne.

*Summary*

In an attempt to summarize use of force and discourtesy amounts, as indicated by the percentage of all external complaints, Table 9-8 adds the previous two rankings in this section together. This allowed us to assess how cities fared cumulatively, compared to one another, in terms of one of our primary policy outcomes - frequency of complaints. Not surprisingly, Fort Wayne ranked the poorest of all cities. On the other end of the spectrum was Albuquerque and St. Petersburg, both of whom fared the best (i.e., lowest) with respect to citizen use of force and discourtesy complaints.

▶ Rankings:

1-Albuquerque, 1-St. Petersburg, 3-Portland, 4-Columbus,  
5-Colorado Springs, 6-Charlotte-Mecklenburg, 7-Knoxville, 8-Fort Wayne.

**Table 9-8. Total Use of Force and Discourtesy Citizen Complaints Comparison Rank**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
<i><b>Complaint Type</b></i>								
<b>Use of Force</b>	5	4	2	8	1	6	7	3
<b>Discourtesy</b>	5	3	1	8	2	7	4	6
<b>Total</b>	10	7	3	16	3	13	11	9
<b>Rank</b>	5	3	1	8	1	7	6	4

\*Lower ranks indicate less complaints, higher ranks indicated more complaints

## **Disposition of Complaints**

After detailing the frequency of complaints, we then turned to examinations of dispositions. Across the cities, dispositions were categorized as “sustained,” “not sustained,” “exonerated,” or “unfounded.” Of particular concern was comparing cities in terms of the percentage of sustained allegations, which we noted was the exception rather than the norm. The key findings are as follows:

- ▶ In terms of *all* citizen complaints combined, we found that in no city did the sustained amount reach 30 percent. That said, the most sustained complaints (i.e., the highest percentage) were found in St. Petersburg, while the fewest were found in Columbus.
- ▶ For *use of force* allegations, the percentage of sustained complaints was extremely low, ranging from zero (in Fort Wayne and St. Petersburg) to roughly five percent (in Albuquerque).
- ▶ With respect to discourtesy allegations, we found that sustained dispositions were much more likely than for the use of force (over five times the amount at the high end). Columbus had the fewest percentage of sustained discourtesy complaints, while Knoxville had the highest.

## **Disciplinary Actions of Complaints**

Next, we examined disciplinary actions of citizen complaint allegations. In comparing cities, we focused on formal discipline (i.e., written reprimands, suspensions, and terminations) over less formal (i.e., supervisory action, command counseling, and “other”) or no sanctions. Across all cities, we noted that formal discipline of citizen complaints was very rare. The key findings are as follows:

- ▶ In terms of *all* citizen complaints, it was not too surprising to see formal discipline was rather infrequent (ranging from roughly two percent in Columbus to 16 percent in St. Petersburg), given the relatively low levels of sustained complaints.

- ▶ The percentage of *use of force* allegations that resulted in some form of formal discipline was extremely low. Across cities, Colorado Springs, Fort Wayne, and St. Petersburg did not have a single force complaint that resulted in formal discipline. On the high end, although just over one out of every thirty allegations, was Charlotte-Mecklenburg.
- ▶ Like the pattern noted for sustained complaints, the percentage of allegations for *discourtesy* resulted in higher amounts (in nearly every city) of formal discipline when compared to the use of force. As was the case for *all* allegations, Columbus had the fewest percentage of their discourtesy complaints result in some form of formal action, while Charlotte-Mecklenburg (as they did for *use of force* allegations) had the most.

### **Complaints in Relation to Calls for Service, Reported Crimes, Arrests, and Force**

Besides explaining frequencies (and percentages) of the complaint process from overall totals to formal discipline, across cities, we also placed complaints within the context of a variety of agency workload measures (as we did previously in this chapter for the use of force). That is, we examined citizen complaints for the use of force and discourtesy in relation to calls for service, reported crime, arrest, and use of force.

#### *Use of Force Complaints*

In assessing use of force citizen complaints, in relation to our workload measures (see Table 9-9), the most favorable city was St. Petersburg, who ranked first across average complaints per 1,000 calls for service, per 1,000 Part I Index crimes, per 1,000 arrests, and per 100 use of force reports. On the other end of the spectrum, and thus ranking last, was Colorado Springs with the highest cumulative score.

- ▶ Rankings:  
1-St. Petersburg, 2-Knoxville, 3-Fort Wayne, 4-Charlotte-Mecklenburg, 5-Portland, 5-Albuquerque, 7-Columbus, 8-Colorado Springs.

### *Discourtesy Complaints*

Comparisons of discourtesy citizen complaints, per workload measures (see Table 9-10), revealed once again that St. Petersburg fared the best. On the other hand, Columbus cumulatively fared the poorest of all cities.

▶ **Rankings:**

1-St. Petersburg, 2-Charlotte-Mecklenburg, 3-Knoxville, 4-Albuquerque, 5-Portland, 6-Fort Wayne, 7-Colorado Springs, 8-Columbus.

### *Summary*

In summarizing external complaints for the use of force and discourtesy, per calls for service, reported crime, arrests, and use of force, in both cases, St. Petersburg ranked the best of all cities. The two cities that ranked the least positive were Colorado Springs and Columbus, both of which were more likely to receive external use of force and discourtesy complaints, based on the citizen-based workload measures.

### **Use of Force and Discourtesy Officer Totals**

Our next analysis extended the examination of citizen complaints for force and discourtesy to the officer level. As such, we examined the number of officers that comprised the combined total number of citizen force and discourtesy complaints per city. We also calculated the average number of complaints per officer. For both sections, we restricted our analysis to instances where an individual officer was identified.

### *Complaints per Sworn Personnel*

In deducing complaints per sworn personnel, we divided the number of individual officers that comprised the total number of external force and discourtesy allegations (over the two-year period) by the total number of sworn personnel.

**Table 9-9. External Use of Force Complaint Rank to Calls for Service, Reported Crime, Arrests and Force Reports**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
<b>Calls</b>	7	8	5	3	1	2	4	6
<b>Crimes</b>	8	6	5	4	1	3	2	7
<b>Arrests</b>	6	5	7	3	1	2	4	8
<b>Force Reports</b>	8	4	6	2	1	3	7	5
<b>Total</b>	29	23	23	12	4	10	17	26
<b>Rank</b>	8	5	5	3	1	2	4	7

\*Lower ranks indicate less external force complaints, higher ranks indicated more force complaints

**Table 9-10. External Discourtesy Complaint Rank to Calls for Service, Reported Crime, Arrests and Force Reports**

	<b>Col. Sp.</b>	<b>Port.</b>	<b>Albq.</b>	<b>Ft. Wy.</b>	<b>St. Pete</b>	<b>Knox.</b>	<b>Char.</b>	<b>Colum.</b>
<b>Calls</b>	6	8	4	5	2	2	1	7
<b>Crimes</b>	7	6	3	5	2	4	1	8
<b>Arrests</b>	7	6	5	4	1	3	2	8
<b>Force Reports</b>	8	5	3	2	1	4	6	7
<b>Total</b>	28	25	15	26	6	13	10	30
<b>Rank</b>	7	5	4	6	1	3	2	8

\*Lower ranks indicate less discourtesy complaints, higher ranks indicated more discourtesy complaints

This revealed rather substantial variation across cities. The fewest overall percentage of sworn personnel with a citizen complaint for force or discourtesy was found in St. Petersburg, while the most (i.e., least favorable) was found in Colorado Springs.

▶ **Rankings:**

1-St. Petersburg, 2-Charlotte-Mecklenburg, 3-Albuquerque, 4-Fort Wayne, 5-Knoxville, 6-Columbus, 7-Portland, 8-Colorado Springs.

*Officer Complaint Averages*

We extended the officer analysis to compare the average number of citizen complaints for force and discourtesy, where an officer was named, across the officers that had at least one complaint. The city that fared the best (i.e., fewest average complaint totals) was Fort Wayne, which is interesting given that they had the highest percentage of their external complaints for force and discourtesy. The highest average complaint totals for force and discourtesy was found in Columbus, and thus faring the poorest of all cities in this respect.

▶ **Rankings:**

1-Fort Wayne, 2-St. Petersburg, 3-Knoxville, 3-Charlotte-Mecklenburg, 5-Albuquerque, 6-Colorado Springs, 7-Portland, 8-Columbus.

**Multivariate Analysis**

Our final examination of external complaints for the use of force and discourtesy, utilized a multivariate approach to explain both types of complaints, while controlling for citizen factors (i.e., sex, race, and age). In doing so, our primary aim was to isolate the independent effects of each city. Our analytical model, which combined citizen complaints for force and discourtesy (as we did in the preceding section) used Fort Wayne as the reference category, given their aggregate findings regarding citizen complaints (see Table 9-8). Our analysis revealed:

- ▶ While the likelihood of receiving a complaint was statistically lower than Fort Wayne in all cities, Albuquerque and St. Petersburg represented the cities that contrasted Fort Wayne the most. In terms of our citizen controls, none were statistically distinguishable in our model.

## Summary

Finally, in an effort to summarize several analyses, we combine rankings from three separate examinations of citizen complaints to reveal a cumulative ordering across cities. More specifically, we add the following city rankings: total citizen force and discourtesy (from Table 9-8) , the two workload rankings (combining results from Tables 9-9 and 9-10), and the external force and discourtesy complaints per sworn personnel (from page 209). Our combined rankings reveal that St. Petersburg fared the most positive (i.e., combined score of 3), with respect to citizen complaints for force and discourtesy, while Colorado Springs cumulatively fared the poorest (i.e., combined score of 20).

### Total Citizen Force/Discourtesy Ranking

1-Albuquerque  
1-St. Petersburg  
3-Portland  
4-Columbus  
5-Colorado Springs  
6-Charlotte-Mecklenburg  
7-Knoxville  
8-Fort Wayne

### Combined Workload Measures Ranking

1-St. Petersburg  
2-Knoxville  
3-Charlotte-Mecklenburg  
4-Albuquerque  
4-Fort Wayne  
6-Portland  
7-Colorado Springs  
7-Columbus

### Citizen Force/Discourtesy per Sworn Ranking

1-St. Petersburg  
2-Charlotte-Mecklenburg  
3-Albuquerque  
4-Fort Wayne  
5-Knoxville  
6-Columbus  
7-Portland  
8-Colorado Springs

### Combined Citizen Force/Discourtesy Ranking

1-St. Petersburg  
2-Albuquerque  
3-Charlotte-Mecklenburg  
4-Knoxville  
5-Portland  
5-Fort Wayne  
7-Columbus  
8-Colorado Springs

### *Civil Litigation Data*

In Chapter 8 we examined civil litigation data to assess how these data may reflect on the different policy approaches used by our eight agencies. This enterprise proved to be challenging with respect to insufficient departmental data collection protocols and/or a city's reluctance to release such information to researchers.<sup>64</sup> In fact, only four cities provided useable data (i.e., Colorado Springs, Portland, Fort Wayne, and St. Petersburg). In two of the cities (i.e., Knoxville and Charlotte-Mecklenburg), officials attempted to provide us the requested data, but we could not find a format that we sought. In the remaining two cities (i.e., Albuquerque and Columbus), the city attorney declined to provide these data despite repeated requests over the course of more than one year. We leave it to the reader to draw conclusions as to why this may be the case and the implications the failure to disclose such data may have on the findings relating to where these cities may have ranked.

#### **Number of Force Related Lawsuits Filed**

Colorado Springs and St. Petersburg had the least number of force related lawsuits filed, during our two year study period, while Fort Wayne had the most. The city rankings are as follows (total number of force related lawsuits filed in parentheses) :

- ▶ Rankings:  
1-Colorado Springs (N=3), 1-St. Petersburg (N=3),  
3-Portland (N=48), 4-Fort Wayne (N=51).

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<sup>64</sup> See Archbold and Maguire (2002) for an excellent discussion concerning the challenges of civil litigation data collection.

### **Number of Force Related Lawsuits Settled or Lost**

Colorado Springs had the least number of force related lawsuits settled or lost during our two year study period, while Portland and Fort Wayne had the most. The city rankings are as follows (total number of force related lawsuits settled or lost in parentheses) :

▶ Rankings:

1-Colorado Springs (N=0), 2-St. Petersburg (N=2),  
3-Fort Wayne (N=20), 3-Portland (N=20).

### **Monetary Payout for Force Related Lawsuits**

Colorado Springs had the least amount of monetary payout for force related lawsuits, during our two year study period, while Portland had the most. The city rankings are as follows (monetary payout in parentheses) :

▶ Rankings:

1-Colorado Springs (\$0), 2-Fort Wayne (\$113,899),  
3-St. Petersburg (\$145,899), 4-Portland (\$967,656).

### **Summary**

Finally, if we compare how each of the four agencies ranked cumulatively across the three civil litigation indicators listed above (force lawsuits filed, force lawsuits settled/lost, and force lawsuits monetary payout), we found that Colorado Springs fared the best.

#### Combined Civil Litigation Ranking<sup>65</sup>

1-Colorado Springs  
2-St. Petersburg  
3-Fort Wayne  
4-Portland

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<sup>65</sup> For this ranking order we simply summed the ranking for force lawsuits filed, force lawsuits settled/lost, and force lawsuits monetary payout.

## **CHAPTER 10**

### **Discussion**

When we undertook this project, we sought to answer a couple of vast empirical questions. At the simplest level, we wanted to decipher what kinds of use of force policies were operating across the United States, and which of these policies provide more beneficial outcomes. With this in mind, we gear this final chapter toward both the practitioner and research community.

#### **Police Administrators**

Results from our national mail survey showed the extent to which force continua are incorporated into written use of force policies. Two predominant findings emerged from this research. First, a large majority of police agencies still use a force continuum approach, mostly a linear continuum. Second, there is no commonly used means of tactical placement on the continuum (i.e., where agencies place various hands on and weapons force).

Police administrators of agencies that currently use a force continuum, or those thinking about adopting a force continuum approach, should take solace in the fact that most of their colleagues across the country view the use of a force continuum as a guide to better decision making. Articles appearing mainly in trade journal outlets (see Aveni, 2003, Peters and Brave, 2006, Petrowski, 2002, and Williams, 2002) attempting to cause alarm concerning the potential negative effects of using a continuum have not led many agencies to abandon the use of such. Unfortunately, where agencies place the different force options on the continuum is tremendously varied, especially in relation to chemical sprays and electronic devices.

In answering the second overarching empirical question (i.e., which use of force policies provide more beneficial outcomes?), we relied on data gleaned from in-depth study of eight police agencies. Deciphering which of the differing policies was better (or best) was multi-dimensional, as outlined in the details of Chapters 5 through 9. In the end, we found that some of the policies, across our departments, were better than others for certain outcomes, while for other outcomes they may not have fared as well.

Going back to the seminal work of James Q. Wilson (1968), police chiefs consider various audiences when running their organizations. Some chiefs prioritize officer concerns, and thus would be interested in our outcome findings that relate more toward things of interest to officers such as their perceptions of policy assistance, clarity, and guidance, as well as injuries they may receive when engaged in forceful encounters with citizens. This approach, which may endear chiefs to officers who view him/her as a “cop’s cop,” is more in line with what McGregor (1960) views as Theory Y management. On the other hand, some chiefs might view citizen needs as most salient in considering the best policy and practices, and thus would regard outcomes such as frequency of force against citizens, citizen injuries, and force/discourtesy citizen complaints as the primary outcomes. Finally, some chiefs may prioritize the operation and functioning of the department as a whole, placing officer and citizen concerns secondary. Such an approach would be more in line with McGregor’s view of Theory X management, and might value such organizational outcomes as complaints across sworn personnel, use of force policy compliance, and lawsuits. What follows is a discussion of each of these concerns that chiefs may consider,<sup>66</sup> as they relate to our findings.

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<sup>66</sup> In no way is this to imply that priorities are mutually exclusive, as chiefs undoubtedly consider all of these arenas. Instead, we suggest that chiefs may prioritize, or accentuate one over the other, as a function of their style.

### *Officer Concerns*<sup>67</sup>

A police executive management style that places primary importance on officers' views and beliefs may be particularly interested in our findings from the patrol officer survey. For instance, we found that officers in some agencies believe their use of force policy impacts the likelihood of citizen/officer injuries, complaints, and lawsuits. Officers in Knoxville, Albuquerque, and Colorado Springs were more likely than officers in other agencies to believe that their policy approach helps decrease citizen/officer injuries. Conversely, modal survey responses indicated that St. Petersburg and Charlotte-Mecklenburg officers believe their use of force policy actually *increases* the likelihood of officer injuries. Interestingly, officers in both of these agencies also felt that their policy was overly restrictive when compared to officer views in our other agencies. Thus, St. Petersburg and Charlotte-Mecklenburg officers may feel that an unduly restrictive policy leads to an enhanced risk of injuries.

Police administrators may also draw on our analysis involving the actual reported number of officer injuries in relation to the total number of force reports filed in each agency over the course of our two year study period. In this case, we found that Columbus and Portland fared best (i.e., had the least officer injuries), while Knoxville and Charlotte-Mecklenburg fared worse (i.e., had the most officer injuries). If these actual officer injury rates are considered in tandem with the survey findings on officer views of injuries, officials in Charlotte-Mecklenburg may wish to re-evaluate their policy approach. In short, patrol officers in this city not only believe their policy subjects them to more injuries, the statistical analysis on the amount of injuries bears this perception out in reality. On the other hand, while St. Petersburg officers felt their policy

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<sup>67</sup> For the officer, citizen, and departmental concerns that follow, we provide illustrative (but not exhaustive) examples of administrator considerations throughout. For a more detailed discussion of these outcomes, we refer the reader back to the individual chapters (i.e., five through eight), as well as the project summary findings in Chapter 9.

leads to more injuries, our analyses does find this to be the case. In fact, St. Peterburg had the third lowest rate of injuries. In this case, officials may simply want to meet with officers to call attention to this disconnect and reassure them that their rate of injuries is actually relatively low.

### *Citizen Concerns*

Police managers primarily concerned with how citizens perceive police use of force behavior may be less interested in patrol officer perceptions and injuries, and more interested in some of our other indicators. For example, both Colorado Springs and Knoxville fared well when considering how often officers used force in relation to a combination of various workload measures (i.e., calls for service, reported crimes, and arrests). In other words, officers in these cities, in general, relied on less force to accomplish their means.<sup>68</sup> However, Portland and Fort Wayne officers were at the opposite end of the spectrum. Officers in these cities tended to rely on more coercive means during their encounters with citizens. As a result, police executives more sensitive to potential citizen concerns, with respect to the frequency with which officers use force, may wish to consider policies that mirror those of Colorado Springs and Knoxville, and shy away from the approach taken in Portland and Fort Wayne.

Another indicator a pro-citizen police administrator may consider is citizen complaints. When we compared citizen complaints for use of force and discourtesy, in relation to documented use of force, St. Petersburg and Fort Wayne fared the best. As such, administrators who might prioritize citizen complaints, per use of force encounters with the public, might

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<sup>68</sup> This is to not say that certain forms of force that some may consider to be fairly coercive in nature were always used infrequently. For example, Colorado Springs reported using a CED in *half* of all their police-suspect force encounters (49.5%). The agency with the next highest frequency of use was Portland at 23.4 percent, or less than half what Colorado Springs reported. Nonetheless, when workload measures, and the extent to which Colorado Springs officers faced resistant suspects, are factored into the equation, the frequency of force usage is actually rather low compared to officers in the other cities.

consider adopting policies found in these two cities, while they might be more critical of approaches endorsed by Colorado Springs and Charlotte-Mecklenburg - both of whom fared poorly on this outcome. Of interest, is the perception-behavior accuracy and disconnect noted among two of the aforementioned agencies. That is, St. Petersburg and Colorado Springs were the only two agencies where the modal response by officers was that their use of force policy increases the potential for citizen complaints. The behavioral data on complaints revealed that Colorado Springs officers were accurately perceiving their policy's influence, while St. Petersburg was not.

#### *Overall Departmental Concerns*

Just as some chiefs may prioritize officer or citizen concerns, in defining their management style, others might view the functioning of the department as a whole as their primary concern. Should this be the case, one outcome of concern may be the percentage of citizen complaints for force and discourtesy in relation to the total number of sworn officers in a department. St. Petersburg and Charlotte-Mecklenburg, with approximately 10 percent of their personnel named in a complaint, ranked the most favorably, while Portland and Colorado Springs, with over two and a half times the amount, fared the worst. As a model for police chiefs, the policy approaches by St. Petersburg and Charlotte-Mecklenburg would appear to be the more exemplary, than the rest, for this outcome.

Another outcome, for executives with a management style that focuses on the concerns of the organization as a whole, is our analysis of lawsuits. While these data are limited to half of our agencies, Colorado Springs fared the best across the board (i.e., number of force lawsuits

filed, settled/lost, and payouts). With respect to two indicators of primary importance for police leaders (i.e., lawsuits settled/lost and payouts), Portland fared the worst. In connecting lawsuits to use of force, it might be of interest to police chiefs that Colorado Springs and Portland were on the opposite end of the spectrum in terms of force, per our workload measures. As such, the organization that fared the best in terms of lawsuits generally relied on force less often to accomplish their goals, while the department that fared the worst with respect to lawsuits, generally used force more readily.

### **Police Researchers**

Besides police administrators, another primary audience of this study is the research community. Across the four years of this project, we experienced a number of challenges and lessons. Below we highlight a few, which might assist those who evaluate this work and/or plan on undertaking a similar research endeavor. We also explain some of the limitations of our project, as well as what we would like to see in terms of future use of force research.

#### *Study Challenges*

Throughout the course of the past four years we faced a number of challenges. Here we offer some reflections in reference to these challenges. Our primary intent is to offer the reader a better sense surrounding the “nuts and bolts” of this type research endeavor; but we also hope that other researchers may glean something from these challenges that may assist in their studies.

Our initial challenge occurred during the transitional stage between Phases I and II. Because we wanted to select eight agencies for in-depth examination, based on the most

frequently used policy approaches nationally, we were unable to identify and secure these agencies until Phase I of the project (i.e., the agency survey) was completed. This created a time lag between the two phases. In addition, we also had stringent agency selection criteria that slowed the process. While a convenience sample of agencies would have been much easier (i.e., selecting local agencies or departments we worked with in the past), we feel the approach taken offers more empirically valid and reliable results.

Once the eight agencies were selected, we were faced with a host of additional challenges. We highlight but a few of them here. First, since we were in the field for two years, personnel turnover was sometimes an issue. In one of our cities, the police chief who originally agreed to the study stepped down, and we had to seek approval with the new incoming chief to ensure continued participation. Relatedly, our key agency contacts or liaisons assigned to us were sometimes reassigned during the project, requiring us to begin anew with their replacements.

Second, because of the numerous data elements involved in the project, we sometimes had trouble identifying (or finding) the “right person” in reference to certain pieces of information we sought. At times, this person (on paper) was not the one you would have thought could help you obtain the data that you wanted. The key here is moving around, when applicable, and going beyond departmental listings of personnel to get in touch with the person who has access to (and can get) the data needed.

Third, because we wanted to survey the population of police officers assigned to patrol assignments, rather than selecting a sample of officers, this part of the project required a great deal of time and effort. This meant that project staff was generally on-site for a week to ten days

so as to visit every patrol shift, across each geographic location, at least twice. In some cases, we attended five different roll call sessions a day. While such an effort was certainly laborious, we feel the strengths gained (i.e., valid and reliable data, extremely high response rates) far outmatch some of the other survey methods used by others (e.g., dropping surveys off to have agency personnel distribute, internet surveys, etc.).

Finally, it was imperative that we develop “common measures” of officer force and subject resistance (as a foundation of this grant) because the agencies did not always use the same definitions or terminology. This often required us to have to go back and re-code these measures based on the descriptions offered in the force reports. In some cases, we had to request hard copies even when much of the data were already captured electronically. This slowed the project, but once again should reflect the confidence we have in our findings.

### *Study Limitations*

While the present study has many strengths, as demonstrated throughout this report, there are also a number of limitations. For example, two of our primary data sources were surveys (i.e., agency and patrol officer). Given that use of force inquiries at both levels of analysis are rare, we were without established measures to apply to our study. As such, in several instances, we constructed our own questions, and even though they were pre-tested on a number of police personnel from various agencies, our confidence in these measures will be enhanced once they are replicated across other research sites.

In addition to the limitations faced with our two surveys, the use of official records (which provided us with the bulk of our project data) also came with a number of drawbacks. First, official records are documented by an “interested party” with a stake in the outcome. For

instance, officers filling out use of force reports may do so in a manner that illustrates favorable behavior on their part or ex post facto justifications for behavior (e.g., CYA), while the same holds for the citizen who recalls events that occur between themselves and the police. So, whether it be the officer documenting the force used against a citizen or the citizen filling out a complaint against an officer, the varying perspectives of official documentation per each actor suggests that the truth of how police-citizen encounters occur probably lies somewhere between the officer's account of the event and the citizen's version.

At the same time, as social scientists, we have to consider that police who are documenting behavioral documentation are not as concerned as researchers might be in the completeness of the data. For example, in cases where officers were afforded, per the official use of force report form, a series of boxes to check for each type of force utilized (e.g., firm grip, escort, pressure point, take down, punch, kick, etc) it is conceivable that in instances where higher levels of physical force (e.g., kick) were displayed along with a lower level of force (e.g., firm grip) that only the higher level of force was checked off and documented.

In a similar vein, instances in official documentation (e.g., use of force, officer injury, citizen injury, etc.) where officers were provided a response category of "other," which could include a host of behaviors, we found that sometimes there was further explanation in an open ended fashion and at other times the box was just checked "other." The latter approach did not provide us the opportunity to recode the "other" into a discrete classification of behavior. Another limitation involved determining the temporal ordering of force and resistance within individual encounters, an issue discussed in previous works (Terrill, 2001, Terrill and Mastrofski, 2002). The level of detail provided by officers in their narrative descriptions

sometimes left us uncertain as to the specific sequencing of resistance and force behaviors.

Thus, as indicated in Chapter 6, the reader is cautioned as per our description of officers using force within the context of policy.

Similarly, citizens filing complaints do so through their own perspective, and like officers, without the central concern of establishing quality official data. For example, there were instances where citizens filed a complaint against the police in general, without a specific officer named, which affected our ability to calculate precise officer-level totals. This forced us to exclude these complaints (which in one of our sites was fairly substantial) from our analyses in Chapter 7.

Additional data limitations were a function of various organizational layers beyond patrol officer and citizen documentation. In some cases the availability of official records was absent or so lacking that we could not conduct a comprehensive data analyses. For instance, none of the cities captured suspect wealth or demeanor, both of which have been shown to be fairly consistent predictors of police use of force behavior. One of our research sites also failed to capture citizen race on their use of force forms, another correlate of police use of force. Further, as illustrated in Chapter 8, the civil litigation data were only provided and usable in four of the eight cities.

Finally, while we believe that the eight mid-to-large sized agencies in the present study offer a nice degree of generalizability, our findings may not translate to all types of police departments. That is, the results of this project may not be generalizable to smaller rural agencies or very large urban departments where the dynamics of use of force policies and outcomes may be operating in a different manner.

### *Future Research*

We conclude with a few recommendations for future research. First, researchers should continue to examine which policies appear to work best. As documented throughout this report, what works best really depends on what perspective one comes from and the indicator one considers. Thus, future research should determine whether the findings reported here are replicated in other settings. Moreover, researchers may develop their own approaches for how to rank agencies based on a multitude of different indicators.

Second, we found that most agencies use a force continuum within their written policy and that they overwhelmingly select a linear design. This begs for further inquiry. For instance, one may query police executives as to “why” they so often incorporate such an approach and the perceived benefits and drawbacks. Alternatively, one may examine why the placement of chemical sprays and CEDs seem to pose the greatest difficulty in terms of tactical placement.

Third, researchers need to be ever conscience as to the difficulty of measuring and coding use of force behavior via the use of official records, especially use of force reports. We created common measures of both officer force and citizen resistance and would strongly advise future researchers to consider some form of a similar approach. Without the use of common measures, the ability to compare across agencies becomes a seriously challenging, if not impossible, task.

Finally, with regard to collecting data, especially from police departments, researchers should not be afraid to “get dirty.” Data that are easy to collect is always a bonus, but in some circumstances may not provide the most reliable and valid information. Thus, a good researcher is often faced with a balancing act between getting the highest quality data and not burning out. From the agency mail survey (i.e., individually calling departments), to picking comparable (but

different) agencies to study, to convincing departments that certain data did not need to be redacted, to surveying a population of line officers about their policy, to photo copying and coding (by hand) from hard copy files, to sitting with data analysts and trying to figure out how to get “data fields” into individual data, to coming up with like measures for comparisons, there were certainly more convenient ways for us to go at various points over the past four years. Much of this research had to be done in the field and during site visits that required sustained and substantive periods of work! Too often, in our experiences, researchers get side tracked with finding out how to easily get the data (e.g., often incomplete electronic data), having dinner with the police chief, or engaging in politics in an attempt to secure the next consulting contract. Simply put, we implore our research colleagues to go the extra mile to obtain the best data possible.

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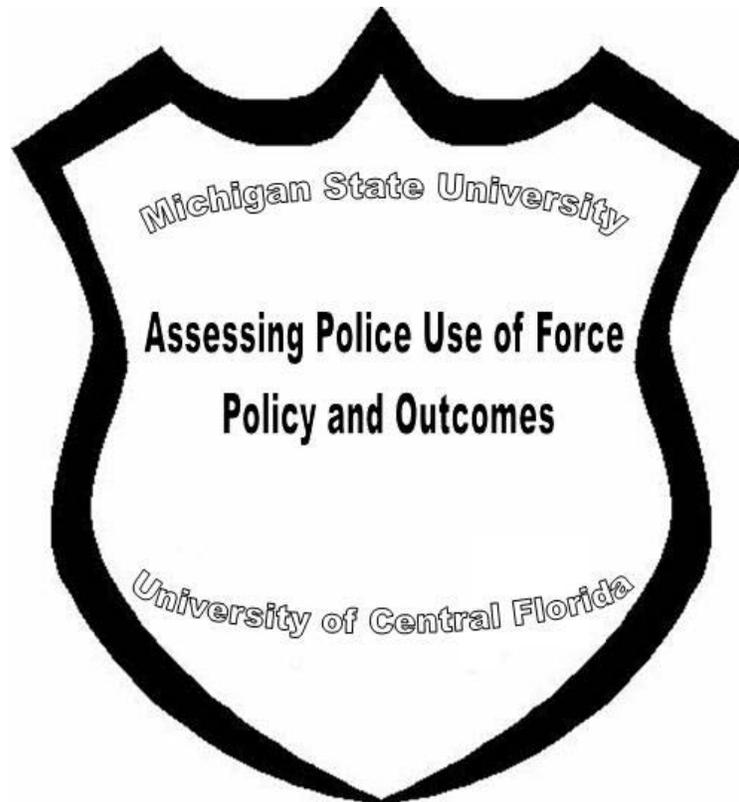
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Appendix A

**NATIONAL SURVEY OF POLICE AGENCIES:  
Examining Force Policy Types**



**Conducted by:**

Dr. William Terrill  
**MICHIGAN STATE UNIVERSITY**  
School of Criminal Justice

and

Dr. Eugene A. Paoline III  
**UNIVERSITY OF CENTRAL FLORIDA**  
Department of Criminal Justice

### General Project Information

In the Fall of 2005, the National Institute of Justice (NIJ) funded researchers from Michigan State University and the University of Central Florida to conduct a study examining the varying types of less-than-lethal force policies currently being used throughout the country. The study seeks to identify the extent of variation in force policies. Your participation in this study will provide valuable insight regarding the manner in which most police officers are instructed on the use of force and lead to informed policy understanding and development.

We seek your cooperation in gathering this information by completing the survey, which is expected to take approximately 15 minutes. Your participation is voluntary and your answers are strictly confidential. Your confidentiality will be protected to the maximum extent allowable by law as guaranteed by federal statute (*42 United States Code 3789g*). You may choose not to participate at all, refuse to participate in certain procedures or answer certain questions, or discontinue participation at any time without penalty.

There are no known risks associated with participation in this study. Only the research team will see your responses and the survey will be destroyed upon completion of the project at the end of 2007. The identification number on the back of the survey is used solely to remove your agency from the mailing list to avoid future mailings. The information collected will be compiled, analyzed, and presented only in grouped form with no individual agency identified.

If you have any questions about this study please contact the principal investigators, Professor William Terrill, Michigan State University, School of Criminal Justice, 532 Baker Hall, East Lansing, MI 48824, 517-353-9752 (phone), 517-432-1787 (fax), terrillw@msu.edu (email) or Professor Eugene A. Paoline III, University of Central Florida, P.O. Box 161600, Orlando, FL 32816, 407-823-4946 (phone), 407-823-5360 (fax), epaoline@mail.ucf.edu (email). If you have questions or concerns regarding your rights as a study participant, or are dissatisfied at any time with any aspect of this study, you may contact (anonymously, if you wish) Peter Vasilenko, Ph.D., Chair of the University Committee on Research Involving Human Subjects, 202 Olds Hall, East Lansing, MI 48824, 517-355-2180 (phone), 517-432-4503 (fax), ucrihs@msu.edu (email) or Barbara Ward, Institutional Review Board (IRB), University of Central Florida, 12443 Research Parkway, Suite 302, Orlando, FL 32826, 407-823-2901 (phone), 407-823-3299 (fax), bkward@mail.ucf.edu (email).

You indicate your voluntary agreement to participate in this research and have your answers included in the data set **by signing below** and completing the survey. Thank you for your assistance in this effort to enhance policy understanding and development.

**PLEASE SIGN HERE→**

\_\_\_\_\_  
Respondent Signature

\_\_\_\_\_  
Date

**SECTION I. In this section we would like to learn about your agency’s less-than-lethal force policy, including the types of force permitted or allocated and the existence of specific written directives. We ask that you circle your response.**

1. Does your agency have a written policy on the use of less-than-lethal force?

[1] Yes

[2] No (*please go to Section III on page 8*)

2. Please identify the varying forms of force that your agency permits or allocates AND whether there are **specific written directives** in your use of force policy detailing how and/or when to use such force. By specific written directives, we mean that your policy directly discusses the application of individual force types.

<u>Force Type</u>	<u>Agency Permits or Allocates</u>	<u>Covered in Written Policy</u>
	Yes No	Yes No
Officer presence.....	Yes No	Yes No
Verbal direction, other than commands/threats.... (for example - questioning)	Yes No	Yes No
Verbal commands/threats..... (for example - orders, threats)	Yes No	Yes No
Soft-empty hand techniques..... (for example - grabbing, shoving)	Yes No	Yes No
Pain compliance techniques..... (for example - pressure point control)	Yes No	Yes No
Hard-empty hand techniques..... (for example - striking with fists)	Yes No	Yes No
Handcuffing.....	Yes No	Yes No
Other forms of cuffing..... (for example - legs)	Yes No	Yes No
Flashlight.....	Yes No	Yes No
Baton..... (for example - ASP)	Yes No	Yes No
Chemical-irritant sprays..... (for example - oleoresin capsicum)	Yes No	Yes No

<u>Force Type</u>	<u>Agency Permits or Allocates</u>	<u>Covered in Written Policy</u>
K9.....	Yes No	Yes No
TASER.....	Yes No	Yes No
Electronic devices..... (other than TASER)	Yes No	Yes No
Projectile launchers..... (for example - beanbag)	Yes No	Yes No
Shotgun or automatic rifle.....	Yes No	Yes No
Handgun.....	Yes No	Yes No
Other (please list all the other types of force that are permitted or allocated and/or for which there is specific written direction concerning such force):		
_____		
_____		
_____		

**SECTION II. In this section we would like to learn whether your agency’s less-than-lethal force policy involves the use of a “force continuum,” and if so, about the *type* of continuum approach used, how the varying forms of resistance/force are ranked on the continuum from least to most severe, and how your continuum links corresponding force options to varying levels of citizen resistance.**

1. Is a “force continuum” approach used in your policy on less-than-lethal force?

By force continuum, we mean a guideline (sometimes depicted graphically) that officers can use to determine the type of force that may be used in generic situations. Such guidelines are sometimes (but not always) linked with varying forms of citizen resistance in an attempt to assist officers in matching the level of force to the level of resistance/threat encountered. Some examples include linear (e.g., ladder, stair, FLETC), wheel, and matrix/box designs, although there are many variations of continuum designs besides these few examples.

[1] Yes, this agency uses some form of a force continuum.

[2] No, this agency does not use a force continuum (*please go to Section III on page 8*).

2. Identify the “type” of force continuum your agency uses. Please understand that there is no correct or ideal continuum design in existence. Rather, agencies across the country simply prefer one design rather than another. To help guide you, we offer basic examples of some of the continuum designs currently in existence, but we would expect your agency’s continuum to vary to some extent (for example, in terms of the number and location of resistance/force options).

With this in mind, please circle ONE of the following five continuum designs (A-E) that is similar (but may not necessarily be an exact match) to your agency’s continuum. If your agency’s continuum design is not similar to one of the five examples, we ask that you circle F and assist us in understanding your policy.

[A] Linear design (e.g., step, ladder, stair) **WITHOUT** graphic representation

*For example:*

<u>Citizen Resistance/Threat Level</u>	<u>Corresponding Officer Force</u>
Assaultive (deadly)	Deadly force
Assaultive (non-deadly)	Striking maneuvers, electrical devices
Active	Pain compliance, chemical sprays
Passive	Verbal commands, soft-empty hand
Compliant	Presence, verbal direction

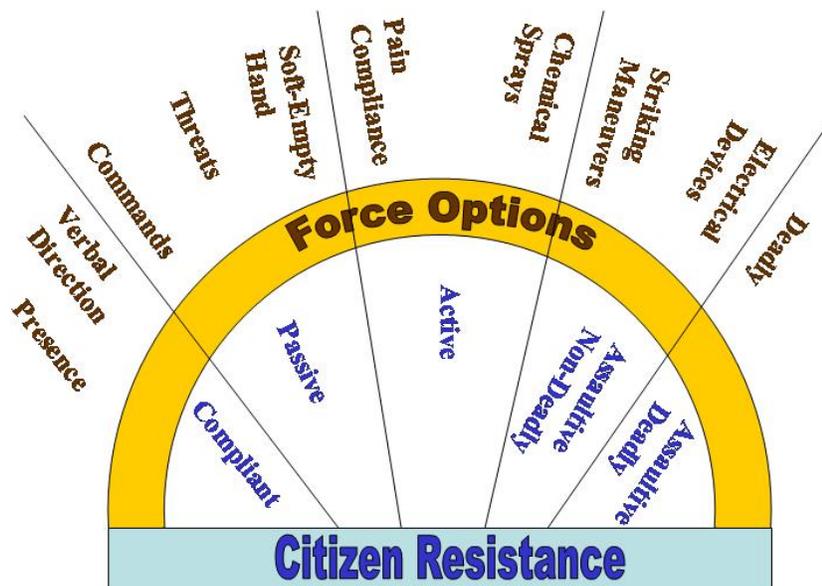
[B] Linear design (e.g., step, ladder, FLETC model) **WITH** graphic representation

*For example:*



[C] Partial Wheel/Circular design

For example:



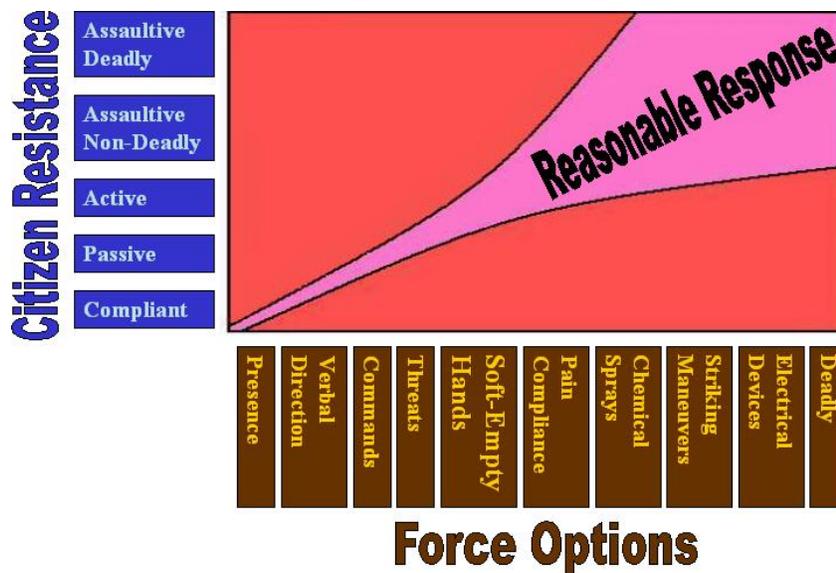
[D] Full Wheel/Circular design

For example:



[E] Matrix/Box design

For example:



[F] Other - my agency uses another type of continuum design (please describe here below and offer a graphic example if applicable):



4. Does your continuum policy “specifically” take into consideration any factors other than citizen resistance (for example - suspect height/weight, perceived mental state, drug/alcohol use, seriousness of offense, presence of weapon, etc.)? If so, please state what factors are considered:

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**SECTION III. In this section we would like to learn about your policies on use of force reporting.**

1. Does your agency currently require officers or supervisors to file a “use of force report” (or other similar report such as a “control persons” or “supervisor control persons” report) when officers use force or citizens complain of injury?

[1] Yes  
[2] No (please go to Section IV on page 10)

2. Who is primarily responsible for completing the report?

[1] Officer  
[2] Supervisor  
[3] Other personnel (please identify \_\_\_\_\_)

3. At what level of force is an officer or supervisor required to file a force report?

For example, some agencies require officers to file a force report for any type of physical force (including simple restraint, handcuffing, and come-alongs). Other agencies require a force report only when officers use a level of force that goes above and beyond simple restraint. Yet, other agencies use different reporting requirements. Please identify at what level of force your agency requires officers file a force report:

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4. Is an officer or supervisor required to file a force report whenever a citizen complains of injury, regardless of the level of force the officer used?

[1] Yes  
[2] No

5. As part of your reporting system, is a supervisor required to go to the scene?

[1] Yes  
[2] No (*please skip go to question 7*)

6. Is the supervisor required to interview concerned parties (for example - victim, witnesses, officers)?

[1] Yes  
[2] No

7. Are force reports routinely reviewed by an immediate or shift supervisor (for example - a shift Sergeant or Lieutenant conducting a review of the report prior to the end of the shift)?

[1] Yes  
[2] No

8. Are force reports routinely reviewed beyond the immediate or shift supervisor (for example - Internal Affairs or the Training Unit conducting a monthly review of force reports)?

[1] Yes  
[2] No

9. Did your agency require officers or supervisors to fill out a "use of force report" in 2005 and 2004?

[1] Yes  
[2] No

10. Has your agency altered/changed it's policy on use of force reporting (for example, changing the criteria for when officers are required to fill out a form) within the past two full calendar years (i.e., 2005 or 2004)?

[1] Yes (please list the approximate date the change occurred \_\_\_\_\_)  
[2] No

**SECTION IV. In this section we would like to learn a little about your organization and workload measures, which will help us to accurately report results with those from similar types of agencies.**

1. Number of sworn officers (as of today): \_\_\_\_\_
2. Number of civilians (as of today): \_\_\_\_\_
3. Please indicate the number of "calls for service" your agency received during the **2004** calendar year:

Total number of calls for service: \_\_\_\_\_

4. Please indicate the number of "reported crimes" your agency received during the **2004** calendar year for each of the following categories:

Violent Crimes            # of crimes during the 2004 calendar year

Homicide                    \_\_\_\_\_  
Rape                            \_\_\_\_\_  
Robbery                      \_\_\_\_\_  
Aggravated Assault \_\_\_\_\_

Property Crimes        # of crimes during the 2004 calendar year

Burglary                     \_\_\_\_\_  
Larceny Theft                \_\_\_\_\_  
Motor Vehicle Theft \_\_\_\_\_  
Arson                            \_\_\_\_\_

**SECTION V. Please offer any other information on your use of force policy that you believe may be helpful.**

Comments on use of force policy:

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In conclusion, we ask that you **PLEASE** include 1) a copy of your less-than-lethal force policy when returning this survey, and 2) a business card (or list contact information below) of the person who filled out the survey. We seek this information for clarification purposes only. As mandated by federal law (*42 United States Code 3789g*), we are prohibited from releasing such information to anyone outside the research team. These materials will be securely discarded upon the completion of the project.

Name \_\_\_\_\_  
Rank/Title \_\_\_\_\_  
Agency \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_  
Email \_\_\_\_\_

In your estimation, how receptive would your agency be toward being included in a more in-depth analysis of less-than-lethal force policy and practice, as part of a select pool of contemporary American police agencies?

- [1] Very receptive
- [2] Somewhat receptive
- [3] Not sure
- [4] Somewhat unreceptive
- [5] Very unreceptive

Thank you for taking the time to fill out this survey. Your input will help shed light on existing policy approaches. **If you have not signed the consent form on page 1, we ask that you please do so now in order for us to comply with federal research regulations.** As previously noted, the identification number below is used solely to remove your agency from the mailing list so as to avoid future mailings. Your answers are strictly confidential as ensured by federal law.

**Please return survey to:  
Dr. William Terrill,  
Michigan State University,  
School of Criminal Justice,  
532 Baker Hall,  
East Lansing, MI 48824**

ID #: \_\_\_\_\_

# Columbus

## Action-Response Levels of Control:

**Level 1: Empty hand control, pressure points, grounding techniques, and joint manipulations**

**Level 2: Use of chemical spray**

**Level 3: Use of electronic device (electronic custody belt or taser)**

**Level 4: Hard empty hand control (strike/punch/kick)**

**Level 5: Use of impact weapon (baton/flashlight)**

**Level 6: Police K-9 bite**

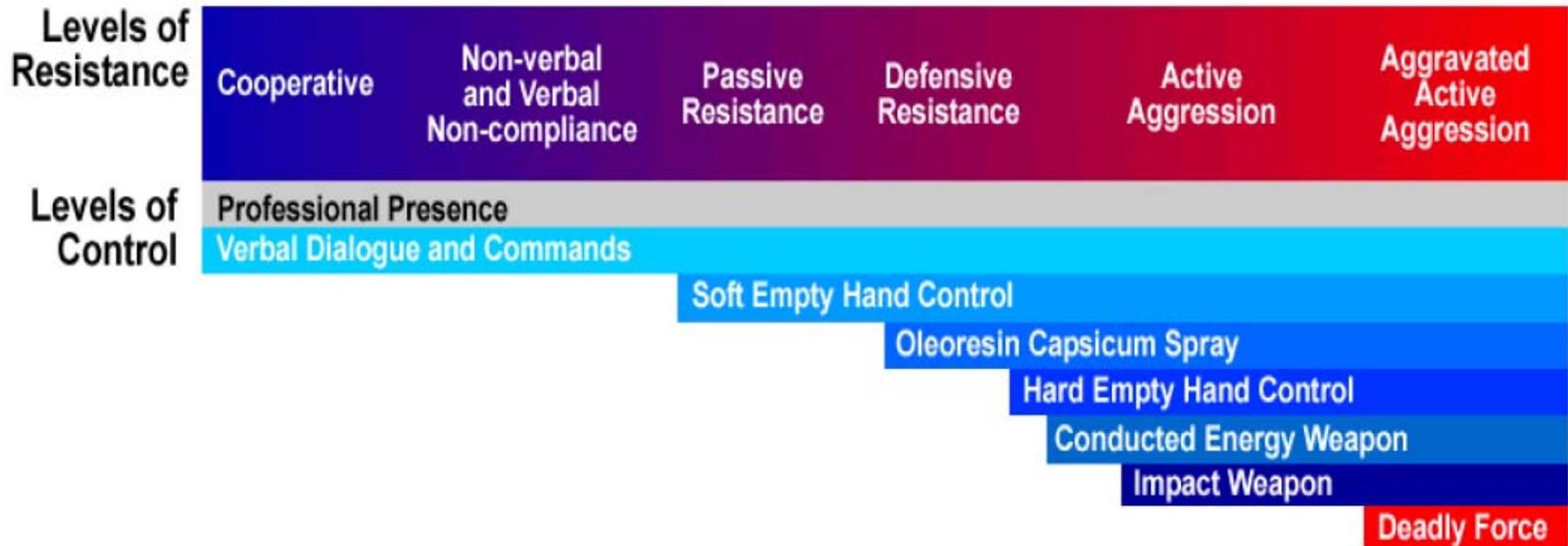
**Level 7: Less lethal weapons (beanbag/multiple baton rounds/stinger cartridges)**

**Level 8: Deadly force**



# Charlotte-Mecklenburg Police Department

## Interactive Directives Guide



**Portland**

<u>LEVEL OF CONTROL</u>	<u>METHOD OF CONTROL</u>	<u>SUBJECT'S BEHAVIOR</u>
Mere presence	Officer's presence	Compliance
Verbal control	Verbal request Questioning order	Compliance Verbal noncompliance
Physical control	Control holds Pressure point control	Passive resistance
	Aerosol restraint Taser: Touch Stun Taser: Probes	Physical resistance Indicates intent to engage in physical resistance.
Impact weapons.	Baton Strikes & Kicks	Aggressive physical resistance. Indicates intent to engage in aggressive physical resistance.
	Less lethal specialty munitions.	Aggressive physical resistance. Indicates intent to engage in aggressive physical resistance. Armed or potentially armed, capable of causing serious physical injury or death.
Deadly force	Firearms	Deadly force

# Albuquerque

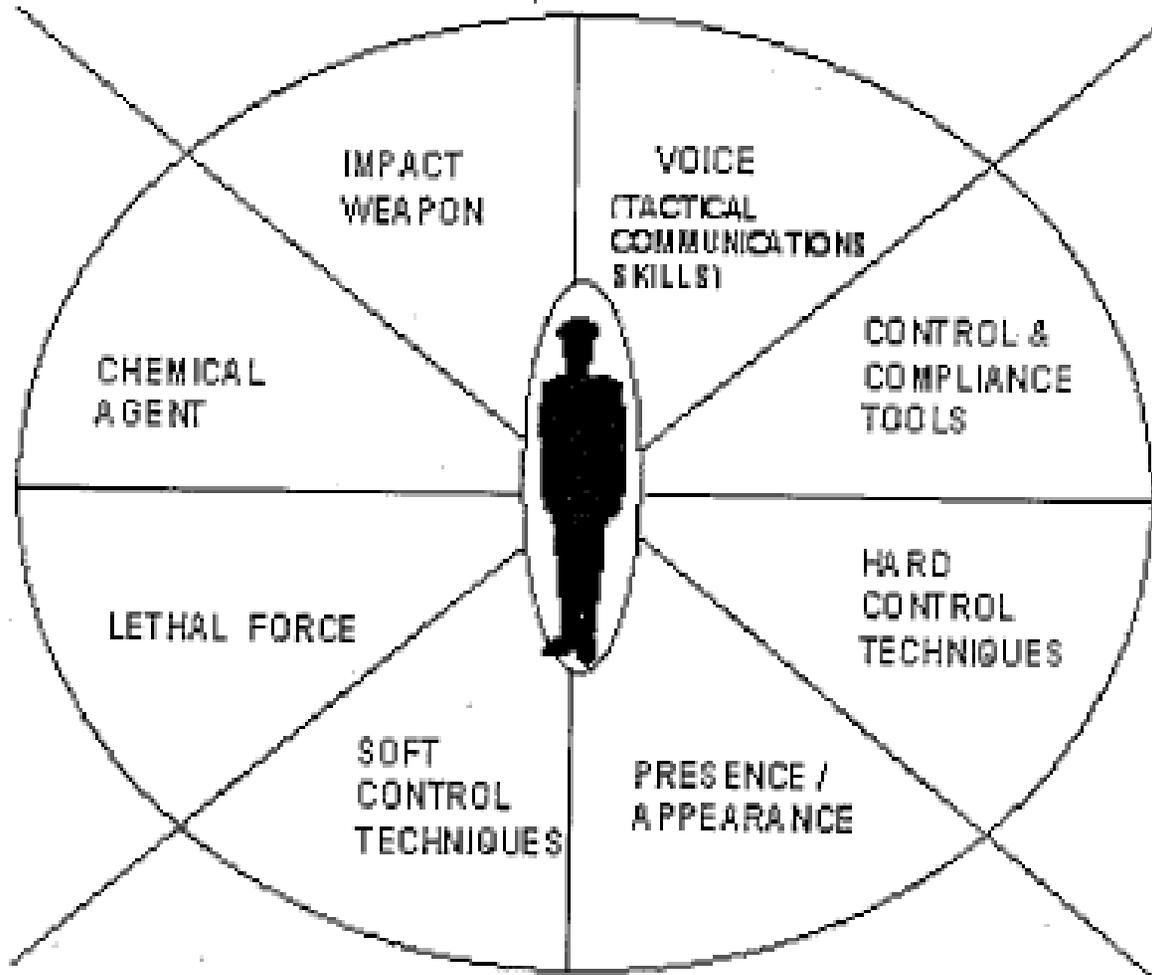
## REACTIVE CONTROL MODEL™ (RCM)™

<b>SUBJECT BEHAVIOR:</b>  SUBJECT'S "BEHAVIORAL" CUES:  	<b>COOPERATIVE</b>	<b>NON-COOPERATIVE</b>	<b>UNARMED ASSAILANT</b>	<b>ARMED ASSAILANT</b>
	Submits to Directions and Custody:  <ul style="list-style-type: none"> <li>• COMPLIANT</li> <li>• RESPONSIVE</li> <li>• FOLLOWS DIRECTIONS</li> </ul>	Resists Custody By:  <ul style="list-style-type: none"> <li>• Not Responsive to Directions</li> <li>• Evasive to Questions</li> <li>• Verbal Resistance or Body Posture</li> <li>• Pulling/Moving or Running Away</li> </ul>	Resists Custody By:  UNARMED THREATENING   UNARMED ATTACK  Closes Distance	Resists Custody By:  ARMED THREATENING   ARMED ATTACK (Deadly Assault)  Closes Distance
<b>CRIMINAL ACTIVITY CUES:</b>	Unknown	Threat	Type of Criminal Activity Investigating	
<b>OFFICER MENTAL CONDITION:</b>	<b>ALERT</b>	<b>CONTROL</b>	<b>ACTIVE</b>	<b>SURVIVAL</b>
OFFICER'S ACTIONS:  	Verbal Directions	Verbal Persuasion	Verbal Commands	Verbal Warnings   Survival Action
	<ul style="list-style-type: none"> <li>• AUTHORITY</li> <li>• ASSESSMENT</li> <li>• CUSTODY DECISION</li> <li>• POSITIONING</li> <li>• PROCEDURES</li> </ul>	EMPTY HAND TECHNIQUES  ASSESSMENT <ul style="list-style-type: none"> <li>• Custody Decision</li> <li>• Close Distance</li> </ul> CONTROL BY <ul style="list-style-type: none"> <li>• Escort Position</li> <li>• Distraction Techniques</li> <li>• Compliance Holds</li> <li>• Leveraged Takedowns</li> <li>• Impact Takedowns</li> <li>• Chemical Agents</li> </ul>	SHOW FORCE   USE FORCE  Draw Baton or Other Intermediate Weapon   Use Baton or Other Intermediate Weapon  ASSESS: <ul style="list-style-type: none"> <li>• Cover</li> <li>• Distance</li> <li>• Assistance</li> <li>• Retreat</li> </ul> <ul style="list-style-type: none"> <li>• Chemicals</li> <li>• Canine</li> </ul>	SHOW FORCE   USE FORCE  Draw Firearm   Fire Weapon to Stop Attack  ASSESS: <ul style="list-style-type: none"> <li>• Cover</li> <li>• Distance</li> <li>• Assistance</li> <li>• Retreat</li> </ul> <ul style="list-style-type: none"> <li>• Canine</li> </ul>
	SUBMITS TO CUSTODY ← ← ← ← ← FORCED CUSTODY & CONTROL PROCEDURES → → → → →			

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\* The RCM™ must be used in conjunction with instructional materials and only by an approved CJTC instructor.

# Colorado Springs



# St. Petersburg

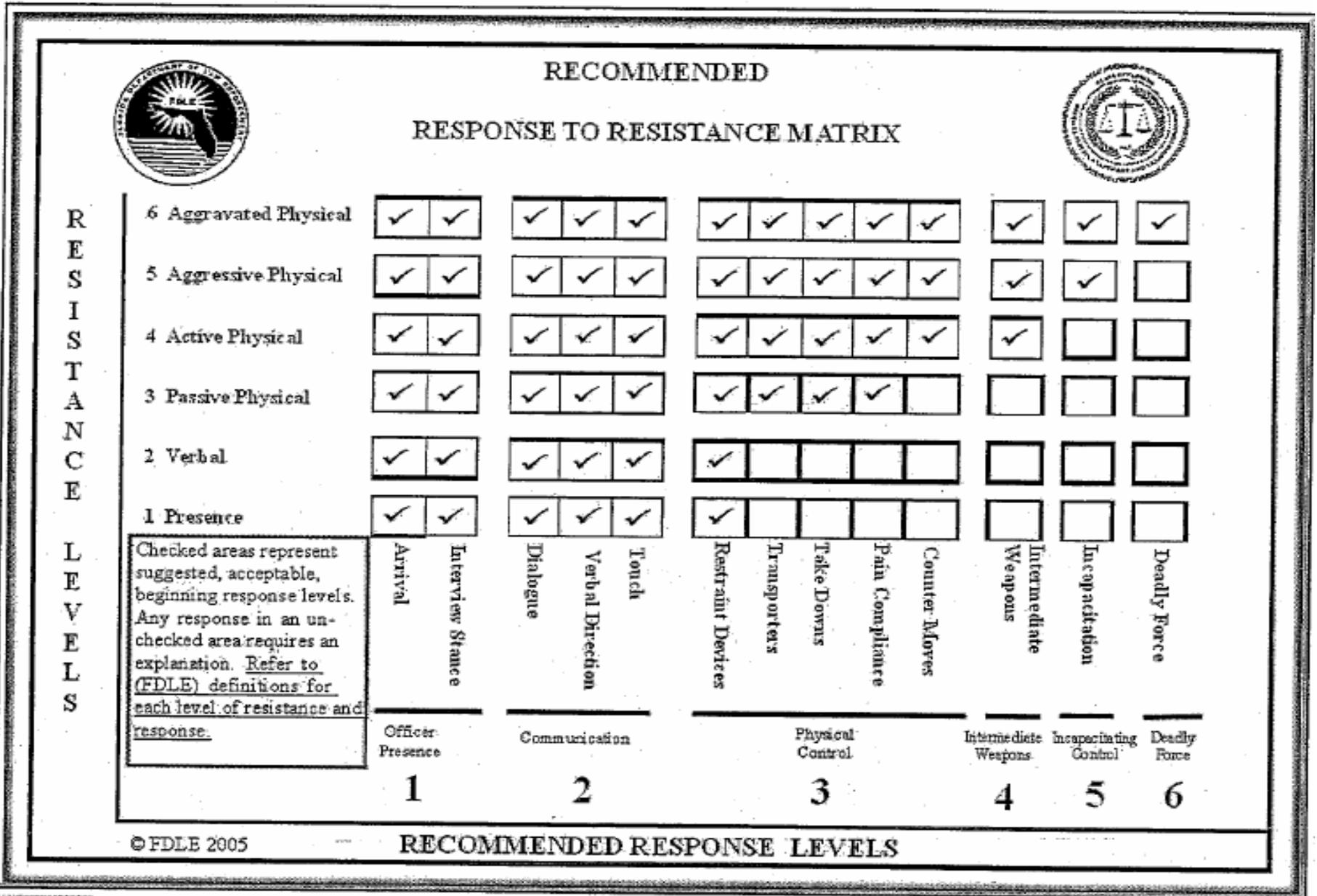


Figure 1

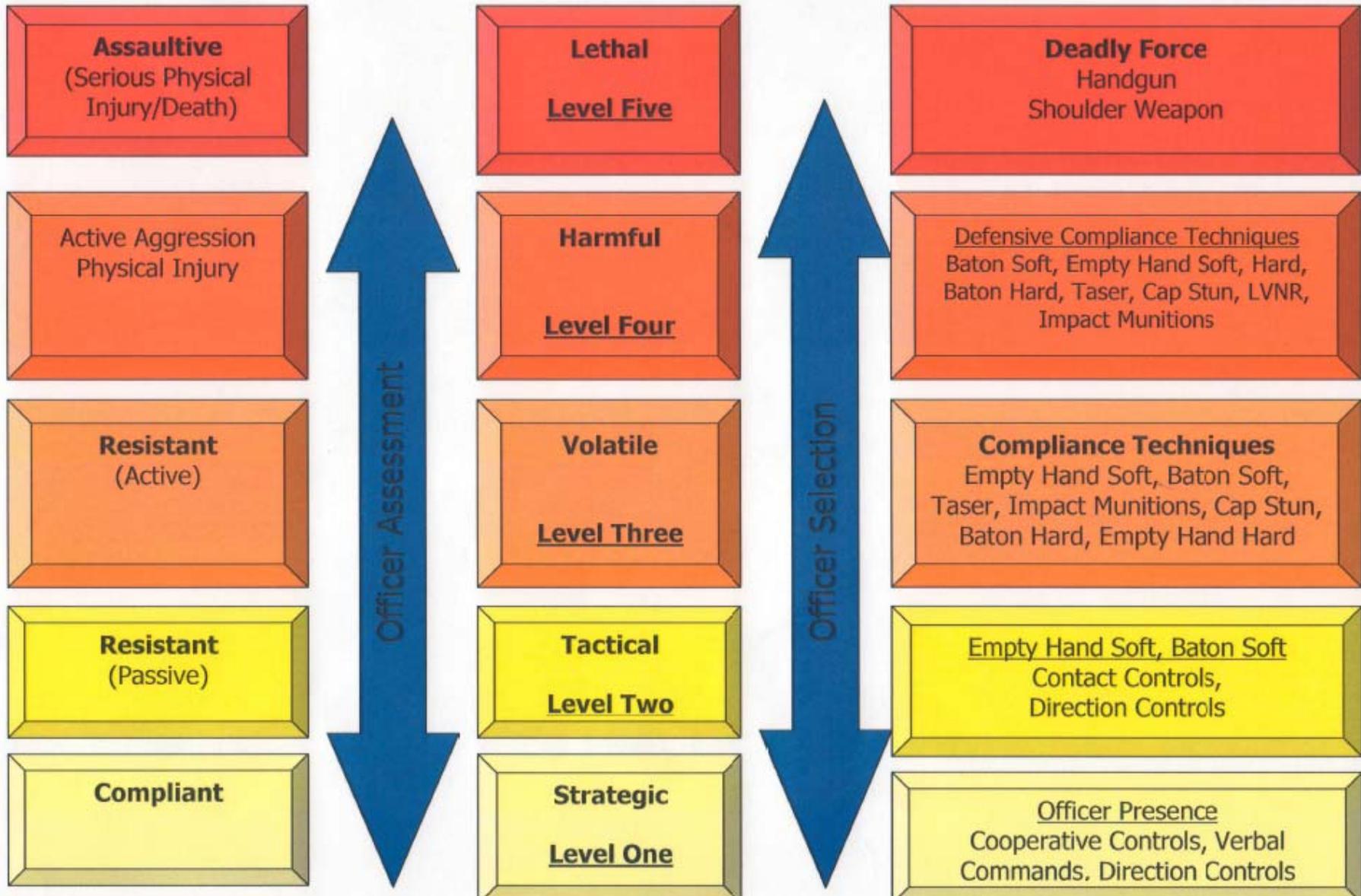
# Fort Wayne

## Resistance Control Continuum:

- 1. Officer Presence: A display of authority by the visual presence of the uniform and non-verbal communication such as demeanor, stride, and stance.**
- 2. Verbal Direction - Directions and commands given to the suspect(s).**
- 3. Soft Empty Hand Techniques - Refers to restraining and detaining of the suspect(s) with the intent of gaining control (e.g., holding/grasping, touch pressure points, escorts, joint manipulations and/or takedowns, handcuffs, leg restraints, OC spray).**

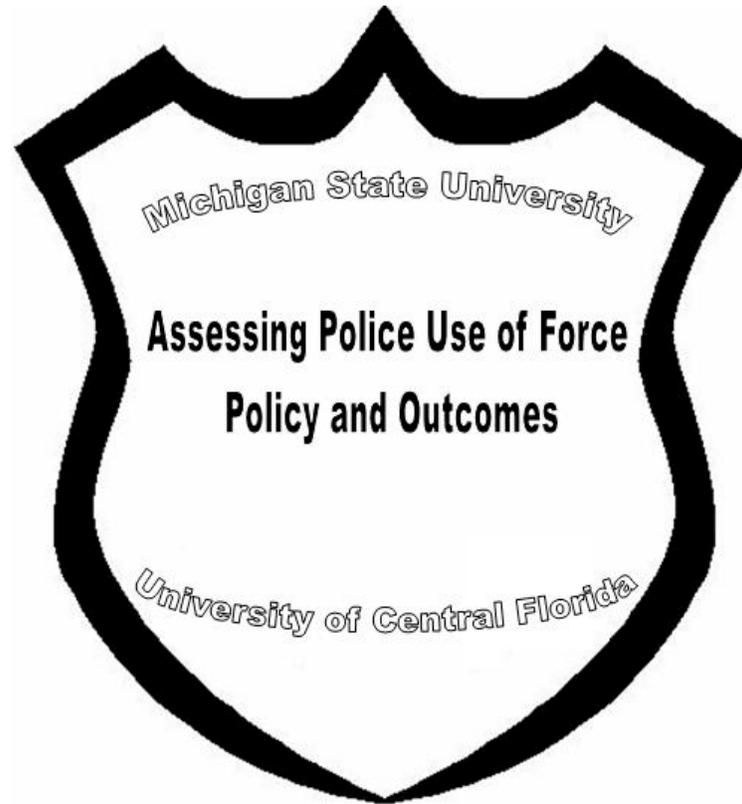
**Note: Distraction techniques precede joint manipulations and takedowns. This escalation of force is recognized as a necessity for the safe and proper completion of the procedure.**
- 4. Hard Empty Hand Techniques - Active counter measures or any technique that involves striking the suspect(s) (e.g., strikes, kicks, knees, forearms used for pain compliance, stunning, distraction, balance displacement, and motor dysfunction).**
- 5. Intermediate Weapons - Weapons that are used to assist gaining control of a situation involving resistive, threatening or combative suspects (e.g., Impact weapons strikes and blocks, CED, K-9, Less lethal munitions).**
- 6. Deadly Force - Force that creates a substantial risk of serious bodily injury or death.**

# USE OF FORCE CONTINUUM



Appendix C

**NATIONAL SURVEY OF POLICE OFFICERS:  
Examining Less than Lethal Force Policies**



**Conducted by:**

Dr. William Terrill  
**MICHIGAN STATE UNIVERSITY**  
School of Criminal Justice

**and**

Dr. Eugene A. Paoline III  
**UNIVERSITY OF CENTRAL FLORIDA**  
Department of Criminal Justice

**SECTION I** – We are interested in your views regarding XXPDP’s **OVERALL** *less-than-lethal force policy*. Please indicate the extent to which you agree or disagree with the following statements, by circling the number which best represents your opinion of the policy.

	<i>Agree Strongly</i>	<i>Agree Somewhat</i>	<i>Disagree Somewhat</i>	<i>Disagree Strongly</i>
1 XXPDP’s policy <i>assists</i> officer decision making.	1	2	3	4
2 XXPDP’s policy <i>hinders</i> officer decision making.	1	2	3	4
3 XXPDP’s policy is <i>not restrictive enough</i> .	1	2	3	4
4 XXPDP’s policy is <i>too restrictive</i> .	1	2	3	4
5 XXPDP’s policy is <i>clear</i> .	1	2	3	4
6 XXPDP’s policy regarding supervisory review of use of force reports is fair.	1	2	3	4
7 XXPDP’s policy provides adequate guidance in terms of <u><i>how to apply force</i></u> .	1	2	3	4
8 XXPDP’s policy provides adequate guidance in terms of <u><i>when force can and cannot be used</i></u> .	1	2	3	4
9 XXPDP’s policy provides adequate guidance in terms of <u><i>when a force report should be completed</i></u> .	1	2	3	4

**SECTION II** – We are interested in your views regarding **SPECIFIC COMPONENTS** of XXPDP’s *less-than-lethal force policy* as it relates to dealing with resistant citizens. Please indicate the extent to which you agree or disagree with the following statements, by circling the number which best represents your opinion of the policy.

	<i>Agree Strongly</i>	<i>Agree Somewhat</i>	<i>Disagree Somewhat</i>	<i>Disagree Strongly</i>
1 XXPDP’s policy <i>assists</i> officer decision making when dealing with citizens who are:				
[A] non-resistant or compliant	1	2	3	4
[B] passively resistant	1	2	3	4
[C] verbally resistant	1	2	3	4
[D] physically resistant in a <i>non-assaultive</i> nature	1	2	3	4
[E] physically resistant in an <i>assaultive</i> manner	1	2	3	4

	<b>Agree Strongly</b>	<b>Agree Somewhat</b>	<b>Disagree Somewhat</b>	<b>Disagree Strongly</b>
2 XYPD's policy <i>hinders</i> officer decision making when dealing with citizens who are:				
[A] non-resistant or compliant	1	2	3	4
[B] passively resistant	1	2	3	4
[C] verbally resistant	1	2	3	4
[D] physically resistant in a <i>non-assaultive</i> nature	1	2	3	4
[E] physically resistant in an <i>assaultive</i> manner	1	2	3	4
3 XYPD's policy is <i>not restrictive enough</i> when dealing with citizens who are:				
[A] non-resistant or compliant	1	2	3	4
[B] passively resistant	1	2	3	4
[C] verbally resistant	1	2	3	4
[D] physically resistant in a <i>non-assaultive</i> nature	1	2	3	4
[E] physically resistant in an <i>assaultive</i> manner	1	2	3	4
4 XYPD's policy is <i>too restrictive</i> when dealing with citizens who are:				
[A] non-resistant or compliant	1	2	3	4
[B] passively resistant	1	2	3	4
[C] verbally resistant	1	2	3	4
[D] physically resistant in a <i>non-assaultive</i> nature	1	2	3	4
[E] physically resistant in an <i>assaultive</i> manner	1	2	3	4
5 XYPD's policy is <i>clear</i> in terms of how to deal with citizens who are:				
[A] non-resistant or compliant	1	2	3	4
[B] passively resistant	1	2	3	4
[C] verbally resistant	1	2	3	4
[D] physically resistant in a <i>non-assaultive</i> nature	1	2	3	4
[E] physically resistant in an <i>assaultive</i> manner	1	2	3	4
6 XYPD's policy provides adequate guidance in terms of <u>how to apply force</u> on citizens who are:				
[A] non-resistant or compliant	1	2	3	4
[B] passively resistant	1	2	3	4
[C] verbally resistant	1	2	3	4
[D] physically resistant in a <i>non-assaultive</i> nature	1	2	3	4
[E] physically resistant in an <i>assaultive</i> manner	1	2	3	4

	<b>Agree Strongly</b>	<b>Agree Somewhat</b>	<b>Disagree Somewhat</b>	<b>Disagree Strongly</b>
7 XYPD's policy provides adequate guidance in terms of <u>when force can and cannot be used</u> on citizens who are:				
[A] non-resistant or compliant	1	2	3	4
[B] passively resistant	1	2	3	4
[C] verbally resistant	1	2	3	4
[D] physically resistant in a <i>non-assaultive</i> nature	1	2	3	4
[E] physically resistant in an <i>assaultive</i> manner	1	2	3	4

**SECTION III** – We are interested in your views regarding outcomes of XYPD's *less-than-lethal force policy*. Please indicate the extent to which you agree or disagree with the following statements, by circling the number which best represents your opinion of the policy.

	<b>Increases the likelihood</b>	<b>Decreases the likelihood</b>	<b>Neither Increases nor Decreases the likelihood</b>
1 What effect does XYPD's policy have on potential <i>citizen</i> injuries?	1	2	3
2 What effect does XYPD's policy have on potential <i>officer</i> injuries?	1	2	3
3 What effect does XYPD's policy have on potential <i>citizen complaints</i> ?	1	2	3
4 What effect does XYPD's policy have on potential <i>lawsuits</i> ?	1	2	3

**SECTION IV** – We are interested in your views regarding XXPD’s training with respect to *less-than-lethal force*. Please indicate the extent to which you agree or disagree with the following statements, by circling the number which best represents your opinion.

	<i>Agree Strongly</i>	<i>Agree Somewhat</i>	<i>Disagree Somewhat</i>	<i>Disagree Strongly</i>
1 The pre-service <u>Academy</u> training that I have received on less-than-lethal force is adequate.	1	2	3	4
1a. What, if any, part of this training should receive more attention _____				
2 The <u>In-service</u> training that I have received on less-than-lethal force is adequate.	1	2	3	4
2a. What, if any, part of this training should receive more attention _____				

**SECTION V** – In terms of dealing with the following types of resistant citizens, please indicate which of the following responses YOU believe are appropriate, *irrespective of what XXPD’s policy states*, by placing a check (✓) next to ALL THAT APPLY.

- 1 Which is/are appropriate when faced with a non-resistant/compliant citizen:
  - Verbal direction, other than commands/threats (for example – questioning)
  - Verbal commands/threats
  - Soft-empty hand techniques (for example – grabbing, shoving)
  - Pain compliance techniques (for example – pressure point control)
  - Hard-empty hand techniques (for example – striking with fists)
  - Cuffing (hands, legs)
  - Flashlight
  - Baton (for example – ASP)
  - Chemical-irritant sprays (for example – oleoresin capsicum)
  - Electronic devices (for example – TASER)
  - Projectile launchers (for example – beanbag)
  - Deadly Force
  
- 2 Which is/are appropriate when faced with a passively resistant citizen:
  - Verbal direction, other than commands/threats (for example – questioning)
  - Verbal commands/threats
  - Soft-empty hand techniques (for example – grabbing, shoving)
  - Pain compliance techniques (for example – pressure point control)
  - Hard-empty hand techniques (for example – striking with fists)
  - Cuffing (hands, legs)
  - Flashlight
  - Baton (for example – ASP)
  - Chemical-irritant sprays (for example – oleoresin capsicum)
  - Electronic devices (for example – TASER)
  - Projectile launchers (for example – beanbag)
  - Deadly Force

- 3 Which is/are appropriate when faced with a verbally resistant citizen:
- Verbal direction, other than commands/threats (for example – questioning)
  - Verbal commands/threats
  - Soft-empty hand techniques (for example – grabbing, shoving)
  - Pain compliance techniques (for example – pressure point control)
  - Hard-empty hand techniques (for example – striking with fists)
  - Cuffing (hands, legs)
  - Flashlight
  - Baton (for example – ASP)
  - Chemical-irritant sprays (for example – oleoresin capsicum)
  - Electronic devices (for example – TASER)
  - Projectile launchers (for example – beanbag)
  - Deadly Force
- 4 Which is/are appropriate when faced with a physically non-assaultive citizen:
- Verbal direction, other than commands/threats (for example – questioning)
  - Verbal commands/threats
  - Soft-empty hand techniques (for example – grabbing, shoving)
  - Pain compliance techniques (for example – pressure point control)
  - Hard-empty hand techniques (for example – striking with fists)
  - Cuffing (hands, legs)
  - Flashlight
  - Baton (for example – ASP)
  - Chemical-irritant sprays (for example – oleoresin capsicum)
  - Electronic devices (for example – TASER)
  - Projectile launchers (for example – beanbag)
  - Deadly Force
- 5 Which is/are appropriate when faced with a physically assaultive citizen:
- Verbal direction, other than commands/threats (for example – questioning)
  - Verbal commands/threats
  - Soft-empty hand techniques (for example – grabbing, shoving)
  - Pain compliance techniques (for example – pressure point control)
  - Hard-empty hand techniques (for example – striking with fists)
  - Cuffing (hands, legs)
  - Flashlight
  - Baton (for example – ASP)
  - Chemical-irritant sprays (for example – oleoresin capsicum)
  - Electronic devices (for example – TASER)
  - Projectile launchers (for example – beanbag)
  - Deadly Force

**SECTION VI** – We are interested in your views regarding *various components of police work*. Please indicate the extent to which you agree or disagree with the following statements, by circling the number which best represents your opinion.

	<b>Agree Strongly</b>	<b>Agree Somewhat</b>	<b>Disagree Somewhat</b>	<b>Disagree Strongly</b>
1 I work in a dangerous job.	1	2	3	4
2 A good police officer takes charge of encounters with citizens.	1	2	3	4
3 Most people have no idea how difficult a police officer's job is.	1	2	3	4
4 I would not consider taking another job.	1	2	3	4
5 When I started my policing career, other officers were a valuable source of information on how to perform as an officer.	1	2	3	4
6 There are clear, planned goals and objectives for my job.	1	2	3	4
7 Enforcing the law is by far a patrol officer's most important responsibility.	1	2	3	4
8 When I first arrive on a scene or during any interaction with a citizen, I size up the situation in order to establish and maintain control.	1	2	3	4
9 The code of silence is an essential part of the mutual trust necessary to good policing.	1	2	3	4
10 A good police officer is one who patrols aggressively by stopping cars, checking out people, running license checks, and so forth.	1	2	3	4
11 I'm usually calm and at ease when I'm working.	1	2	3	4
12 My supervisor looks out for the personal welfare of his/her subordinates.	1	2	3	4
13 My supervisor's approach tends to discourage me from giving extra effort.	1	2	3	4
14 My supervisor will support me when I am wrong, even if it makes things difficult for him or her.	1	2	3	4
15 Police officers have reason to be suspicious of most citizens.	1	2	3	4

	<b>Agree Strongly</b>	<b>Agree Somewhat</b>	<b>Disagree Somewhat</b>	<b>Disagree Strongly</b>
16 In my job, a person stands a good chance of getting hurt.	1	2	3	4
17 Police should not have to handle calls that involve social or personal problems where no crime is involved.	1	2	3	4
18 When an officer does a particularly good job, top management will publicly recognize his or her performance.	1	2	3	4
19 When an officer gets written up for minor violations of the rules, he or she will be treated fairly by top management.	1	2	3	4
20 When an officer contributes to a team effort rather than look good individually top management here will recognize it.	1	2	3	4
21 In order to remain effective, the police officer should remain detached from the community.	1	2	3	4
22 I try to teach younger officers how to perform their duties as an officer.	1	2	3	4
23 I know what is exactly expected of me.	1	2	3	4
24 When I'm at work I often feel tense or uptight.	1	2	3	4
25 I like my job better than the average police officer does.	1	2	3	4
26 Given my choice, when off-duty, I would rather hang around with non-police than other police officers.	1	2	3	4
27 Law enforcement officers should be required to do something about - <i>public nuisances</i> (e.g., loud parties, barking dogs, etc).	1	2	3	4
28 Law enforcement officers should be required to do something about - <i>neighbor disputes</i> .	1	2	3	4
29 Law enforcement officers should be required to do something about - <i>family disputes</i> .	1	2	3	4
30 Law enforcement officers should be required to do something about - <i>litter and trash</i> .	1	2	3	4

	<b>Agree Strongly</b>	<b>Agree Somewhat</b>	<b>Disagree Somewhat</b>	<b>Disagree Strongly</b>
31 Law enforcement officers should be required to do something about - <i>parents who don't control their kids</i> .	1	2	3	4
32 Law enforcement officers should be required to do something about - <i>nuisance businesses</i> that cause lots of problems for neighbors.	1	2	3	4
33 There is a camaraderie and bond among police officers that those outside of policing would not understand.	1	2	3	4
34 Police officers have reason to be distrustful of most citizens.	1	2	3	4
35 An officer is more effective when s/he patrols for serious felony violations rather than stopping people for minor traffic violations and misdemeanors.	1	2	3	4
36 Most law enforcement officers have to spend too much of their time handling unimportant, non-crime calls for service.	1	2	3	4
37 Most of what I know about policing was learned "on the job".	1	2	3	4
38 I know what my responsibilities are.	1	2	3	4
39 My job is a lot more dangerous than other kinds of jobs.	1	2	3	4
40 A lot of time my job makes me very frustrated or angry.	1	2	3	4
41 I find real enjoyment in my job.	1	2	3	4
42 When I am on the street, protecting a fellow officer is one of my highest priorities.	1	2	3	4

**SECTION VII** – In this last section, we have a few background questions. Please **circle** your responses.

- 1 Did you work as a sworn officer for any other police department before XYPD?  
 [1] No  
 [2] Yes (if yes, for how many years? \_\_\_\_\_)
- 2 What is your currently assigned division? \_\_\_\_\_  
 2a How long have you been assigned to your current division? \_\_\_\_\_years \_\_\_\_\_months

- 3 Within your division, please identify the response area you are assigned to or patrol most often.  
Response Area: \_\_\_\_\_  
3a How long have you worked this response area? \_\_\_\_\_years \_\_\_\_\_months
- 4 What was your pre-service Training Academy recruit class number? \_\_\_\_\_
- 5 Do you have any military experience?  
[1] No  
[2] Yes (if yes, do you believe that your military experience helped prepare you to be a police officer?)  
1. No  
2. Yes
- 6 Are/were any of your family member's police officers?  
[1] No  
[2] Yes (if yes, please identify their relationship [e.g., father, sister, uncle, etc.] \_\_\_\_\_)
- 7 Marital status:  
[1] Single  
[2] Married  
[3] Separated  
[4] Divorced  
[5] Widowed
- 8 Would you say that, for you personally, getting promoted to a higher rank is:  
[1] Very important  
[2] Somewhat important  
[3] Somewhat unimportant  
[4] Very unimportant
- 9 Would you say that, for you personally, moving to a specialized unit is:  
[1] Very important  
[2] Somewhat important  
[3] Somewhat unimportant  
[4] Very unimportant
- 10 What is your current assignment?  
[1] Patrol Officer  
[2] Bikes  
[3] H.I.T.S.  
[4] Street Crimes Task Force  
[5] School Resource Officer (SRO)  
[6] K-9  
[7] Other (please, identify) \_\_\_\_\_
- 11 What rank do you expect to have when you retire?  
[1] Patrol Officer  
[2] Sergeant  
[3] Captain  
[4] Major  
[5] Deputy Chief  
[6] Chief  
[7] Other (please, identify) \_\_\_\_\_



## Appendix D

### Assessing Police Use of Force Policy and Outcomes

In the Fall of 2005, the National Institute of Justice (NIJ) funded researchers from Michigan State University and the University of Central Florida to conduct a study examining varying types of nonlethal force policies. As part of this study, we wish to learn how policies are understood and viewed by front line personnel. In particular, we are interested in your view as to the extent to which your agency's policy offers guidance and the ability to control suspects. Your participation in this study will help lead to informed policy understanding and development.

We seek your cooperation in gathering this information by completing the survey, which is expected to take 15 minutes. Your participation is voluntary and your answers are strictly confidential. Your confidentiality will be protected to the maximum extent allowable by law as guaranteed by federal statute (42 United States Code 3789g). You may choose not to participate at all, refuse to participate in certain procedures or answer certain questions, or discontinue participation at any time without penalty.

There are no known risks associated with participation in this study. Only the research team will see your responses and the survey will be destroyed upon completion of the project at the end of 2008. The identification number at the bottom of the page is used solely to remove you from the survey list. The information collected will be compiled, analyzed, and presented only in grouped form with no individual agency identified.

If you have any questions about this study please contact the principal investigator, Professor William Terrill, Michigan State University, School of Criminal Justice, 532 Baker Hall, East Lansing, MI 48864, 517-353-9752 (phone), 517-432-1787 (fax), terrillw@msu.edu (email) or Professor Eugene A. Paoline III, University of Central Florida, P.O. Box 161600, Orlando, FL 32816, 407-823-4946 (phone), 407-823-5360 (fax) epaoline@mail.ucf.edu. If you have any questions or concerns regarding your rights as a study participant, or are dissatisfied at any time with any aspect of this study, you may contact - anonymously, if you wish, Peter Vasilenko, Ph.D., Director of the Human Research Protection Programs (HRPP) at Michigan State University: (517) 355-2180, fax: (517) 432-4503, email: irb@msu.edu, or regular mail: 202 Olds Hall, East Lansing, MI 48824, or Barbara Ward, Institutional Review Board (IRB), University of Central Florida, 12201 Research Parkway, Suite 501, Orlando, FL., 32826-3246, 407-823-2901.

You indicate your voluntary agreement to participate in this research and have your answers included in the data set by signing below and completing the survey. Thank you for your assistance in this effort to enhance policy understanding and development.

\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Date

Respectfully,

\_\_\_\_\_  
Professor William Terrill  
Michigan State University

\_\_\_\_\_  
Professor Eugene A. Paoline III  
University of Central Florida

I.D. # \_\_\_\_\_