

EXTENSION LESSONS**LESSON A****Police and the Use of Force**
.....**Overview**
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Few issues have the potential for more controversy and the generation of negative police-community relations than those surrounding allegations of excessive force or brutality. Unfortunately, given the role of the police and the levels of violent crime in our society, the use of force is an everyday reality. For these reasons, it is important that all citizens, and young people in particular, understand the laws that govern use of force and are able to distinguish, on an informed and reasonable basis, between its legitimate and illegitimate uses.

This extension lesson focuses on the issue of police use of force in field situations. After a brief focus activity, students read and discuss a reading that describes laws and rules affecting use of force, including deadly force. Then, in a paired activity, students take the role of police officers, review guidelines, and apply them to hypothetical cases. Finally, in a debriefing discussion, students compare their responses.

Teacher Tips
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This lesson can be used at any point in the *Youth and Police* sequence. It can also serve as an intervention lesson to help students understand issues raised in use-of-force cases that arise in the community or that are publicized in the press.

Objectives
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Students will be able to:

- Describe a situation in which police have a legitimate need to use force.
- Distinguish between uses of non-deadly and deadly force.
- Identify the consequences faced by police officers who use excessive force.
- State and support opinions about the level of force appropriate in given hypothetical situations.

Materials and Preparation
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- Handout A1: Police and the Use of Force—1 per student
- Handout A2: Police Department Regulations—1 per student
- Handout A3: Use-of-Force Cases—Cut out 1 case for each student pair.

Procedure

I. Focus Activity—Fact versus Fiction

A. Lead a brief discussion by asking:

- In movies and on television, what kinds of actions do police take when arresting a criminal? (Students might suggest handcuffing, fist fights, shooting, martial arts, etc.)
- Do you think these fictional incidents often happen in real police work? (Students should state and support opinions.)

B. Explain to students that, in spite of how the police are portrayed in movies and on television, much of their work is routine and does not involve the use of force. Further explain that there are strict rules about how police may use force when dealing with citizens or people suspected of committing crimes.

II. Reading and Discussion: Police Use of Force

A. Distribute and have students read **Handout A1: Police and the Use of Force**.

B. Lead a class discussion using the following questions:

1. Why do police officers sometimes have to use force when doing their jobs? (To protect themselves and others from harm or to arrest a person who resists.)
2. According to the law, what level of force can an officer use in a given situation? (An officer may use the amount of force that is reasonable and necessary in a given situation, but police departments may, as a matter of prudent training of officers, adopt more restrictive standards.)
3. Why might deciding what force is reasonable and necessary be difficult for a police officer in the field? (Excitement, darkness, and the movements of a suspect can create confusion.)

III. Paired Activity—Making Decisions About the Use of Force

A. Divide the class into pairs of students and explain that in this activity they will take the role of police officers and make decisions about the level of force to use in a particular situation.

B. Distribute **Handout A2: Police Department Regulations** to each student and review the material. Explain that students will work in pairs and each pair will receive **one** case to review. It is each pair's job to decide what to do based on the department regulations and the reading. Both students should fill out an individual report and be prepared to discuss their decision with the class. Then distribute to each pair one case from **Handout A3: Use-of-Force Cases**.

C. As students complete their assignment, create the following chart on the board:

Case #	Level of Force	Reasons
1.		
2.		
3.		
4.		

Ask all the pairs that had to decide Case #1 to join you in the front of the class. Read the case out loud to the class. Then have the first pair make its report and fill in the chart as appropriate. Continue the process until all pairs have reported. Compare the results and reasons. Repeat the process for Cases 2-4.

IV. Debriefing

A. Review and discuss each case using the following information as a guideline.

Case 1. The officers probably would be justified in using deadly force. An 11-inch kitchen knife thrown from a short range could kill or seriously injure an officer.

Case 2. The officers would be justified in using non-deadly force such as chemical weapons since physical restraint did not work and the suspect continues to resist. But since there is no immediate threat of death or serious injury to the officers (Tony is screaming, but his threat of violence is focused on the future), deadly force probably should not be used.

Case 3. Because the woman is flailing, the officers would be entitled to use a physical restraint technique for their protection and to make sure the woman does not hurt herself. Since she appears to be a victim of someone else, additional force appears to be unreasonable.

Case 4. Under the circumstances—a felony arrest, the suspect's movements and seeing a possible weapon—the officers probably entitled to use deadly force in this situation.

B. Conclude the activity with a discussion by asking:

- How did it feel to try and make these decisions?
- How much more difficult would it be to make these decisions in the field?

Police and the Use of Force



Danger is part of police work. Sometimes officers have to deal with a person who resists arrest. Sometimes they confront a person who is armed or threatens violence. To protect themselves and others in the community, officers might have to use force to make an arrest or disarm a suspect.

Officers are trained and equipped to use force, if necessary. They are trained how to take charge of a situation using verbal commands. They are also taught how to use self-defense techniques. Officers are equipped with both chemical and electronic weapons. With these, police more easily can overcome a suspect without causing great injury or risking great injury to themselves. They also carry pistols and batons, and patrol cars are often equipped with shotguns. These weapons are very dangerous and can only be used in certain circumstances.

As a general rule, police may use whatever level of force is **reasonable and necessary** to make an arrest. Shooting an unarmed person who has stolen an apple from a fruit stand would not be reasonable. Clubbing a suspect with a baton when a simple arm hold would work is not necessary.

In training programs, police officers learn how much force may be used in

different cases. They practice using just enough force for each situation.

Whether making an arrest, controlling a crowd, or dealing with an armed suspect, they are taught to begin with the lowest level of force necessary.

The level of force should only increase if the situation requires it. For example, if a suspect quietly goes along with arrest, the officer should use a simple pat-down search for weapons and handcuffing. But if the suspect suddenly throws a punch, a higher level of force may be required. This might require the officer use a physical-restraint hold. On the street, fear, anger, darkness, and split-second changes can make deciding what force is reasonable and necessary much more difficult.

DEADLY FORCE

In some situations, police officers have to use deadly force. Deadly force is force that poses a high risk of death or serious injury to a person. It does not matter whether death or serious injury actually results. State laws govern the use of deadly force. Some police agencies and departments have even stricter rules officers must follow when using deadly force. In general, an officer should use deadly force only if:

- The officer believes that deadly force is necessary to prevent death or great bodily injury to the officer or another person.
- The officer believes that the deadly force does not create a great risk to innocent persons.

In spite of the limits on deadly force, its use can be very controversial. This is especially true if the suspect who is killed or wounded by the police is unarmed or turns out to be innocent. By law, a suspect need not be actually armed for the police to use deadly force. Sometimes a suspect will reach inside clothing in a threatening manner or grab something the police mistake for a weapon. If the police have a reasonable and honest belief that they need to use deadly force to prevent death or serious injury to themselves or another, they are allowed to use it.

Another situation that creates controversy is when a suspect is armed with something other than a gun. This might be a knife or a screwdriver. Some people argue that in these circumstances a police officer should not shoot to kill, but only to wound in the legs or other non-vital spot. Police experts argue that

such actions would put the life of officers and others in danger. They claim that trying to hit a suspect in a non-vital spot is often very risky. Darkness, rapid movements by the suspect, and the excitement of the moment all make shooting accurately very difficult. To take such a risky shot, they argue, would make it more likely that suspect could injure or kill someone or that a bystander could be hit by a stray police bullet.

If a police officer makes a mistake about the use of force, the consequences can be very serious. Police departments themselves investigate every use of deadly force. Police departments also investigate if citizens complain about the level of force used against them. If a complaint is upheld, an officer can be penalized by being demoted or even fired. In addition, if the case is serious enough, police officers can be charged with a crime. If they are put on trial and convicted, they can be punished by a fine or prison time. Finally, police officers can be sued by victims of force. If they lose in court, they and the police department can be forced to pay damages, sometimes hundreds of thousands of dollars, to the victim.

For Discussion

1. Why do police officers sometimes have to use force when doing their jobs?
2. According to the law, what level of force can an officer use in a given situation?
3. Why might deciding what force is reasonable and necessary be difficult for a police officer in the field?
4. Should police officers, or the cities that employ them, be required to pay money damages if they lose a lawsuit for using excessive force? How might such lawsuits affect the work of police officers?



POLICE DEPARTMENT REGULATIONS

Use-of-Force Guidelines

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You and your partner are police officers. The following are department guidelines for the use of force in the field. Your job is to study the rules and be prepared to use them.

The department allows four levels of force:

1. **Arrest and Handcuffing:** To be used in most situations when the suspect follows verbal commands and gives in to arrest.
2. **Physical Restraint:** A martial arts hold to be used when the suspect resists arrest, but is not armed.
3. **Non-Deadly Force:** Chemical spray or electronic weapons for use if physical restraint does not work or is impossible.
4. **Deadly Force:** Use of firearms or blows from baton above the shoulders. May only be used if the suspect poses an immediate threat of death or great bodily injury to an officer or bystander.

Rules:

- Officers must start with the least amount of force necessary.
- More force may be used only if the situation reasonably appears to require it.

SITUATION REPORT

Directions: Working with your partner: 1) Read the case assigned to you. 2) Use the *Police Department Regulations* and the *Police and the Use of Force* readings to decide what level of force should be used in the case. 3) Fill out the report and be sure to give reasons for your choice. Be ready to discuss your answers with the class.

Case Number and Name: _____

Level of Force (From Department Regulations): _____

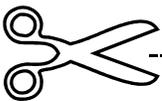
Reasons: _____

Use-of-Force Cases

Case #1: Julia

Julia, a 39-year-old woman, had a problem with a gas company serviceman. The serviceman came to Julia's home to turn off the gas because of an unpaid bill. She attacked the serviceman and struck him several times with a shovel. He left and called the police.

When two police officers arrive at Julia's home to arrest her, Julia screams at them and throws some dishes on the floor. The noise attracts several curious neighbors to her front porch to see what is going on. While the officers talk to Julia from across the small kitchen, she suddenly picks up an 11-inch knife from the counter and prepares to throw it at them.



Case #2: Tony

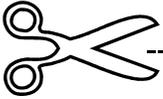
Tony, a tall, thin, 17-year-old boy, is in his car speeding and swerving back and forth between lanes on the highway late one night. Two police officers stop him and ask to see his driver's license. Tony, who had obviously been drinking, becomes angry and shouts at the officers.

One of the officers, a 20-year veteran of the police force, attempts to handcuff him, but Tony pushes him away. He then slugs the other officer and retreats to the other side of the car. "I'll kill you if you come near me again," he screams.

Case #3: Marta

Marta, a short, thin, 22-year-old woman was walking alone down a deserted street at 4 o'clock in the afternoon. Her clothing was ripped and she seemed dazed.

Two police officers who were driving by stop to see if she is all right. As they approach, Marta starts screaming, "Leave me alone! I'm sick of being hassled!" The police officers try to calm her, but she just keeps screaming and backing up. At one point she staggers and almost falls. Suddenly she starts swinging her arms at the officers.



Case #4: Andre

Six police officers were assigned the job of arresting Andre. He was a large, well-built man in his early 20s. While out on parole, he had been identified as participating in an armed robbery of a bank.

As police approach Andre's apartment in the dark, the door swings open. A large man matching Andre's description runs down the steps and across the yard. The police yell for him to stop and give chase. When the man reaches a fence, he turns toward the officers and reaches under his coat. One of the officers sees light reflecting off what appears to be a metal object in the waist band of Andre's warm-up pants.