

Police Use of Force, Less-Lethal Force and, Police-Involved Shootings

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Just so you know...

In the police world:

A **police-involved shooting** is when a cop shoots somebody else.

A **police-shooting** is when a cop gets shot.

Egon Bittner and the Functions of Police

- Who can use force in civil society?
- When can force be used?

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Egon Bittner and the Functions of Police

Force can be used:

- 1) For the purpose of self-defense (everybody).
- 2) Some specifically deputized persons in limited and defined situations (doctors and prison guards).
- 3) To gain compliance or combat a threat (police).

Bittner, Egon. 1970. *The Functions of the Police in Modern Society* (National Institute of Mental Health, Crime and Delinquency Issues Series). Rockville, MD: Center for Studies of Crime and Delinquency.

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Egon Bittner and the Functions of Police

- “Many puzzling aspects of police work fall into place when one ceases to look at it as principally concerned with law enforcement and crime control, and only incidentally and often incongruously concerned with an infinite variety of other matters. It makes much more sense to say that the **police are nothing else than a mechanism for the distribution of situationally justified force in society.**”

Bittner, Egon. 1970. *The Functions of the Police in Modern Society*.

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Egon Bittner and the Functions of Police

- “*The role of the police is best understood as a mechanism for the distribution of non-negotiable coercive force employed in accordance with the dictates of an intuitive grasp of situational exigencies.*”
- What does this mean?

Bittner, Egon. 1970. *The Functions of the Police in Modern Society*

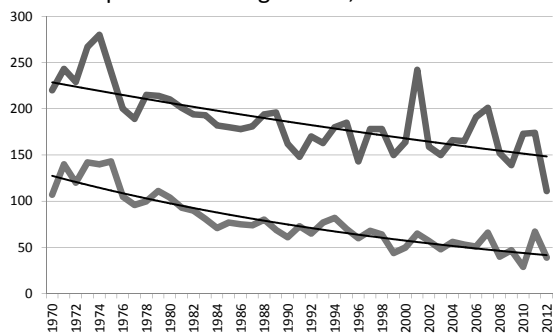
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Egon Bittner and the Functions of Police

- *The role of the police is best understood as a mechanism for the distribution of non-negotiable coercive force employed in accordance with the dictates of an intuitive grasp of situational exigencies.*
- I.e.: Police are defined by their use of force.
- Bittner wrote this in 1970. Is this still true today?

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US police line-of-duty deaths & Fatal police-shooting deaths, 1970-2012 (Nov 27)



Source: Officer Down Memorial Page. <http://www.odmp.org/>

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Klinger's Kill Zone & Fyfe's Split-Second Syndrome

To shoot or not shoot
Change your life in a second
Always trust your gut

Avoid places which
Put you in situations
Where you are clueless

When does the NYPD patrol guide say you use lethal force?

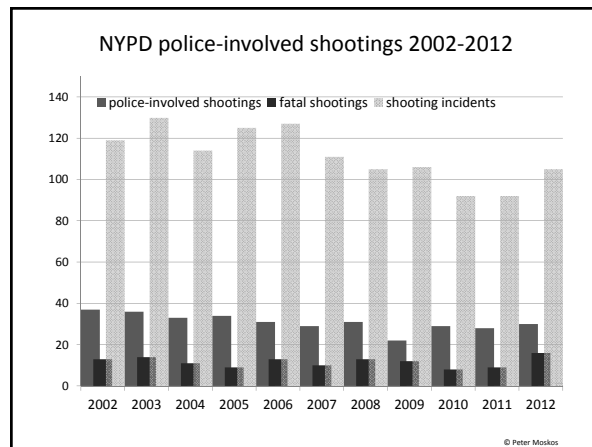
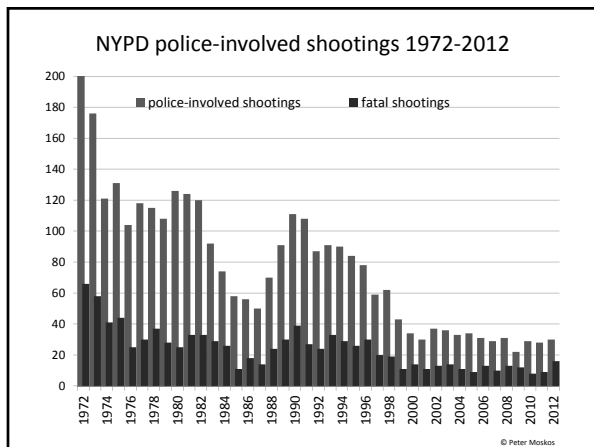
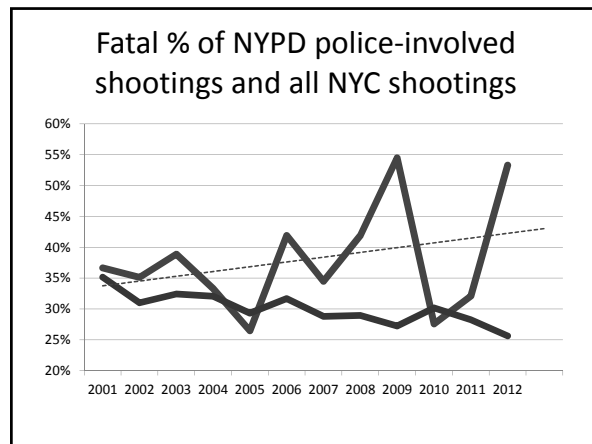
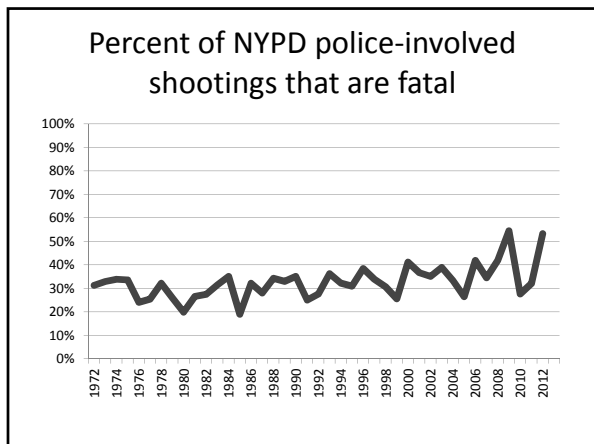
When does the patrol guide say you use lethal force?

- Trick question! It doesn't.
- Patrol guides generally tell you only what *not* to do.
- But the working definition is: When your or somebody else's life or serious bodily injury is at risk.

NYPD PG 203-12

GUIDELINES FOR THE USE OF FIREARMS

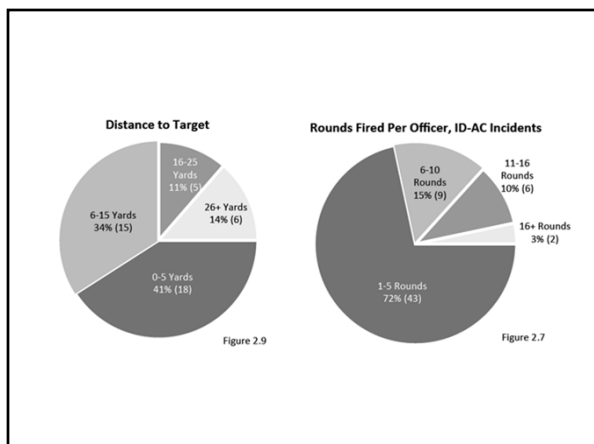
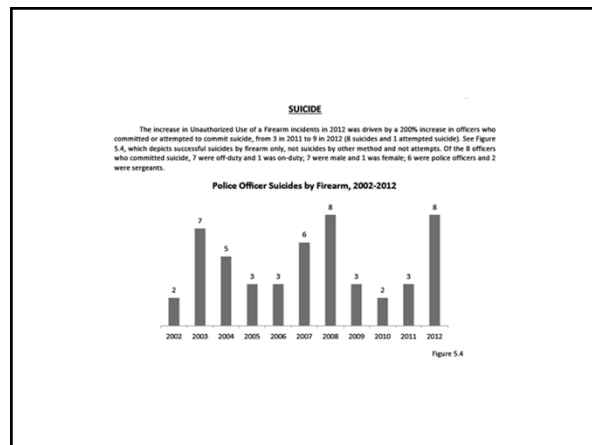
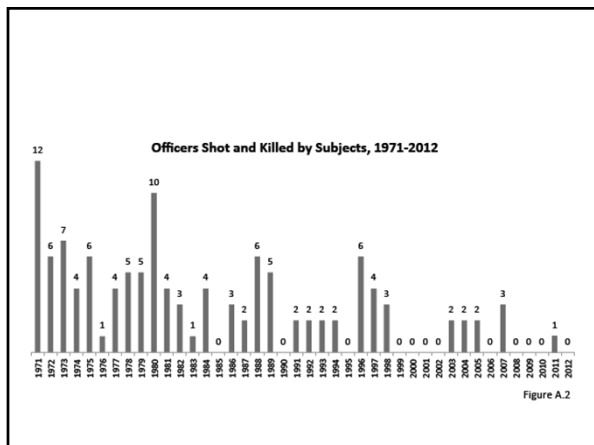
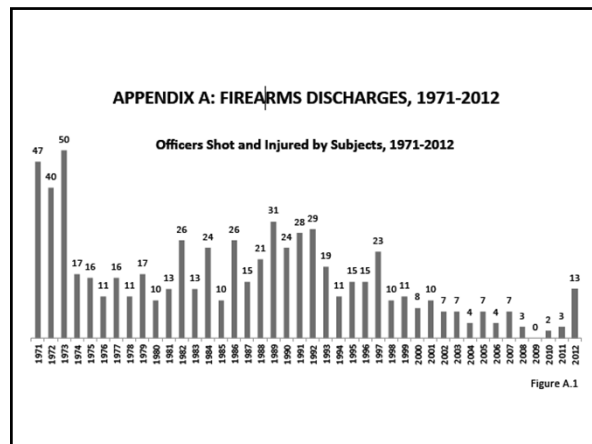
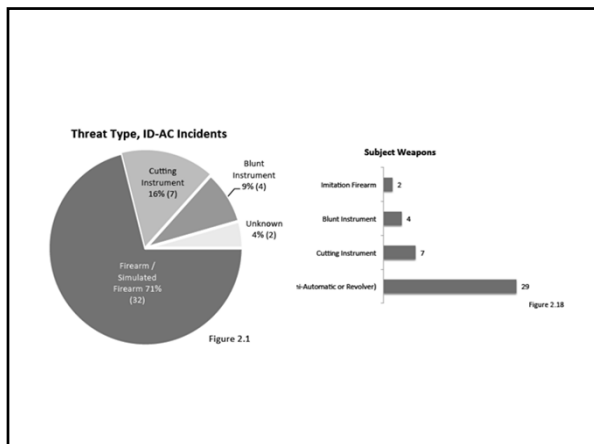
- Police officers shall not use deadly physical force against another person unless they have probable cause to believe they must protect themselves or another person present from imminent death or serious physical injury.
- Police officers shall not discharge their weapons when doing so will unnecessarily endanger innocent persons.
- Police officers shall not discharge their firearms in defense of property.
- Police officers shall not discharge their firearms to subdue a fleeing felon who presents no threat of imminent death or serious physical injury to themselves or another person present.
- Police officers shall not fire warning shots.
- Police officers shall not discharge their firearms to summon assistance except in emergency situations when someone's personal safety is endangered and unless no other reasonable means is available.
- Police officers shall not discharge their firearms at or from a moving vehicle unless deadly physical force is being used against the police officer or another person present, by means other than a moving vehicle.
- Police officers shall not discharge their firearms at a dog or other animal except to protect themselves or another person from physical injury and there is no other reasonable means to eliminate the threat.
- Police officers shall not, under any circumstances, cock a firearm. Firearms must be fired double action at all times.



FIREARMS DISCHARGE INCIDENTS, 2002-2012											
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Adversarial Conflict	55	61	51	59	59	45	49	47	33	36	45
Animal Attack	38	35	26	32	30	39	30	28	30	36	24
Unintentional Discharge	24	25	27	25	26	15	15	23	21	15	21
Mistaken Identity	0	0	0	0	1	0	0	1	0	0	0
Unauthorized Use of a Firearm [†]	0	2	5	6	8	6	3	4	6	2	6
MOS Suicide/Attempt [‡]	2	7	5	3	3	6	8	3	2	3	9
Total	119	130	114	125	127	111	105	106	92	92	105

NYPD Police-Involved Shootings, In Perspective

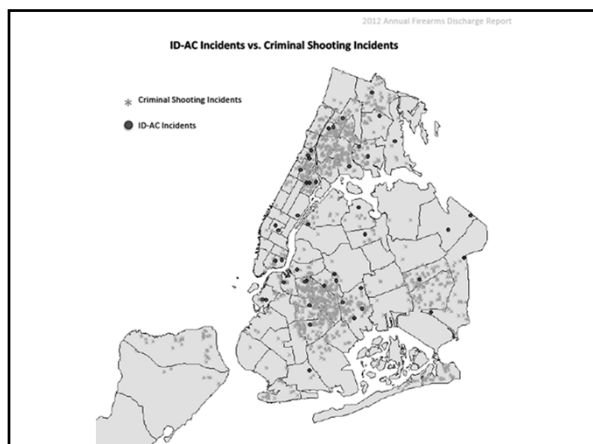
In 2009, the NYPD (35,000 officers) and the Baltimore City PD (3,000 Officers) were involved in the same number of police-involved shootings, twenty-two.



	2009		2010		2011	
	WOUNDED	KILLED	WOUNDED	KILLED	WOUNDED	KILLED
WHITE	0	0	3	2	2	4
BLACK	14	8	9	1	10	2
HISPANIC	6	4	3	4	7	3
ASIAN	0	0	1	1	0	0
TOTAL	20	12	16	8	19	9

SHOTS FIRED PER ID-AC INCIDENT, BY PERCENT (36 INCIDENTS)

Shots Fired	Percentage
73 rounds	3%
45 rounds	3%
19 rounds	3%
18 rounds	3%
16 rounds	3%
13 rounds	11%
11 rounds	3%
9 rounds	3%
8 rounds	6%
7 rounds	3%
5 rounds	3%
4 rounds	6%
3 rounds	14%
2 rounds	8%
1 round	31%



- Use of force continuum
- Toolbox

Kinds of Less-Lethal Weaponry

- Taser
- “Beanbag”
- Baton (aka: billy club, asp, night-stick)
- Rubber bullets
- Tear Gas
- Pepper Spray (aka: mace)
- Water cannon
- Sound Cannon
- Dogs

Use of force, lethal force, less-lethal force, brutality, and torture.

Lethal: means it can kill

Less-than lethal: Means it can't kill.

Less-lethal weaponry (club, rubber bullets, “beanbag,” taser) can kill:

Brutality: Too much force.

Torture: Continued brutality.

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Pain versus Force

- 1) Tasers are used too readily. Departmental guidelines are generally too liberal in permitting their use (for compliance rather than to combat a threat).
- 2) The pain caused by “conducted energy devices” isn’t geared toward compliance. Instead, they rely on voluntary compliance on suspects who have already indicated non-compliance.
- 3) Pepper spray is a safe pain-causing substance.
- 4) A more “hands-on” approach doesn’t just cause pain but actually forces suspects into compliance.

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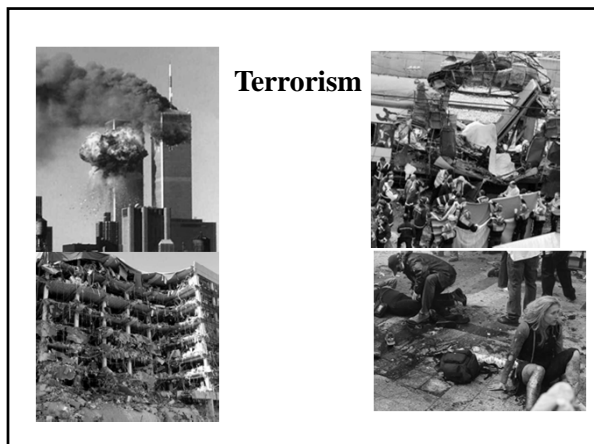
Taser

- There is now about one Taser-related death per week in the U.S.
- We still don’t really how electricity interacts with the human body.

<http://www.amnestyusa.org/uploads/ListOfDeaths.pdf>

<http://electronicvillage.blogspot.com/2009/05/taser-related-deaths-in-united-states.html>





Terrorism

- Selected Recent Terror Attacks**
- 1998: US Embassy bombing in Nairobi, Kenya **212 killed** (4,000 wounded).
 - 2001: Sep. 11 -- NY, Pentagon, Penn. **2,752 killed.**
 - 2002: Nightclubs in Bali, Indonesia, **202 killed.**
 - 2002: **130 hostages**, Dubrovka Theater, Moscow.
 - 2004: Madrid Train bombing, **191 killed.**
 - 2004: Beslan, Russia, school hostage. **300 killed**
 - 2005: London Tube (subway) bombing. **52 dead**
 - 2008: Mumbai attacks. **175 killed.**
 - 2013: Boston Marathon. **3 killed.**

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- Domestic Terrorism**
- In the United States the ratio of domestic terrorist attacks to international attacks is at least 7:1 (LaFree, Dugan, Fogg & Scott, 2006)
 - Does it matter who kills you?
 - Can the US commit a terrorist act?
 - When is violence just?
 - The concept of just war and moral responsibility.
 - What makes terrorism worse than any other murder?

Group Name	Description	# attacks
New World Liberation Front (NWLFF)	Far-left organization that primarily targeted corporations in the 1970s	83 attacks
Fuerzas Armadas de Liberacion Nacional (FALN)	Puerto Rican separatist group operating until the early 1980s, launching attacks on U.S. mainland and Puerto Rico	71 attacks
Jewish Defense League (JDL)	Attacked targets it perceived to be anti-Semitic, active through the late 1980s	55 attacks
Omega-7	Anti-Castro Cuban organization active in U.S. urban areas and on Puerto Rico through mid-1980s	42 attacks
Weather Underground/Weathermen	Organization that advocated far-left beliefs in the United States and targeted U.S. cities throughout the 1970s	40 attacks
Earth Liberation Front (ELF)	Committed to protection of the environment, begins terrorist activity in the 1980s, continuing through the present	37 attacks

Violence Matrix

[Including Coercion & Ideological Goal]	Target	
Actor	Government or Military	Civilian
State	Act of War	War Crime or Crime against Humanity
Non-State	Guerilla Warfare or Revolution	Act of Terrorism

- What is terrorism?**
- 83% violence and force
 - 65% political goal
 - 51% spreading fear and dread
 - 47% threat of violence
 - 41% psychological impact of terrorism
 - 37% discrepancy between targets and victims
 - 32% degree of consistency, planning and organization
 - 30% method of warfare, strategy, and tactics
- An examination of 109 academic definitions of terrorism led to the isolation of certain elements in the following percentages Schmid & Jongman (2005)

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Actions or Motivations or killings?

- A disregard for human life and a killing of innocents?
- The rationale of a killer that may be unknowable-- the lone wolf?

Is there a face of terrorism?

Is there a face of terrorism?



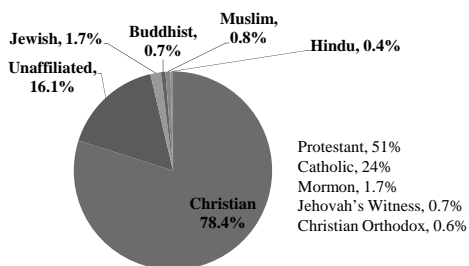
Is there a face of terrorism?



Terrorists: Suspects in Cleveland bomb plot.

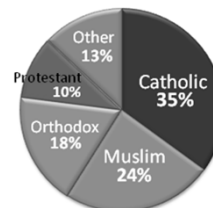
Not Terrorists. Sikhs at a temple in Wisconsin where Sikhs were shot and killed.

Religion in the US



Religious affiliation of US Arabs

- About 1.5 million Arabs
- About 2.6 million Muslims
- Most US Arabs are not Muslim
- Most Muslims are not Arab



Muslim & Arabs

- About 1.7 billion Muslims in the world (1 in 4)
- Top 10 countries with the largest Muslim populations?

10 Countries with the Largest Number of Muslims (estimated 2010)

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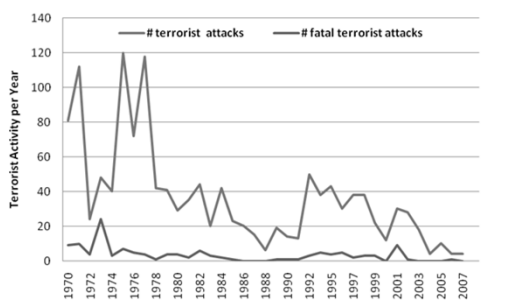
- Indonesia 204,850,000
- Pakistan 178,100,000
- India 177,290,000
- Bangladesh 148,610,000
- Egypt 80,030,000
- Nigeria 75,730,000
- Iran 75,730,000
- Turkey 74,660,000
- Algeria 34,780,000
- Morocco 32,380,000

Looking under the wrong rocks?

- Between 1980 and 2001, non-Islamic American extremists carried out about **two-thirds** of all terrorism in the United States. Between 2002 and 2005, that figure jumped to **95 percent**. In the 10 years following 2001, only **6 percent** of terrorist acts in America have been the work of Islamic extremists.

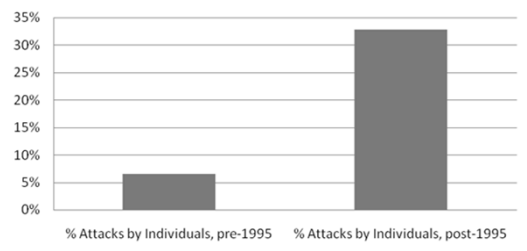
Source: National consortium for the study of terrorism and responses to terrorism
<http://www.start.umd.edu/start/announcements/announcement.asp?id=185>

Terrorist Attacks in the United States



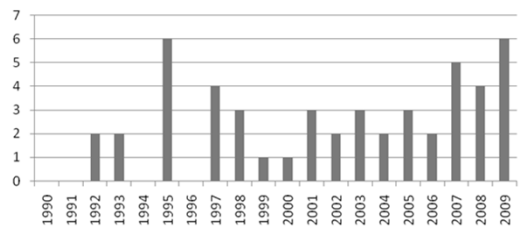
Source: National consortium for the study of terrorism and responses to terrorism
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% U.S. Terrorist Attacks by Individuals, pre - and post- Oklahoma City



Source: National consortium for the study of terrorism and responses to terrorism
<http://www.start.umd.edu/start/announcements/announcement.asp?id=185>

Law Enforcement Victims of Far-Right Homicides in the U.S.



Source: National consortium for the study of terrorism and responses to terrorism
<http://www.start.umd.edu/start/announcements/announcement.asp?id=185>

Chechnya



Chechnya

<http://www.bbc.co.uk/news/world-europe-22255533>

