

Book review

Understanding Police Use of Force

by **Howard Rahtz**

(Criminal Justice Press: New York; 2003, 159 pp; ISBN: 1-881798-42-9)

Understanding Police Use of Force: Officers, Suspects and Reciprocity

by **Geoffrey P. Alpert and Roger G. Dunham**

(Cambridge University Press: New York, 2004, 191 pp; ISBN: 0-521546-75-3)

Into the Killing Zone: A Cop's Eye View of Deadly Force

by **David Klinger**

(Jossey-Bass: San Francisco, CA, 2004, 289 pp; ISBN: 0-7879-7375)

'Other than random attacks, all such cases (excessive force) begin with the decision of a police officer to do something, to help, to arrest, to inquire. If the officer has decided to do nothing, then no force would have been used. In this sense, the police officer always causes the trouble. But it is trouble which the police officer is sworn to cause. . .' (Drinski, 1993; As cited in Rahtz, 2003:1).

Beside many positive changes that modernisation brings to our life, fear of crime is thriving in many metropolitan jurisdictions as a negative outcome of the improvements in our society. We demand protection from criminals or other parties who can harm families, society and ourselves. Therefore, the police have been given the authority of using necessary force on behalf of us to prevent crime, even by using deadly force when it is required. On the other hand, the

probability of the violation of the authority for using force causes a concern among society for the freedom that comes with democratic rights. Because of this concern, people demand that police stay in legal boundaries while using this authority and not wound the heart of the public.

Rahtz, Alpert and Dunham, and Klinger deal with the different faces of the police use of force problem. Since the use of force phenomenon covers a wide range of actions, the authors' emphasis varies within the concept of use-of-force. Rahtz has a general approach to the problem. He deals with different phases within the problem, and covers both lethal and non-lethal types of force. Alpert and Dunham's approach is mostly related to non-lethal force and they do not deal with the lethal stage of force. On the other hand, Klinger's study is just related to the deadly force. He deals just

with the lethal phase of the force and not any other types.

Rahtz, a police lieutenant in Ohio, exhibits a wide and general knowledge about the problem of use of force in his book *Understanding Police Use of Force*. He describes the problem, explains general issues in the concept of use of force and offers some policies to minimise police use of force, especially to prevent excessive use of force. The author uses several gaps within the issue of use of force to create the backbone of the book. Lack of a consensus on a framework for review and discussion of police use of force is the biggest gap of all. Training about use of force, description of justifiable force, racial profiling, effects of police culture and the question of 'so, what can be done?' are other gaps that the author attempts to explain.

Adams (1995) states that defining excessive force in order to understand and control is not a simple matter. The dilemma, according to Rahtz, is the lack of a clear agreement on what constitutes legitimate use of force. While there are several definitions offered by several authors and institutions, Rahtz argues that definition of police use of force is not entirely an academic exercise. A definition or a policy is only a general guideline, which is simply a starting point in evaluation of a specific use of force incident. The author states, 'unreasonable or excessive force is something like pornography. We usually know it when we see it' (p. 65).

On the other hand, the US Supreme Court created a legal framework for evaluating the police use of force with two basic decisions: *Tennessee v Garner* (1985) and *Graham v Connor* (1989). These two cases stated the standard of 'reasonableness' in use of force cases. The reasonableness of a use of force case must be judged from the perspective of a reasonable officer on the scene. Rahtz claims that the legal principles embodied by these two Supreme Court

decisions are logical and relatively easy to understand, but the difficult work is applying these principles to the complex situations faced by the police.

The racial profiling issue is another gap in the use of force concept. Rahtz states that the relationship between crime, race, and police behaviour are complex, and the review of research does not provide clear answers to the extent of bias in American policing. Although it is obvious that minorities, especially African Americans, are more likely to experience the police use of force, factors underlying this finding are complex. Rahtz goes beyond the statistics and argues that racial problems are not just related to the police; they are very deep social issues. Therefore, in the use of force cases it is very difficult to state that police are racially biased. The most powerful argument by Rahtz about the use of race divide by police in the use of force cases is that 'the challenge for police and community leaders is to implement policies and systems that mitigate and control bias as a factor in police interactions with citizens' (p. 38).

Three chapters of *Understanding Police Use of Force* (5, 6 and 7) are related to the technical phase of the use of force issue. As stated above, the author's main arguments rely on the gaps in the context of use of force some of which are related to the implementation of force. In these chapters examine force options, ways of choosing the right decision and the ideal type of training for use of force.

In the use of force cases, officers have multiple options ranging from a simple presence to use of lethal weapons — deadly force. Having more force options is vital for police. This will increase the ability of using the right amount of force in case of a conflict situation. Rahtz states that decision makers, whether political leaders or agency managers, should set these choices cautiously and with complete recognition of their importance.

While providing more tools and options for police is vitally important, Rahtz emphasises the importance of wisdom to make right decision at the right time which is a part of the art of policing. This art combines the legal knowledge, ethics and physical skills with courage to apply the appropriate force, at the appropriate time.

Developing police officers with the capability for accurately identifying the threats they face, making good decisions against these threats, and then delicately implementing their decisions under extreme stress is the challenge in front of the police trainers across the nation. Rahtz claims that the police trainers have to develop professionalism, which requires being respectful to the citizens even for those whose behaviour is rude, aggressive, and sometimes immoral. On the other hand, they (police trainers) also must train officers for the likelihood of inflicting pain and perhaps death on another human being.

As an attempt to answer the question of 'so, what can be done?' Rahtz points out several steps to minimise the intensity of the problem at hand. He discusses internal and external measures that police agencies can adopt to diminish the use of force.

Beside the context of departmental use of force policies, Rahtz emphasises the importance of organisational support for that particular policy. He argues that administrative use of force policy, even when created sophisticatedly, is less likely to be successful without significant organisational support. An effective policy, supported by constant training, enforced by efficient supervision and communicated by a dedicated management team will not only control officer use of force, but also improve officer safety and tactical practices as well.

Other than departmental use of force policies, Rahtz enumerates and explains several other possible regulations within the police departments to establish an ideal type

of the use of force policies. He offers increased police department diversity, improved recruiting and screening, implementation-based training, early-warning systems and community policing as significant internal steps to diminish the likelihood of the excessive use of force. Above all, Rahtz's emphasis on community oriented policing (COP) is very strong. He states that COP appears to hold some promise in reducing the violence between citizens and the police by developing their relationship.

Rahtz recommends citizen review boards, strong criminal prosecutions against offending officers and the federal oversight on the local police departments as an external measure to minimise the use of force. Most significantly, the author's statements about the collaborative agreement in Cincinnati provide a fertile opportunity for learning. This agreement represents a shared vision of what policing should be according to an agreement among citizens, neighbourhood leaders, elected officials and police officers.

Dealing with the aftermath of a controversial use of force case is very important; especially when the case is the worst: deadly force. Rahtz examines the effects of the case on the victim's family, officer(s) and the community. The difficulty of the situation after a case of deadly force is stated as follows: 'Managing of all the competing interests in a fashion that effectively shields the integrity of the investigation, protects the officer's rights, and maintain public confidence in the police department and local government is a challenge for the best of leaders' (p. 133).

Understanding Police Use of Force reflects the general findings of several studies about police use of force and a real cop's views on the issue. The approaches taken by Rahtz are not biased, as while pointing out the realities about the problem at hand he is usually cautious about justifying the police's

use of force. His general aim is to examine the structure and the nature of the problem. Moreover he presents potential ways of diminishing the use of force in the police departments. Presenting the existing statue of the phenomenon strengthen his arguments about preventing the excessive use of force.

This book may be useful for the police officers and the managers, and can be used during the initial and ongoing police training programmes. Although it does not cover deeply academic knowledge, it is more than a regular police textbook. The messages are not only for officers, but also for all politicians, community leaders and citizens. I find the last statement of the author, which is for his colleagues, as significant enough to point out to the future readers of that book:

‘The bottom line is that each of us is accountable for the fashion in which we deal with our fellow human beings. Brutality and excessive force have no place in professional policing. The departments and the citizens that employ us expect us to perform with both compassion and competence. We should accept no less from each other’ (p. 143).

Understanding Police Use of Force: Officers, Suspects and Reciprocity by Alpert & Dunham is a sophisticated analysis of the police use of force. This book provides a wide literature review of the previous studies and a deep analysis of the original data sets reported for the first time. The originality of that book comes from the conceptual approaches of the authors. For the first time, they used the term ‘force factor’ which is the relative use of force compared to the level of suspect resistance. Another original approach of the authors includes the analysis of sequential order of the event and analysis of the events from the suspects’ perspective. This approach enables the

authors to evaluate the police use of force from both the officers’ and citizens’ points of view. Most significantly, the book proposes a new conceptual framework, named *authority maintenance theory*, for examining and assessing the police use of force.

Alpert and Dunham point out the problems with the definition of the use of force. Like Rahtz, they indicate that there is no clear agreement on what constitutes necessary, legitimate force. Alpert and Dunham emphasise the importance of the circumstances in order to understand the legitimacy of the force. Both Rahtz, and Alpert and Dunham agree on the difficulty of deciding a case’s being reasonable just by examining the outcomes of the case. These dilemmas lead them to propose a new conceptual framework.

Another similarity in the approach of Rahtz, and Alpert and Dunham is concern about the problems related to the data sources. Rahtz briefly indicates the problem of non-uniformity among the data sources of police use of force. Alpert and Dunham’s argument is deeper; they state that different kinds of data sources (ie, police reports, citizen surveys and complaints, observational studies, etc) are bringing the different point of views besides the non-uniformity problem. In the argument about data sources they state that current sources are too limited to give a clear perception of how and under what conditions police resort to the use of force. This argument is another reason that leads them to propose a new conceptual framework about police use of force.

To develop a theoretical framework, Alpert and Dunham designed a data-collection methodology to understand the interactive nature of police–citizen encounters and to respond to many unanswered questions. This method relies on the official agency reports from a research site that required a first-line supervisor to go to the scene of all force incidents and interview

officers, suspects and witnesses. Additionally, the pictures of any injuries were taken and added to the official report. This process offers a less biased way of collecting use of force data for the agencies than the reports prepared by the officers involved in the cases. In this survey design, they attempted to figure out the developmental stages of the events, levels of the force and the resistance, officer's and suspect's perceptions and many other futures related to the structure and the nature of the events.

Beside conventional analysis relying on these datasets (ie, effects of officers, citizens, situations, etc), Alpert and Dunham used a measurement scheme entitled *force factor*, which combines the level of suspect resistance with the level of force an officer applies. The *force factor* is used in the analysis to focus on the level of force used by the police which is relative to the level of resistance offered by the suspect. The *force factor* was calculated by subtracting the level of resistance from the level of police force. The general results of the *force factor* analysis indicated that officers use rational or lower levels of force than the level of resistance they encounter from the suspects. The authors' idea about their *force factor* measurement at the end of their analysis is worth citing here for the future readers:

'The implications for the *force factor* as a measure are promising. The *force factor* appears to be doing its job as a relative measure of police use of force. It has the capability of summarizing overall trends and practices in the use of force relative to resistance and in distinguishing differences in force/resistance ratios being applied to various subgroups of cases' (p. 168).

The new data-collection methodology of the authors allowed them to analyse the sequential order of the events that occur in an encounter that results in the use of force.

Beside *force factor* analysis, sequential analyses allowed the authors to examine the interactive process of an encounter. This methodology is more helpful than just analysing the highest level of force or resistance during a given incident to understand the structure of the use of force cases. The sequential data and suspect resistance to police use of force are the first reported information on how suspects respond to police and how police subsequently respond to suspect resistance during the use of force cases. As a result of that methodology, Alpert and Dunham state that the actors' behaviour in the encounter does not remain static; instead it is interdependent and prompts a reaction.

As a final outcome of new data-collection methodology, the authors attempted to determine the differences between the officers' and the citizens' perceptions of a particular use of force event. The authors found a clear difference between the versions told by the subjects of the use of force cases and the versions told by the officers involved in the event. The most important outcome of that attempt is that 'closer scrutiny of the reports and interviews from all parties could yield important information to help us understand the interaction process between officers and citizens' (p. 132). The authors believe that investigating these inconsistencies is an important factor in understanding the use of force.

Reviewing previous studies, designing a new survey methodology, analysing the effects of different variables on the use of force, *force factor* analysis, sequential analysis and the analysis of the officer-citizen versions of the situations indicated a clear need for a conceptual framework. The findings from this analysis led the authors to propose a conceptual framework with which to assess and research the use of force including both the officers' and citizen's actions.

As the most important aim of *Understanding Police Use of Force: Officers, Suspects and Reciprocity*, a needed conceptual framework is proposed at the last chapter. Here, the authors name their proposal as authority maintenance theory. The theory is explained like this:

‘The authority maintenance theory is an attempt to explain police–citizen interactions from a normative and interpersonal perspective of psychological characteristics or personal attributes. Although our focus is on police use of force, we believe the theory also applies to the interactive process involved in other police–citizen encounters. The term ‘authority maintenance’ is used to characterize theory because it captures the exaggerated role that authority plays in police–citizen interactions, and also acknowledges the overriding concern of officers with maintaining their authoritative edge in interactions with citizens’ (p. 171).

The theory of authority maintenance is based on the notion that police–citizen encounters are interactive and unequal with respect to the authority. In other words, behavioural cues and responses to these cues are guided by the relevant actor’s supremacy and position. By this theory, Alpert and Dunham move Manning’s (1977) interpretation of police–citizen encounters into empirically based and testable hypotheses.

The last point that the book reaches, *authority maintenance theory*, is not a result of the efforts for understanding police use of force. The past research and their original research findings have led Alpert and Dunham to this theoretical and conceptual framework. This framework requires additional research and additional testing to become fully developed. It is a good step toward a better understanding of the interactions that occur during the routine

police–citizen encounters and especially during the exercise of the use of force authority.

Increased knowledge, coming with the findings of Alpert and Dunham, about the concept of police use of force, behaviours of officers and suspects, and characteristics of interactions between suspects and officers will enable the police trainers and policy makers to set the ideal types of future policies and training programmes in order to prevent excessive use of force. For example, using force factor analysis may enable the police administrators to measure the real dimensions of the problem. Beside this, police training programmes about police use of force should emphasise the importance of using a rational amount of force according to resistance of suspects.

David Klinger’s *Into the Killing Zone: A Cop’s Eye View of Deadly Force* differs from both of the previous books in terms of coverage. This book is an attempt to understand the nature of deadly force from the perspectives of police officers who were involved in deadly force cases. Klinger interviewed 80 officers and presents interview transcripts in this book as well as his scholarly approaches and assessments of these interviews.

The interviews are classified in order to reflect the officers’ backgrounds, training processes, involvement in the shooting cases and the experiences in the aftermath of the cases. In each stage, the author tries to reflect the officers’ feelings related to their experience of shooting. Furthermore, in each part of the book, Klinger presents the possible points that may have an effect on the officers’ shooting experience. Not only does the book consist of transcripts of interviews, but it also provides the author’s scholarly views according to the findings from these interviews along with the review of existing literature.

The first part of the book reflects the officers’ ideas about the police profession

before entering the job, and the reasons why these individuals chose this profession. The most important theme that the officers emphasise here is their perception about police shootings before coming on the job. The interviews reflect that most of the officers, in the process of choosing a police career, are not aware that shootings are rare cases, rather, they think that police officers shoot people on a regular basis.

During the basic training term, new police officers begin to get rid of their raw ideas that they may have had before coming on the job about shooting people. In the second part of the book, the author reflects on the effects of the theoretical and practical training on the future involvements of the officers. Here, the author indicates the legal basis of deadly force that is one of the important parts of the training process. While the officers' feelings are not consistent about the effects of academy training, the general outcome of this part is that what young officers go through in the course of the academy and in their first months on the streets has a long-lasting impact on what type of officers they will become.

Most of the officers state how they hesitate to use their guns in conflict situations. General findings about conflict situations indicate that officers usually do not rely on deadly force when they have a real doubt about the justifiability of the shooting, or unless there is no danger posed by suspect. The interviews pointed out that most of the officers are aware that the legal consent that they have to shoot an individual is not a license to kill, but rather a power that should be invoked only when there is no other choice.

However, deciding when the shooting is absolutely necessary and there is no other choice other than pulling the trigger is not a simple matter. Like Rahtz, and Alpert and Dunham, Klinger also indicates the problems with broad definitions and regulations on the deadly force authority. Although all

authors agree that the definition of deadly force is simpler than the definition of the excessive force, quite broad legal standards on deadly force still requires police departments to set their own shooting policies.

Chapter 4 of Klinger's book is very impressive because it reflects the difficulty of deciding to shoot a person. The interviews indicate that when an officer shoots, it is because of something that is different at that moment. Usually, the acts of the suspect — holding a gun, acting suspiciously, even a look — are signals for the officer to pull the trigger. Here, it is possible to test the *authority maintenance theory* of Alpert and Dunham. They propose that use-of-force cases are not static; conversely, they are interactive and interdependent. Statements by the officers, in this book, indicate that there is something special that is related to the acts of suspects that triggers their feeling of 'yes this is the right time to use my gun'. When we examine the shooting cases of these officers, we see that most of the cases are not happening in a short time. In most of the cases, suspects are realising a process that leads the officer to think about a serious threat that can just be defeated only by using the gun.

Chapter 4 of *Into the Killing Zone: A Cop's Eye View of Deadly Force* is really successful in reflecting the feelings of the officers during the time of shooting. To understand the nature of deadly force cases, it is vital to know how officers feel when they pull the trigger. In most of the cases the mutual feeling of the officer is an observation of a real threat. Officers usually rely on their gun when they feel there is a real threat against an individual, themselves, their colleagues or a citizen.

The shooting is a start of a new term in the officer's private and occupational life. After the smoke clears, officers have to deal with the consequences of their action which is usually a difficult process. The final chapter of the Klinger's book deals with the

time-frame after the shooting event occurred. Most of the officers' experiences point out that throughout the aftermath of the deadly force event, officers experience at least some sort of psychological, emotional or physical pain. Additionally, some of the officers experience tremendously severe negative reactions, such as depression and suicidal despair.

Into the Killing Zone: A Cop's Eye View of Deadly Force successfully reflects the complexity of the events after a shooting. One phase of the aftermath events consist of the reactions of the officer's peers. Usually, if the shooting is based on legal causes such as saving a citizen or a colleague's life, involved officers receive strong peer support. The statements of the officers reflect that this support relieves the pain of killing a person. On the other hand, the investigation process, which begins right after the shooting event, causes a real conflict in the feelings of the officers.

One other important result of the shooting cases is the reaction of society, especially when the subject is a member of a minority group, as it is getting difficult to ignore society's views about the realities of the event. These kinds of events usually exacerbate the pain of racial diversity issues among minority members and remind the people that there is a possibility of racial bias among the police. Officers' statements reflect the feelings after shooting a minority ethnic person and they usually feel that they have more problems by shooting a person from this group. Moreover, these interviews successfully reflect the role that race plays in a deadly force decision-making process, as well as the police perspectives on the general function of race in law enforcement.

Rahtz also discusses the aftermath processes of a deadly force, and Klinger's findings from the interviews and Rahtz's comments and recommendations tend to be consistent with each other. For example,

Rahtz states the importance of an investigative procedure that recognises the shock of the incident on the officer's memory and defending the legal rights of the officer, as well as questioning the justifiability of the event. Likewise, the interviews in Klinger's book reflect the officers' need for help and legal support during the investigation process.

The conduct of public leaders and the media plays a vital role in the control in the way the public reacts during the aftermath of a deadly force case. Both Rahtz and Klinger reflect the importance of this issue. Klinger mentions that media coverage can vary from 'hero cops' to 'trigger-happy officers'; this reflects two focal points that can directly affect the response of society to the event. Rahtz states that after the event, with an authorised spokesman or group, the media and public leaders should be informed about all details of the event to prevent the wrong comments and ideas among these important groups.

Klinger's book reflects the effects of all aftermath processes on the feelings of an officer such as the investigation, the views of their peers, family, the media or psychological services. The most significant statements from the officers is that despite all positive efforts to relieve the pain of killing a person, they go on to question themselves for a long time about the event and they live with the negative effects in their hearts.

Into the Killing Zone: A Cop's Eye View of Deadly Force examines the deadly force cases from different phases and the viewpoints of officers. Klinger reflects how each phase of the officer's life may have affected his or her shooting case and how using deadly force affects these officers' life after pulling the trigger. The interviews indicate the importance of both practical and theoretical training in order to prevent unjustifiable deadly force cases. At the end of these training programmes, officers should have a clear

picture in their minds about where, when and how to use their guns. Consistent with the statements of Rahtz, Klinger's findings from the interviews support the idea of using practical scenarios at police academies in order to give young recruits the opportunity to feel the atmosphere of real cases.

Beside the need for appropriate training programmes at police academies, practical on-the-job training also needs to be clear about the appropriate use of deadly force. The interviews indicate that while some of the field-training officers emphasise deadly force, some of them don't give any clue about it to the new officers. On-the-job training should support the officer's basic knowledge about deadly force and give him or her clear and practical knowledge about how and where to use his or her gun.

For the future reader, I find it significant to forward the following part of the book, which is the final statement by Klinger:

'On the personal front, I am struck by the honor of the men and women who willingly go into harm's way every day to protect the rest of us. By and large, they understand the social impact that binds us; they understand that we expect them to be restrained. And so they are, even when — as the stories in the third chapter indicate — it exposes them and fellow officers to considerable danger. But officers also understand that there are times when they must exercise their ultimate power on our behalf. And when they believe they must, they do so, despite the fact that they know they will be criticized and second-guessed; that they may be sued or prosecuted; and that there is a good chance their hearts, minds, or souls will suffer for what they have done. And so I tip my hat to all the good cops through out our nation who risk their lives and strive to do the right thing when facing split second decisions

about life and death every day in the killing zone' (p. 274).

These three books have examined the legal authority of the police to use force, in other words to 'enforce' the law to protect us and maintain the order of society. However, when the authority of using force violates its legal boundaries, the people begin to fear for their freedom, democratic rights or even their most valuable thing: their life. Therefore, these authors, like many others, attempt to examine the police use of force with the aim of understanding its nature, legal boundaries, causes and the ways to protect against its abuse.

Each book has a different way of examining the police use of force, and each covers different phases of the issue at hand. Rahtz's *Understanding Police Use of Force* mostly examines the police use of force from a technical viewpoint. The book covers most of the issues about use of force and the arguments, which are not very deep, are enough to understand general statue of police use of force in the US. The author should have covered the deadly force issue in a little more detail because most of the statements are related to non-lethal phase of the use of force authority. I recommend this book for all police candidates, active officers, police managers and policy makers, so they can basically understand the general issues in the concept of police use of force.

Alpert and Dunham's *Understanding Police Use of Force: Officers, Suspects and Reciprocity* is a very broad academic study. It is helpful for those who want to understand the nature of the issue at hand, although I don't think it will be very helpful for the lower level of force authority implementers. It deeply examines the nature of the use of force cases and can be helpful for those who are setting the use of force policies and managing the first-degree implementers. As

the authors also state in the book, the arguments still need more research and testing.

Into the Killing Zone: A Cop's Eye View of Deadly Force by Klinger is a good opportunity to understand the nature of the deadly force cases from the perspective of the actors. It is a unique study reflecting the deadly force cases from the perspectives of the officers who were involved in those cases. Since its approach is neither completely technical nor academic, it is possible to recommend this book for all reader groups who are interested in the issue of deadly force. However, the weak point of the book may be reflected generally the justifiable deadly force cases. There is not enough knowledge about the deadly force cases where the officers did not use their authority appropriately. Reflecting on the self-criticism of the officers would assist in the development of future policies and the nature of deadly force cases. The interview transcripts in this book might be used as initial points for future empirical studies as it is unusual to have such a vast amount of

material on deadly force amalgamated in one place.

Having read these three books, I recommend all practitioners, academics, students, social scientists or those who are interested in the subject to read these books. All of them successfully satisfy their aims as I mentioned above. All three books are taking different approaches to a big and complex issue. However, it is very obvious that the issue at hand is very complex and still needs more research and argument.

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