Excessive Force by Police in Washington, DC

Name

Course

Tutor

Date

**Project Proposal Timeline**

|  |  |  |
| --- | --- | --- |
| **Task** | **Period taken in weeks** | **% of the project timeline** |
| Problem identification | 1 | 10% |
| Review of the literature | 1.5 | 15% |
| collection of data | 2.5 | 25% |
| Analysis of the data | 1 | 10% |
| Summary of the findings | 4 | 40% |

**The study will be conducted from October 20, 2017 to December 31, 2017. The week of October 16-23, 2017:**

**October 24- November 3, 2017**

**November6-22, 2017**

**November 27- December 1, 2017**

**December 4-31, 2017**

**Introduction**

In the recent past, there have been many lawsuits filed against the police in Washington, D.C. for the “use of excessive force and the illegal arrests of peaceful protesters and other innocent citizens” (Wasserman, 2014). The civil lawsuits have regularly accused the police of denying the detainees the access to necessities such as food, water, and even toilets. For instance a few months ago, a suit was filed on behalf of four plaintiffs, three of whom were arrested, including a photojournalist against the Metropolitan Police Department (Brainard & Derrick, 2011). In a related case,Metropolitan police were accused of pointing a gun at an 11-year-old girl in a home as she was taking a shower. The federal judge handling the case refused to dismiss it (Staples, 2017). The issue gets more dangerous when the police start using excessive force on the minors. The police are supposed to know their limits when dealing with different situations so that they don’t end up breaking the law instead of upholding it. The question remains: who is right and who is wrong? This has been an issue of concern which has raised so many questions about the police in Washington, and the safety of the people from those who are meant to protect them. The paper below addresses the issue of excessive force by police in Washington, D.C.

**Problem Statement**

It seems like there is a significant divide between the police and citizens, especially minorities. The proposed study will examine the issues of police brutality by collecting data from the Washington Metropolitan Police Department located in Washington, District of Columbia to determine if current methods and policies address the use of excessive force, resulting in catastrophic personal injury or wrongful death to the person being arrested. The goal of this study is to recommend concepts and new procedures to reduce, and eventually eliminate excessive force. The study is anticipated to begin October 20, 2017, and be completed by December 31, 2017

**Literature Review**

Although the police have the responsibility to control people especially those deemed to have broken the law, the majority of them have engaged in other heinous, a ruthless and unethical practice which have adversely affected the public. Instead, the police have always used excessive force which has also infringed on the citizen’s rights. The police should still integrate the coercive force as its primary tool of controlling the public or use it as a means of resolving the endless multiple social issues in our communities. Nonetheless, it is essential to describe and understand force under the framework of the law enforcement. Force refers to the exertion of power or authority with the aim of compelling or restraining a person’s behaviors or conducts (Wolf et al., 2009 p. 734). On the other hand, when the word force is used in the policing context, it refers to the acts or behaviors which threatens or inflicts any physical injury or harm on the suspect (Terril et al., 2008 p. 2). However, getting a consistent definition or description concerning the police levels of force as well as what can be termed as reasonable force in a particular police encounter is not easy. Specifically, other types of force can be defined as non-deadly force, non-lethal force, or even a less-lethal force and this force has low chances of causing any physical injury or harm (Wolf et al., 2009 p. 3).

According to Frank et al., (2014, P.1), coercive force involves the practice of physical violence, such kicks, punches as well as the use of weapons; and also the integration of the assortment of the verbal commands and authority through verbal commands, threats together with the nonviolent conducts. These are geared toward responding to any misconduct or breach of the law (Frank et al., 2014 P. 1). It is evident that there is both an explicit and implicit availability of coercive force in nearly all actions of the police. For instance the traffic control gestures; the cajolements of the unruly teenagers; verbal threats; escorts together with the leverage techniques which are used to finish an arrest (Frank et al., 2014 p. 1). Therefore, the mentioned actions along with other conduct usually form a continuum that will range from the nonviolent actions of coercion to those which are more readily determined as violet activities of force.

Police officers are lawfully justified and even occasionally obligated to use force in conditions with the aim of bringing individuals to justice, offer protection to people and their properties as well as for personal defense against any enemy (Wolf et al., 2009 p. 738). According to (Wolf et al., 2009 p. 738), it is factual that the public must always be submissive to the lawful or legal application of the force which is also a price that is paid for the individuals living in a regulated society. Primarily, the police can use authority as well as the capacity to overpower the available resistance through the use of coercion while performing their roles and responsibilities. This has always been identified and explicitly studied over the current decade of the police study (Frank et al., 2009; Wolf et al., 2009; Terril et al., 2008; Lee et al., 2010; Hough et al., 2012).

The police have always integrated the aspect of force continuum in their efforts to maintain law and order in the society. The law enforcement officers are not in any way universal. Although they rely on the legal frameworks in conducting their activities, their actions are dynamic, and they normally range from various factors (Wolf et al., 2009 p. 734). This, therefore, confirms the fact that the police can use excessive force based on the social groups such as racial minority groups. Terrill et al., (2008 p. 8) asserts that there are variations in the in the methods and types of force and resistant that the police normally use. The research indicates that the police officers always depend on the various strategies at the lower end of the force spectrum (Terrill et al., 2008 p. 4). Moreover, the multiple kinds of forceful police actions can always occur in a single encounter. In simple terms, the multiple types of the forceful actions and conducts can happen within an individual encounter, for instance, grabbing to pin down as well as striking to subdue (Terrill et al., 2008 p. 4). Terrill et al., (2008 p. 4) also describes the various situational causes of force used by the law enforcement officers. The study also asserts that the utilization of force in police-suspect encounters usually tend to be more relevant under specific limited circumstances including when the suspects resist the police’s attempt to control or arrest an individual.

There are two approaches including the individual and situational approaches that can explain the police use of force. The individual method is always regarded on the police use of force by race (Hooh et al., 2012 p. 3). Studies have confirmed that the racial minorities, especially African Americans, are always victimized during every police encounters in the country. Thus, the law enforcement officers should shift from using excessive force in controlling the public to ensuring there is a peaceful environment in handling people unless there is resistant or any kind of actions which can compromise the police’s actions (Lee et al., 684).

According to the Office of the District of Columbia Auditor (2016) report, the police department was audited, it was established that the use of excessive force and shootings by officers has remained low. It has not reemerged as a major problem of concern, according to the report. The auditor indicated that the police in D.C. have continued mainly to maintain the best practices to curtail police shootings and any other kind of related force. However, the issue remains a topic of concern, since thorough investigations have not been conducted on the use of force.

Despite having such a report by the auditor, in 2016, a study was conducted to evaluate the extent and nature of suspect injuries resulting from excessive force by police (Miller, Lawrence, Carlson, Hendrie, Randall, Rockett & Spicer, 2017). The researchers analyzed 2012 data on non-fatal injury from the Healthcare Cost and Utilization Project (HCUP), Nationwide Inpatient Sample (NIS), and Nationwide Emergency Department Sample (NEDS). The evaluated the injuries by body region and coded injury severity using ICDmap90 software. The result of the study estimated that 55 400 people were killed or hospital treated in legal police intervention incidents. About 2% (1063) suffered fatal injuries, 5% (2665, 95% CI 2386 to 2944) were hospital-admitted but survived, and the remainder (51 678, 95% CI 43 330 to 60 116) were treated in the ED and released. Firearms accounted for 95% of fatalities and 23% of hospital admissions. Virtually all other fatalities involved electro muscular disruption by Tasers, with most of these deaths not immediate (Miller, Lawrence, Carlson, Hendrie, Randall, Rockett & Spicer, 2017, p 28).

A recent study conducted by Desmond, Papcharistos, & Kirk (2016), analyzed a case of police violence in Milwaukee against Frank Jude, an unarmed black man, and the impact it had on citizens, mainly black residents, reporting crimes. In this case, Jude was accused of stealing Officer Spengler's police badge and was savagely beaten by multiple officers of the Milwaukee police department. Jude was later taken to the emergency room with extensive injuries. The photos taken by the attending physician ended up in the Milwaukee Journal Sentinel. The study analyzed ‘thousands of 911 calls to identify a relationship between high profile police violence cases against unarmed black men and crime reporting” (Desmond, Papachristos, & Kirk, 2016. The study showed that 911 calls reduced tremendously after the story was released. Although the 911 calls returned to normal, they concluded that “publicized cases of police violence against unarmed black men have a clear and significant impact on citizen crime reporting” (Desmond, Papachristos, & Kirk, 2016). Also, they concluded that police misconduct had a significant impact on citizen crime reporting.

The Office of the District of Columbia Auditor (2016), report indicated that the shootings and the use of excessive force by police had declined over the years and that people tend to exaggerate any incident even when the criminals were armed. They explained that in every scenario when a police officer, attempts an arrest and fatally shoots a minority after the armed suspect resists, the “word spreads quickly through the deceased's community that the person was unarmed” (Adams, 1999). It is not in all instances that the people being arrested are unarmed, where some refuse to surrender when commanded. Some even shoot at the police officers where it leads to police injuries and deaths. However, from the reports, most of the police tend to use excessive force, even in circumstances that are not necessary.

A report on excessive use of force by the police from the justice department revealed the following:

1. When the DC police use force, they do so in a manner that is not constitutional nearly 20 % of the time;
2. The officers tend to resort to the application of impact weapons such as the batons and flash lights, even when it is not necessary. About 44 % of the times the batons are used it either excessive or unnecessary;
3. In certain situations, the police escalate the conditions that result to the use of excessive force when arresting people for minor offenses. This has also involved people with mental disabilities or under the influence of drugs or alcohol. The report stated that 54 % of the cases involve people with particular abnormal conditions (Atherley & Hickman, 2014).

In the report, there were the following deficiencies that were found to have caused to the poor patterns of excessive use of force by the police in DC:

1. Poor policies, oversight and training of the police with regards to when, and how to use force and weapons. Most police officers do not understand when and when not to apply excessive force when upholding the law.
2. The failure on the part of the supervisors to provide the required oversight of the use of force by individual officers. This includes the appropriate investigation and review of the cases where the officers use excess force in an unnecessary manner.
3. Lack of efficient systems in the part of complaints investigations and adjudication.
4. Lack of enough policies and training as well as biased policing.
5. Failure to collect adequate data in order to assess and deal with biased policing allegations.
6. Lack of an effective early intervention system as well as the disciplinary system to address excessive and unnecessary use of force by the police officers (Atherley & Hickman, 2014) (cite).

From the findings, it is evident that community policing must create a positive atmosphere for police-community relations. They should also provide the foundation for effective partnerships for specific crime control initiatives (Prenzler, Porter, & Alpert, 2013). Prenzler, Porter, & Alpert (2013) conducted a study analyzing seven police departments and the various indicators of force and excessive force. The multiple signs of excessive force stemmed from police-citizen conflict, alienation of African-American community, police shootings and excessive force allegations, fatal shootings, and firearm incidents. The significant indicator identified by the study is the officer’s behavior. The study also reviewed the various actions and intervention plans to reduce incidents of excessive force by police such as: creating a violence reduction unit, enhance officer’s skills in defusing potentially violent scenarios, establish independent police review division, and police complaints commissions. The study identified evidence that; reductions in excessive force correlated with reductions in adverse consequences of force for both citizens and officers. The study also concluded that officers that are equipped with appropriate skills, and provided a framework for internal and external accountability, seemed to be the keys to reducing negative behavior and outcomes (Prenzler, Porter, & Alpert, 2013, pp.# 354-355).

The department must set goals to reduce complaints, police shootings, and injuries to civilians through programs that also involve the community. The officers need to be trained on the most appropriate ways of dealing with any situation that arises to minimize the cases where excessive force is used. The brutality and excessive use of force by the police remains a significant challenge for law enforcement in D.C. this can only decline with working and effective mechanisms to make sure that police accountability, as well as police professionalism, is maintained. In 2015, a new study was conducted to review the Metropolitan Police D.C.department’s use of force incidents “from 1998-2000 and 2006-2013. The reportdid not account for citizens killed by police with other weapons or bodily force, nor whether police shootings were justified or unjustified” (Hopkins, 2015). The report showed that the D.C. police made extraordinaryefforts to reduce the use of excessive force. However, the data proved to be superficial due to suspicious trends in citizen complaints and officers use of force. This discrepancy raised concerns requiring an investigation by the Department of Justice. The Department of Justice concluded that the Metropolitan Police department training, complaint, and investigation, and disciplinary processes were inadequate and inefficient. According to Hopkins (2015), the recommendation made by Department of Justice to correct these policy discrepancies:

1. Expand the definition of the “use of Force”, report all use of force; train officers on policies; and monitor compliance;
2. Ensure complaint system identify the roles of the Office of Citizen Complaint Review and Metropolitan Police department; discuss with the local community regarding complaints process, create a database to track complaints and improve complaint investigations;
3. Collect and track all data related to officer use of force, to include litigation and investigation results;
4. Create new disciplinary policies to addressthorough and swift discipline for excessive force cases; and establish a centralized system to track and document disciplinary actions;
5. Require investigation for all serious use of excessive force; and
6. Reform the Metropolitan Police department training program (Hopkins, 2015).

**Concepts**

The study will incorporate many different concepts including the number of police killings per period, the statistics on the age of the victims, community policies to deal with the issue, the rate of recidivism and the number of lawsuits about excessive force by police.✓

**Theoretical considerations**

To understand the problem of excessive force by police, it is vital to use theoretical considerations. This is the underlying criminological theories that might help to explain excessive force by police. In this study, the best approach is to apply both qualitative interviewing and secondary research to assess the assumptions to be made on the topic. The main assumption, in this case, is that the police have been using excessive force when dealing with citizens.

**Hypotheses**

The study will address the following questions:

1. It is hypothesized that citizen complaints regarding excessive force has increased in recent years in Washington, D.C.

2. It is hypothesized that minorities are more likely to be victims of excessive force by police than other non-minority communities.

3. It is hypothesized that the Metropolitan Police department and its leadership has implemented new procedures to address the proper use of excessive force and consequences.

4. It is hypothesized that excessive force can be used by police in Washington, DC when dealing with uncooperative and unarmed minorities.

5. It is hypothesized that creating new policies, improving the police-citizen relationship, and training program on the use of force will reduce the excessive force by police in Washington, D.C.

**The general approach to the research**

To collect the necessary data for this matter, there is a need to review past reports to understand the progress in dealing with the police killings and use of excessive force. The data to be used will include police reports, reports from the civil rights departments and any other credible sources. Most important is that a survey will be conducted with D.C officers regarding their attitudes towards the use of force. This will help in providing access to enough data for the success of the study. The data will also be collected from a national survey that comprises law enforcement agencies and related organizations. The dependent variable in this analysis is the use of force in excess by the police.

**The overall goal of the research**

The primary objective is to identify the cause and come up with a strategy for reducing and eventually eliminating the excessive force by police in Washington, D.C.

**Sampling design**

It will be challenging to study the entire population since it requires a lot of time as well as money. For this reason, sampling is necessary. In this case, the simple random sample method is a choice for the involved subjects. This method of sampling will be done by randomly selecting different police officers to collect data from, and randomly selecting some people who have suffered under the excessive use of force by the police. The selection of the respondents will involve two stages, where the first one will have a larger sample. The more prominent sample will then be reduced by half through the selection of the most appropriate respondents for the subject. This method is more efficient due to its simplicity and ease in application. It is also not biased since the respondents are randomly selected. This will be useful in collecting the required data from the Washignton, D.C. Metropolitan Police department as well as the people who are victims of the excess use of force by the police.

**Research design**

In this study, the most straightforward research design is to apply a survey form of the quantitative method. This study will use questionnaires and interviews, as well as the sampling of polls, to capture a more accurate sense of behaviors from the respondents with intense precision. The interviews with the respondents will allow for observation respondent's behavior to provide reliable data. Next step split the respondents into three groups. The first group will comprise of the police officers, including those who have taken part in the use of excessive force. The second group will consist of the victims of the use of excess and unnecessary police force, as well as the people in public who have witnessed such cases. The last group will comprise of the police agencies and bodies responsible for the efficient administration of the police work in DC. It is essential to work closely with field service agents as well as statisticians who are reputable for any useful assistance.

**Data collection**

The primary method of data collection, in this case, is a quantitative type of research. I will collect both primary and secondary data. The primary data involves the data which is collected a fresh from the respondents. In this case, the respondents from which the primary data will be collected include the police, the public as well as the victims of the excess use of force by the police. Descriptive researches and surveys will be used to collect primary data. The data collection technique will involve observation and direct communication with respondents through different forms such as personal interviews. The other type of data to be collected is secondary data. This is data which have been initially collected by someone else. This kind of information is the type which has already been passed through the statistical processes known as secondary data. When using secondary data, it is essential to be careful and selective to use the most suitable data.

**Questions that remain to be studied in future research**

From the study above, more research questions arise on the same topic of excessive force by police in Washington, DC. The following are research questions that remain to be studied in future research:

1. Are the police officers more likely to use excessive force against the racial minorities compared to the whites?

2. Are the people to blame for the excessive force by police in Washington, DC?

**Ethical considerations**

Ethical considerations are critical in every research to ensure that the study is a success. Ethical considerations will help me to determine between the right and the wrong things to do in the research. In this case, it is essential to avoid using any language that may be abusive in any way to the respondents. It also helps to build an environment of trust, to ensure that maximum data is collected from the respondents.

**Conclusion**

From the above details, it is evident that the use of excessive force is an issue of concern that needs to be considered and solutions developed for the same. The statistics and reports show that the DC police have been using excessive force in unnecessary situations. Thus, the research paper will help in addressing the issue so that necessary action can be taken at the right moment. There is a need to evaluate the causes of the excessive use of force so that the best solutions can be identified. The police, as well as the residents, need to understand their role in maintaining law and order in the rightful ways. The research will be useful in addressing the above issues with the data and information that will be gathered.

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