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Police Decisions and Insight in New Force Technology

Elise Y. Pineda and Brian Wolf
University of Idaho Moscow, Idaho USA

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Abstract

Over the last four decades "Thomas A Swift Electrical Rifles" (TASERS), "stun guns" and other conducted energy devices (CEDs) have become a widely used technology. Over the last ten years in particular, this technology has become highly controversial. While there is a large amount of research concerning the physiological effects of this technology, there is less research concerning the social effects. This research will use in-depth interviews with a stratified random sample of police training officers from large, medium, and small cities in the west and miwest of the United States to explore the impacts that the use of CEDs have on police practices. This studywill examine how police training officers in various agencies view TASERS and the debate concerning this technology. It will also survey how the officers are reacting to the media accounts of use of this technology and what effects it is having on officer perceptions and police development and training. This work aims to gain insightas to how other agencies can reduce controversy in their cities. Ideally this work will demonstrate how other police departments may reduce or mitigate the controversy..

Keywords: Police decisions, insight, technology, agencies.

Introduction

Less lethal force instruments have been created as a result of controversies concerning police use-of-force in regard to past police shootings. Agencies throughout the country have all adopted less lethal means of force as a way to restrain suspects in a less harmful way[1]. The most recent technology adopted were Conducted Energy Devices (CEDs). CEDs are also known as Thomas A Swift Electric Rifles (TASERS) or Stun Guns. Although they are indeed a less lethal weapon and made to reduce controversy, TASERS have in turn created a debate of their own. CEDs are the newest and perhaps most controversial technology that has been adopted by police agencies. TASERS are designed to disrupt an individual's central nervous system by means of deploying electrical energy to cause uncontrolled muscle contractions throughout the body and override voluntary motor responses. The implementation of TASERS has resulted in ambiguity about how to classify them: All weapons are placed on a use-of-force continuum with the highest use-of-force being the handgun. However, with this widespread adoption, over the last decade, there have beenchangesin police use-of-force policies and tactics.

While CEDs have become widely utilized, there are still concerns regarding this technology. Human rights organizations such as Amnesty International and civil rights organizations such as the American Civil Liberties Union (ACLU) have strongly opposed the usage of TASERS deeming them to be cruel and unusual punishment. These organizations believe TASER usage is correlated to police in-custody deaths[2]. Accounts of CED deployments involving children, pregnant women, protesters, and the mentally ill have been widely reported in the media. Such accounts have fueled the debate and prompted questions about policies regarding the use of CEDs[3]. On one side of the debatethere are those whoquestion the validity and safety of the weapons While the other side, others argue these devices are perfectly safe and highly effective.

A growing amount of attention and research has been given to the health consequences of CEDs.However, there is considerably less research concerning the social and institutional aspects of this weapon[4]. This paper examines how officers view CEDs within the use-of-force continuum. This research will also studyhow officers perceive the benefits and drawbacks of CEDs, as well as, how officers address issues of controversy and accountability. Using some of the styles of researching in previous articles, such as in-depth interviews, officers are asked what they think of the controversy. This research also asks officers questions about their policies in hopes of perhaps alleviating Amnesty International's concern of overuse of the technology. There are three main research questions: R1. How do officers view CED's within the use-of-force continuum?. R2. What are the reporting procedures if TASER deployment occurs and how are officers held accountable?. R3. Has public media and the on-going debate influenced how officers view or use this technology?

Literature Review: Police departments are constantly in search of innovative programs, tools, and methods of administration. For example, police transports have evolved with communities and technologies from horses and foot patrols to patrol cars and aircraft. Police agencies are constantly looking for tools and programs that are, "State-of-the-art" so that officers can do their jobs to the best of their ability by making communities as safe as possible[5]. Uses of force have a similar progression to the

transportation throughout policing, meaning societies are moving toward more "humane" control and compliance technologies[6]. New tools and better versions of tools are created so that officers can use the right amount of force for any particular situation. Much like the transportation scenario, although a department might have the most "state-of-the-art" technology, that technology may not always be necessary in certain situations. TASERS are among the newest technology to be adopted throughout police agencies. For example a study by King (2000) states that innovative technologies are first adopted slowly by few departments, and then over time the rate of adoption increases, resembling an "S" shaped curve[7]. This explains the increase in the adoption of the TASER over the last decade. With the wide-spread adoption of TASERS there has also been a debate on the safety of this "state-of-the-art" technology.

Citizens have an important but often misinformed understanding of crime and police work[8]. Moreover, citizen trust in police institutions may become eroded if there is a perception of misuses of power and authority[9]. This controversy may be exemplified by a variety of social interest organizations. For instance, Amnesty International is a human rights organization that observes use-of-force in policing and scrutinized the practice of use of force among police departments. Although Amnesty International is not completely assured that TASERS are made to be safe, the main concern that this group maintains is that this technology is being used extensively and abused by officers.Amnesty International in mention a study thatexamined74 in-custody deaths as well as use-of-force reports to explore how officers handle situations where force is needed. They found that in approximately 90% of the TASER accounts, the individuals who were TASED were unarmed. This validates Amnesty International's question of policy and accountability. Along with use-of-force reports, there were media accounts of fatal and non-fatal incidences in regards to TASER use. However, news accountsmay be sensationalized or under reported. Something that was found in the news report follow-ups of the accounts of in-custody death after deploymentwas that other factors played into these deaths, such as a excessive amounts of alcohol or drugs such as cocaine. With accounts such as these, there has been an amplified interest in researching the physiological effects of TASERS.

Physical evidence of crimes is intended to transcend feelings and hunches in police investigation[10]. Therefore, understanding scientific studies on the effects of CEDs are worth considering here. Large amounts of research concern the physiological effects of TASERS. Many researchers use various samples of human and animal subjects. Researchers have examined the effects of TASERS on human volunteers. With these samples they have conducted a series of tests examining multiple parallels of effects, including examining blood levels, heart rate, and effects after adding outside factors[11]. With human subjects blood levels and heart rates were analyzed before, right after, sixteen hours after, and twenty-four hours after TASER deployment. There was another human study by Vilke and Chan, adding exercise as an additional factor. This factor made it more realistic to use-of-force incidences reported. Both demonstrated minimal effects of TASER use. Researchers found that there was a slight increase in heart rate. There was an increase in the Serum myoglobin and creatinine kinase levels, found in the blood samples, were higher at all three time intervals, meaning that in general there was an alteration of chemical compounds within the blood. The findings were insignificant. There was a similar outcome or lack thereof with Kaminski's study with no significant results in regards to TASER use. Throughout the literaturethere was no evidencelinking TASER deployment alone to death or other health issues. Literature may show evidence that TASER use is not linked to in-custody deaths or medical injuries, howeverthe effectiveness of the TASERand whether or not officers are using this technology in a safe manner is still in question.

After much research has been conducted concerning the physiological effects of TASERS, there has similarly been a great deal of research concerning the effectiveness of TASERS. With effectiveness, researchers examine two main aspects. Factor 1: could one consider TASERS to be the superior, less-lethal use-of-force technology, as opposed to other uses of force such as Oleoresin Capsicum (OC spray) also known as pepper spray, meaning this technology has more of a reduction of officer and suspect injuries? Through use-of-force reports, in depth interviews, and nation-wide surveys, studies have shown that TASER use does in fact, reduce officer and suspect injury[12]. From the national surveys, the surveys' findings suggested that a little over half of the departments reported that TASERS reduce the need to use lethal force, thus reducing serious injury and or death. It was also noted that higher placement on the use-of-force continuum is related to both fewer CED deployment and reduction in the use of lethal force. More structured policiesguide officers as to know when TASERS should be deployed. Researchers haveexamined critics as well as the physiological effects and effectiveness this technology has on policing. Researchers have now begun to look at police officer policy and when officers use TASERs.

One major claim throughout human rights organizations concerning the TASER is that officers have a tendency to over use this technology. This concern brings up factor two.Factor 2: How are departments assuring community members that their officers are using their technology in an appropriate manner? Researchers have begun to observe policy and use-of-force patterns[13]. Adams and Jennison, focus on policy development, training, use and impact of TASERS from organizational and community perspectives[14]. Through the use of the US Government Accountability Office (GAO) report, Adams and Jennison are able to search for parallels within the agencies, concerning policy and training. Their biggest finding was a lack of consensus among the agencies in regard to policies[15]. The reason for a lack of consensus may be due to the fact that there is not a universal policy that all agencies are required to use.

Training issues similarly arise without universal policy. All agencies are able to handle their training independently as long as they meet TASER International's minimum requirements for training hoursand skills test. The actual hours of training varies as does the requirements for recertification for the TASER. One parallel among agencies that was noted was that they are generally more favorable of this new technology thanother less-lethal technologies. Sousa, Ready, and Ault, use randomized field-training to study the impact TASERS have on officers when making use-of-force decisions. This study was doneto examine whether or not officers are over-using the TASER[16]. They found that while officers are more likely to use a TASER in dangerous situations as opposed to a firearm, they are less likely to use a TASER in lower profile situations. From this study, it was noted that TASERS were not overused. The goal in this research currently, is to gain more understanding of police officers view on this technology and the debate regarding it.

Methodology

For this project, the research is building upon a previously started three-part study. The part of the study will focus on is police perspectives CEDs. The impacts of stress on police officers is well documented, while much prior literature has examined this utilizing surveys and questionaares, more comparative and qualitative work may be indicated in capturing the dynamics involed in police work[17]. In-depth interviews were conducted with a stratified random sample of police use-of-force training officers in the state of Washington. In-depth interviews were chosen as a research technique for this project because interviews are more flexible than surveys. Interviews suggest more of a dialogue. With stratified random sample of use-of-force police department training officers in the state of Washington, 15 cities' police departments and officers were selected. Stratified random sample was chosen as a sample technique because, although random sample was desired, it was also imperativeto this study to get a variety of sizes of cities. The stratification allowed us to break up the cities into small, medium, and large cities according to population, and then randomly select cities from each group. Large, medium, and small cites are determined by population size. A large city has a population of 80,000 or more. A medium city has a population between 25,000- 79,999. A small city has a population of 24,999 or less. Use-of-force training officers were chosen because of their familiarity with police technology, specifically less-lethal restraint technology. Use-of-force training officers are intimately very familiar with training practices of their department and are usually well informed of their department's policies and procedures. Washington State was selected because the data was more easily accessible in the time allotted for this study. In-depth telephone interviewswere conducted from Ohio and Idaho because investigators had access to these two states.Using a telephone and recorder, interviews were recorded, which were later transcribed on the computer. NVivo9 was used for coding interviews, data analysis, and looking for dominant themes. This research project is essentially split into three parts.Along with coding the new sample of interviews, interviews from the two previous samples is also being coded. Upon completion, the final portion of this study will involve data analysis. In the portion of the project the data is analyzed and presents findingshave brought more questions to surface, thus strengthening research on this technology.

After interviews were completed, content analysisof the interview transcripts was conducted, looking for recurrent themes arising in the interviews. This research looks at dominant themes, as well as similarities and differences between the different departments. The methods aim to develop frames that situate the conflict within the perspective of the officer. This research should give a critical appraisal of officer viewpoints.The following section details my findings based on our interviews.

Results and Discussion

Results: This research was surrounded by three basic questions but the results show much more than the answers to these three questions. The numbers of officers ranged from four to 1900 throughout the departments. While the range in officers is wide their responses throughout the interviews were narrower. The results were split up into three main sections: Policy, Officer Views on technology, and officer perceptions of media and controversy. Policy was a large part of the basis of this research.

Police department policy gives officers guidance in use-of-force. According to this study 100% of the departments have a formal written policy which contains a use-of-force scheme. A use-of-force scheme is a system that advises officers when to use specific uses of force. According to interview results, 76% of the departments use a standard action and response use-of-force scheme. Roughly 18% of departments use their own use-of-force scheme. These schemes seemed to be explained as scenario and response. Officers are given broad scenarios and a proper use-of-force for each scenario. One department or 6% use a use-of-force wheel which is essentially the same as the standard use-of-force scheme but instead of being a graph it is a wheel of action and response.In every department, despite the different continuums that are used, TASERS fell on the lower to medium side of the spectrum. TASERS are placed right about verbal on each continuum or scenario. While there were different schemes being used a general consensus throughout the departments, was that the use-of-force scheme was strictly a guide. Numerous officers stated that every instance is circumstantial. While a scheme is a useful guide training is very important as well. When it comes down to use-of-force on the field, officers will use their better judgment in picking such force rather than trying to think of what level they are on in which ever continuum they are using. In fact, 80 % of officers made the claim that training was what held their officers accountable. While only 20% made the claim to use the TASERS feature that is able to download data of each TASER deployment. Training Officers made it clear that training largely

determines how officers use TASERS. Throughout the departments that were interviewed Training lasted anywhere between four and sixteen hours. In every department that was interviewed both written and live skills tests were required for TASER certification, meaning, officers are required to take a test about the mechanics of the technology as well as a test in which officers use the TASER in different scenarios. While this technology has a large amount of training before officers are certified to use it, the TASER is widely popular.

INTRO SENTENCE. Twenty-four out of the twenty-six departments have adopted either the M26 of X26 model of the TASER. The other two departments that have not adopted the TASER confirmed that they were seriously considering it.One hundred percent of the officers say they trust the TASER. When asked further if they had any concerns regarding the safety of this technology 85% of the officers said they had no concerns regarding the safety of the technology whatsoever. Two training officers, 10%, said they were slightly concerned that the technology could injure the officer accidentally. One training officer said he was concerned for the in-custody deaths in other cities. Parallel to the majority of training officers having no concerns for this technology, the majority of officers believes this technology's main benefit was that it promoted safety, whether it is because there was less need to go hands on, a way to control violent people that with other technologies would be out of their control, or simply because they believe it to be safer than other technologies. With that, 70% said there was a reduction in officer injuries, while 22% of officers said they could not properly answer that question due to the fact that there had not been a proper study in their department and 8% said there has not been a reduction in officer injuries. Interestingly enough, while majority of officers see no concerns for the technology, and a large amount of officers have seen a reduction in officer injuries, results concerning drawbacks of the technology were more diverse. While 36% of training officers said there were no drawbacks, 32% of officers said over-dependence was the biggest drawback. Officers went on to say that weren't worried about their own department being over-dependent but rather other departments. Sixteen percent of officers complained about having too many tools on their belt. Eight percent of officer maid a claim that departments are at higher risks of law suits regarding TASERS and another eight percent stated a major drawback to be the cost of the technology. Another drawback surrounding TASERS according to officers is the debate surrounding them.

The results of questions surrounding the debate regarding TASERS suggest something further than simply, answers. When first being asked what kind of media attention their communities have experienced 78% of the departments that have experienced media, have had positive accounts. There were two departments that had had negative accounts of media. Half of the departments went on to say that the public was well-informed while the other half believed the public to be ill-informed. However, when pressed further, officers went on to say that the controversy or debate existed because of community members had a lack of knowledge. Examples given were not fully understanding, what happens with in-custody deaths, misunderstanding the technology itself, and being concerned simply because it's a new technology. Every misconception according to police officers is also due to community members' lack of knowledge. One officer said, "Completely misunderstood and no fault of their own, just public ignorance." Officers were also concerned with the impact media accounts and civil rights organizations have on community members. One officer stated, "Ignorance and agendas. ACLU has an agenda." Another officer said, "Every day officers are out there doing good things. Every day. And out of 100 TASER deployments 99 could be good, and 1 of them could be a bad use of force. And then that 1 becomes the only one that's important." Every training officer claimed controversy and misconception were due to community members' lack of knowledge. While 20% of training officers argue that more training would reduce controversy, 80% of officers argue the more public knowledge is vital for reducing controversy. In reference to the public knowledge all of the training officers seem to believe that the main thing that community members lack in understanding is the purpose of the technology, being, what it does and what it is used for. Officers want community members to understand that the TASER does not electrocute is used to reduce injury, which it has.

Discussion: This research brought up some red flags that could be further examined. Throughout each specific section of this research, policy, officer views of the technology, and perceptions of media and controversy, there were results found that could be further investigated. As it shows in the results, the number one way to hold officers accountable according to the training officers, is training. Written and live skills training and tests prepare officers in using any means of force including a TASER. However, in the results with training being as important as it has been deemed, it is rather striking that the hours of training are so broad. Perhaps a universal training minimum would benefit police departments rather than leaving the training requirements solely up to the departments themselves. Even further, what would be a suitable amount of time for TASER training be? Is there such a thing as too much training? Does more training result in less officer and suspect injuries or is it possible to receive adequate training in a fraction of time? As far as the departments that used training procedures of their own rather than standard training from TASER international, what was their reasoning for doing this? TASER training seems to be rather open-ended and varies on a department to department basis. Is this more beneficial to leave training up to each department or would a stronger guide for all departments be more beneficial? While training is rather ambiguous, one piece of information that is very clear from this research, officers' are in favor of the TASER.

It was unanimous that officers appreciated the TASER. Every officer confirmed that they liked the TASER and they trusted it.

The major of the officers said they had no concerns for the safety of the technology but the officers that were concerned for the safety of the TASER, were more concerned for themselves accidentally getting TASED. Officers also believe TASERS main benefit is that it is a technology that promotes safety and prevents injury. And again, when engaging further, officer's examples of promoting safety and preventing injury were more in regard to the officers rather than the suspects. Seventy percent of the departments saw reduction in officer injuries. It would be interesting to see out of those departments, how many also saw reduction in suspect injury? Though officers had a distinct opinion regarding the TASER, they also had their opinions regarding the media and the on-going debate concerning this technology.

Throughout the series of questions regarding the media, community, and on-going debate, there were conflicting results. Officers first said majority of media accounts were positive. Every department claimed generally or very favorable with their communities. Half of the Officers also said that their community members were well-informed. The other half of the officers said their community members were moderately informed but not well enough. However, when switching over to questions regarding the debate of the TASER, their responses conflicted with previous statements. Media and ACLU have agendas. Community member lack understanding of the technology and police use-of-force in general. While many officers say public is well-informed and "you can find anything on the internet these days", when they were asked how to reduce controversy officers said community members needed more education. It was suggested that the police departments inform public. If information is accessible on the internet, is it necessary for police departments to host their own education to community members on this technology? Would more communication between police departments and their communities reduce controversy? This research brought up more questions regarding the technology, use-of-force policy and the communities as a whole.

Conclusion

Further research regarding TASERS could be done through Ethnography. A comparison between two communities and their departments in two separate cities could be done. There could be one city that has had TASERS since they were first available to be adopted. The second city could be one that has not had TASERS in their department for very long, such as a city in New Jersey. New Jersey was the last state to implement TASERS. Ethnography is suggested to be able to interact with the community members on more of a personal level. The researcher could observe community and police department interactions and relations. In-depth interviews of not only officers, but community members as well, could also be conducted. This research would give a better understanding of community members' perceptions of the TASER.

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