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**Continuing Police Use of Force Training is in the Best Interest of  
Every Community**

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**A Leadership White Paper  
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## **ABSTRACT**

The use of force in policing is a costly but necessary component of a modern police agency. The cost associated with use of force for a police agency can be measured in multiple ways. This most common measurement of cost is monetary, but a more devastating and longer lasting cost is the loss of community trust. The purpose of this paper is to explain the main issues and the importance for police departments' administrations to improve departmental training programs. It is also important to resist the temptation to reduce training budgets in an attempt to conserve departmental resources during these times of an economic downturn. Departments should continue to train their officers in use of force, whether they are just out of the academy or a tenured officer. Like the old adage of "robbing Peter to pay Paul" when it comes to dealing with budgets, for whatever reason, departments seem to live by this saying and will cut the majority of the money from the training budget when money gets tight. When this happens, the department takes the risk of paying the ultimate price to the citizens as well as the entire community. One way this problem can be solved would be to create a training account that should be used for training only. This paper will also address cost effective ways to improve departmental training in order to continue police training in the most efficient ways possible.

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## INTRODUCTION

When one starts to really look at what a police officer does on a daily basis it can sometimes be overwhelming to the average person. On the other hand, some people may believe all an officer does is ride around, drink coffee, and eat donuts. This is nothing even remotely close to an average day, if there is such a thing as an average day. An officer's shift can consist of one or two calls or they can run back-to-back calls, without stopping and with no breaks in between. Officers have to make sure they know how to handle each call and are properly trained (Alpert, 2004). Unfortunately, this is not the case all the time, which is why it is so important that departments continue to train their officers, whether they are just out of the academy or a tenured officer in use of force applications (Alpert, 2004).

A major reason for departments to continue training officers is the consistent need to improve officer safety and increase the service provided to the community. Another reason is to provide security and protection to not only the city, but to the officer and the community they serve. An unintended benefit of an increased training program is to lower liability issues associated with a poorly trained department. With ever-shrinking government budgets, police departments are forced to do more with less (Alpert, 2004). This means that it is more important than ever to have highly trained officers.

Occasionally, officers will respond to the same location multiple times dealing with the same individuals multiple times. Officers respond to a variety of calls within the community. They include calls for a lost cat or dog or to the extent of a more serious call, such as sexual assault, child abuse, and homicides. The options are endless, and

the responding officer never knows what they will experience or what they are responding to until they arrive at the scene of the call they are dispatched to. At times, the officer can become overwhelmed and be unsure of what to do or how to respond to the situation at hand (Hickman, 2006). It is at this time that they revert to their training and determine what action is required to handle or diffuse the situation (Alpert, 2004).

The training the officer receives from the academy may be the only thing that can potentially help this officer in their time of need (Alpert, 2004). The officer may react with what is called the fight or flight syndrome during an altercation (Scott, 2008). To understand this better, administrators need to understand some of the changes/actions that the body and mind go through. When a person becomes frightened or they perceive to be in danger, the brain will trigger the body to go through many chemical and physiological changes (Scott, 2008). Most people have heard of the lady who picked the car up off the child because it had fallen on them (Scott, 2008). This is accomplished with great ease. This would be an example of the fight or the decision to stay and fight (Scott, 2008). However, if someone were just frightened by something, the brain then releases adrenaline to the body and this person is able to run away faster than they normally would have been able to. This is an example of the flight syndrome (Scott, 2008).

The same natural reactions occur when an officer confronts an individual he or she believes is possibly dangerous. The officer may start to feel anxious with the rush of adrenaline or fear of the unknown. This is how the body prepares itself for the onset of the fight or flight syndrome (Scott, 2008). Several signs the officer may start to experience are the following: the ability to see becomes impaired, the body's core

temperature increases, and this causes an increase in perspiration (Scott, 2008). The officer may also feel as though their heart is going to pound out of their chest and their range of hearing may decrease (Scott, 2008).

When the officer is tasked with physical force, the officer has to rely completely on his or her training in the area of use of force (Alpert, 2004). The problem lies within the timeframe in which the officer last received training and the manner in which the training was administered. This training may have been when the officer was in the academy or additional training classes provided by the department. It is important for officers to safely handle the incident in the most appropriate manner. This also needs to be accomplished with the least amount of force necessary to protect themselves as well as the public (Brown, 2010). The only way to ensure this is to provide the officer with continuing education and training in the use of force.

Budgets have historically been a major constraint and will remain that way when it comes to training. Often times, training is the first area that is cut when budgets become a “challenge” for police administration (Alpert, 2004). Because of these budgetary constraints, police administrations are always looking for ways to help solve this type of issue. Departments will utilize outside instructors or officers will be sent offsite to attend training classes. This is always a challenge due to the staffing and overtime costs that are incurred. Training must remain a priority and police agencies must look for other means to manage budgets verses cutting training. They must determine how training can be performed.

For larger departments, staffing usually is not an issue, but at smaller departments, this can clearly pose a serious problem. There are many things that come

into play, such as officers being on vacation, sick leave, or injury. In this situation the department must pay overtime and adjust schedules to ensure the staffing is appropriate for the shift, so the officer is able to attend the necessary training.

## **POSITION**

In order to explain the importance of use of force training, one must first understand the meaning of use of force. Use of force could be defined in many ways. From a police perspective, use of force is designated by departmental policy, and it often follows a use of force continuum (Alpert, 2004). This list frequently initiates with the visible presence of a uniformed police officer and extends through to the extent of the use of deadly force. While the use of force contains several progressive steps, certain circumstances may allow the officer to move directly towards a higher level of force on the continuum. Often times, the officer is required to make this decision based on limited information and within seconds of arriving on the scene of the incident (Alpert, 2004). At this point, the officer's training or lack thereof will factor into play. If the officer has not been properly trained, he or she will not have the skillset needed to make an informed decision (Spector, 2002). It is important to fully understand that use of force training is more than merely showing an officer how to subdue an offender. Proper use of force training also includes de-escalation skills or "verbal judo" (Hickman, 2006, p. 5).

One other reason why use of force education should be a priority is because it will help enhance officer safety. The officer will become more confident in their skills and in themselves. As the officer's confidence in their skills improves they will be more confident in handling different situations they are exposed to. They should already have confidence in their skillset and how to handle themselves, but, unfortunately, a large

majority of officers do not possess this confidence. A number of factors could influence this, but the majority of the problem is related to so called “on the job” experience, “life experience,” or lack thereof (Alpert, 2004, p. 6). The majority of the officers who are just graduating from the academies are young and inexperienced. They have little to refer to and minimal life experience. According to TCLEOSE (2013), the basic academy is 720 hours and is roughly 15 weeks, with students attending Monday through Friday. However, some academies are longer and provide additional training and experience, so when officers start at departments, they are potentially more advanced than other officers who attended shorter and less extensive academies (Alpert, 2004).

Officers in Texas may have a difficult time choosing which academy to attend due to the variety for them to choose from. According to TCLEOSE (2013), there are currently 106 academy training providers throughout the state of Texas. This is where a person can go and become certified as a basic peace officer. Some academies, such as University of Texas at Austin (“U.T. System,” 2013) offer an academy that is 884 hours long. Other police academies offer 740 hour training programs.

When officers go through an academy, a course curriculum is designed that they will follow and cover things such as: Introduction and Orientation, Fitness and Wellness, Stress Management, Code of Criminal Procedures, Penal Code, Arrest, Search, and Seizure, and Force Options (TCLEOSE, 2013). These are only a few topics the officer will cover during their time in the basic academy. With all the information that is presented to the officer in such a short amount of time, it may become overwhelming. This is why officers must maintain their proficiency in the area of use of force education.



Once at the department, the officers should be able to get the training needed in order to maintain a state licensing as a police officer. When the officers are confident in skills and ability and know what is and is not acceptable, they are more apt to be able to successfully handle a confrontation without any repercussions (Alpert, 2004). That is when the reported cases of “abuse” are reduced. When the word abuse is referenced, it is important to have an understanding of what it means. Some of the terms used are the following: misuse, mishandling, taking advantage of, and cruelty (Hickman, 2006).

Anyone can say that they had been abused by an officer, but they have to be able to prove it in a court of law or have some sort of proof that they were indeed a victim of abuse. The officer must have taken some sort of advantage of the person. When the officer knows the guidelines and limitations, the number of cases lessens.

Another area of concern is reported cases of use of force complaints. This is an extremely touchy area for law enforcement today. So many people claim or want to claim that they are a victim of some sort of use of force incident. If the officer is properly trained and stays current in their training, the volume of reported cases will remain low because the officer knows what they can and cannot do when they are involved in a confrontation. They know when it is best to back away or engage with someone and what procedures are the best options to utilize in a given situation.

According to the Alergia, Perez, and Williams (2003), studies were conducted on the use of excessive force, and it was found that the public is always scrutinizing what police are doing. Television shows regularly portray the cops using excessive force, and this gives the impression that it is a common occurrence among all officers and how situations are resolved on the streets.

A study was performed and issued by the National Institute of Justice, which was compiled from 1999 through 2000. The study showed that during this time frame, agencies that were called for service showed approximately 1% of them had to use some sort of force on the call. Out of all of the calls for service that the department's answered, there were only a very small percentage of complaints for excessive use of force. The study concluded that police use of force was somewhat rare, but it does occur (Alpert, 2004). One of the most important things to an officer is receiving the proper training. This can result in not only their safety but their ability to assist another officer as well. Not having the proper training can mean the difference in them going home safely or someone becoming seriously injured or, worst case, someone being killed.

## **COUNTER POSITION**

Attention to budgets has caused difficulty in police officers being able to attend useful trainings. Due to budget cuts and manpower deficiencies, police agencies struggle to provide the minimum mandates, much less provide expert training. These issues are heightened for agencies with fewer officers and smaller budgets. Some may argue that while training programs are a valuable component of a police officer's educational process, the majority of an officer's knowledge comes from on-the-job experience.

It is true that most police agencies are experiencing the pressure of society's economic downturn. However, a consideration must be given to the price to society of not providing use of force training to police officers. Once this issue is measured, it becomes much easier to justify the expense of continuing such a training program.

Some police agencies have encountered the negative effects of high profile incidents in dealing with use of force in the community and have been held accountable for failing to provide police training in use of force education (Brown, 2010).

The regularity of police encounters with use of force complaints has increased dramatically over the past 50 years (Hickman, 2006). While some have argued over the reasons, the fact remains that these encounters can and have ended in preventable ways. In a five year time frame, Los Angeles Police Department alone was involved in the shooting of 37 citizens, killing 25 (Cordner, 2006). These incidents allow for the training cost to be put into a true perspective.

Opponents of this training increase could state that there are current programs in existence that provide quality use of force training to police officers. Texas police training programs were put in place years ago to help improve the education of officers in use of force issues. TCLEOSE currently mandates use of force training in order to receive upper level certification as a police officer (TCLEOSE, 2013). These programs have been successful in providing information that assists officers in making a more educated decision on the corrective action involving a person and use of force incidents.

It is also true that use of force training for police officers exists and that they have progressed significantly in recent years, but they have failed to educate a large percentage of officers. The training mandate that was implemented by police targeted new officers but failed to train veteran officers Pfeiffer (2007). This error could undermine the attempt to uproot the traditionalist mindset and values that are occurring in the informal training environment inside each police department (Stojkovic, Kalinich & Klofas, 2012).

## RECOMMENATION

A way to prevent civil litigation and place a department and officer at risk of enormous lawsuits would be to ensure training is performed according to TCLEOSE requirements and to maintain a training schedule that is ongoing to keep officers' skills honed (TCLEOSE, 2013). It is when training is not kept current or conducted on a regular basis that a situation may occur where an officer reacts and does something inappropriate. When agencies choose to ignore the fact that officers need training or encourage them to stay current in their training is when this could potentially result in a litigation situation (Hollander, Lee, Tahtalian, Young, & Kulkarni, 2011). In some situations, this may be the result of someone forgetting how many hours the police officer needed, the officer missing a school, or the officer just did not show up for the training. It is seldom that an officer does not show up for their training or is this done intentionally, but it will happen occasionally. When this occurs, it opens the officer and the police department up to potential liability issues

According to Kappeler (2001), the 1989 US Supreme Court ruling, *City of Canton v. Harris* stated, "those departments can be held liable for not training or lack of training. Since Canton, one legal scholar has estimated that in the 1990's, law enforcement agencies faced approximately 30,000 lawsuits per year" (p.136). It is evident to society that people have their own impressions of how the police should conduct their job. By society doing this, officers are becoming more apprehensive about doing their jobs.

They say an old dog cannot learn new tricks, but in the case of use of force, they should continue teaching, teaching, teaching (Alpert, 2004). If an officer is provided the proper and continual training they need, they will have the confidence necessary to

handle any type of call or situation they are dispatched to or possibly encounter during their daily shifts. Over time and years of service, training and tools change and officers need to learn how to follow those changes and learn all of the new techniques and skills that are offered to them.

With continued training, officers will approach calls with a completely different perspective and level of confidence dependent on the type and amount of training they have been exposed to (Coleman & Cotton, 2010). Whether they are the primary officer on the call or they are backing up another officer, they can refer back to the training or experience and know they have the ability to handle the escalation if necessary. This could mean the difference in them or one of their fellow officers going home to their families.

It is imperative that a department's management ensure training funds are maintained, and in the event that budgets are compromised, training funds should not be the first to be eliminated. This will be beneficial for the officers as well as the department and prevent any issues from licenses lapsing or civil litigation issues being encountered. Allowing time for officers to attend training and ensuring that officers' licenses are kept current is something that departments should consider a necessity. The safety and wellbeing of the officers and the citizens will be in better hands if all officers receive proper and continual training.

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