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Perceptions of Reasonable Use of Force by Probation Officers and Civilians

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Abstract

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Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

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Abstract

There is little academic research that examines whether there are differences between the ways probation officers and community members perceive the use of force on juvenile offenders. Failure to understand the differences in these perceptions negatively affected a probation department in California, which failed to address public concerns regarding the use of force in the juvenile hall, which resulted in a consent decree and a costly financial settlement. Using socialization theory as the foundation, the purpose of this study was to understand if there is a statistically significant difference between probation officers and civilians regarding their perceptions of use of force against juvenile offenders. Data were collected from a nonprobability sample of probation officers ($n = 71$) and community members ($n = 125$) in a Northern California community through an online survey that featured 5 scenarios of escalating behavior from a juvenile offender. Respondents were asked to evaluate whether the use of force was appropriate or excessive for each scenario. Data were analyzed using an independent samples t test and chi-square tests of independence. Findings indicated that, overall, there is a statistically significant difference in the perception of use of force between the 2 groups ($p <. -4.04$). Specifically, community members are more likely to have a lower threshold of tolerance for use of force than probation officers in 3 of the 5 scenarios in the survey. The positive social change implications of this study include recommendations to probation departments in California for enhanced collaboration and training with community members to better understand the expectations of each group related to use of force and the treatment of juvenile offenders.

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Dedication

This dissertation is dedicated to my family, Monica, Joshua, and Madeline, and to my parents, Mike and Theresa, without whose love and support I could not have completed my degree. I sought this degree in part to motivate my children and nephews to always continue their pursuit of education, to remain cognizant of social issues, and to push for social change in their lives and communities.

Acknowledgments

I would like to acknowledge two key professors who stuck with me as I pursued my dissertation at Walden University. Dr. Oliva Yu and Dr. Tanya Settles, thank you for the conversations and guidance throughout the process. I know you both went above and beyond to help me through the process.

I would also like to acknowledge the Sacramento County Probation Department and the Sacramento County Probation Association for their assistance in allowing me to solicit sworn officers for the study. Without their assistance this project would not have been successful.

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Chapter 1: Introduction to the Study

Background

Public opinion is critical to government agencies; however, it has the tendency to fluctuate dramatically and may critically impact organizations (Ohiagu, 2009). In today's democratic society of law, it is important that public sentiment be taken into account when it comes to decisions in public policy. When departments fail to take into account the opinions of the public, departments may encounter public outrage and consequences similar to the riots and public protest in Ferguson, Missouri in 2014 (Basu, Yan, & Ford, 2014) Rodney King in Los Angeles (Harris, 1999), or in Sacramento County in 2008 when the probation department encountered a lawsuit from the Prison Law Office (PLO). The PLO, a nonprofit prisoners' right law firm based in Berkeley, California, and sues state and county agency relative to infringement or abuse of incarcerated individual's rights. The PLO has sued the California Department of Corrections and Rehabilitation (CDCR), the Sacramento County Probation Department (SCPD), the Riverside County Sheriff's Department, the San Joaquin County Probation Department, and several other agencies (Prison Law Office, 2017).

In 2008, the PLO alleged numerous allegations against SCPD; the claims were based on the conditions and treatment of juvenile offenders in the juvenile hall. Many of the claims were about use of force, chemical agents, hot food, access to school, solitary confinement, and rehabilitation programs for juveniles. Even though many of the allegations had no merit, there was still a perception that the SCPD was abusive and mistreated the juveniles in its custody. In 2009, the SCPD agreed to a consent decree

rather than defend against litigation (Sacramento County, 2009). The PLO changed the culture and practices of the SCPD. The lawsuit filed by the PLO highlights this study's underlying problem, the PLO had one perception of how force should be utilized in a juvenile institution, whereas, the law, training, and the probation officer had a different understanding.

Public sentiment against law enforcement is on the rise in many communities (Schuck & Rosenbaum, 2005). This negative perception is apparent in many media venues, new scholarly articles, and surveys conducted by law enforcement agencies (Tooley, 2009). People develop opinions in multiple facets with numerous influences and experiences throughout their lives; this development and interaction is the process of socialization (Berger and Luckman, 1966). The theory of socialization is based on an individual's exposure and the processes one undergoes as one developes and lives in a society (Clausen, 1968). Both probation officers and citizens encounter socialization. However, probation officers undergo a different form of secondary socialization that differs from citizens. Most of the differences between probation officers and citizens can be attributed to the occupational socialization of probation officers which occurs in the secondary socialization stage. The occupation of probation officers and other law enforcement officers is dramatically different and governed differently than many other occupations in society. An example of this difference in occupational socialization is civilians, in general, are not fully educated about the laws and policies that govern law enforcement interactions with the public, especially those that involve the use of force (Hassel, 2006). Law enforcement officers have the training and education that allows

them to use force; however, the use of the media portrays an image that the public does not support many of the use-of-force decisions made by law enforcement officers which are demonstrated by the traction of the "2012 Black Lives Matter" movement (Matthews, 2017).

In California, probation officers are sworn law enforcement officers; they have the same rights, privileges, and powers as traditional law enforcement departments like police, sheriff, and corrections. Probation officers in California are a hybrid of law enforcement as they have the ability to be first responders, to make arrests, to provide services to offenders, and to operate juvenile halls in 49 of the 58 counties in California (Board of State Community Corrections, 2015). In Sacramento County, during any given weekday, the SCPD has more armed officers on the street than all other local agencies combined (Sacramento County Probation Association, 2015). Probation officers in California are encountering the same public protest and distrust that is currently facing other California law enforcement agencies (Branan, 2014).

Each county in California is responsible for developing its own policies governing the use of force and the programs implemented within the county. Unlike many other counties in California in 2009, the SCPD started to address the numerous items within the consent decree, including the dramatic change in the use of force policy. This change went from a reasonableness statute to a two-tier restrictive policy limiting an officer's ability to use force to respond to an escalating situation. The County of Sacramento was released from the consent decree in 2012 due to compliance and successfully

implemented the required changes. Nonetheless, concern remains regarding the use of force against juvenile offenders.

The principles of proper use of force are derived from constitutional mandates, case law, legislative mandates, and governmental policy (Hicks, 2003). In 1989, the United States Supreme Court issued its landmark decision that provided a standard to judge the use of force by law enforcement officers. The decision, Graham v. Connor, finally provided law enforcement officers, courts, and litigants nationwide with guidelines for determining "reasonableness" in use of force situations (Graham v. Connor, 1989). However, the resources such as caselaw and constitution standards that guide officers in the application of the use of force make no distinction between juveniles and adults (Hicks, 2003). Part of the underlying belief behind this study is that there is a public perception that law enforcement should use a different level of force when confronted with a juvenile offender, even though there is no legal difference between the adult and juvenile relative to legislative or statutory regulations (Hicks, 2003).

Although the law does not make a distinction between juveniles or adults, according to the 2009 consent decree, the PLO made the argument that minors should not be held to the same use-of-force standards as adults. In response to the consent decree, the SCPD modified its institutional use-of-force policy to one that is more restrictive than the law required. The biggest change to the policy was philosophical: a change from what the law permits as reasonable force to an internal policy requiring officers to use "the least amount of force necessary to gain compliance" (Sacramento County Use of Force Policy, 2015, p. 1). This change from a permissive to a restrictive policy may seem minor

to a layperson; however, the change was monumental to sworn officers. The least amount of force necessary to gain compliance illustrates more of a ladder of force, instead of allowing officers to use the force they believe is reasonable to handle the situation they encounter. An example of the least amount of force necessary would be when an officer is confronted with a physically combative suspect, the officer would be required to use hands-on techniques instead of a reasonable intermediate force option of a Taser, baton, or chemical agent. That scenario is a basic example of what the least amount of force necessary policy requires when legal penal codes and legislative or judicial case law allows for an officer to use the amount of force that is reasonable given the actions of the suspect. Under the 4th Amendment of the Constitution and the reasonable officer standard set in Graham v. Connor, a suspect who is combative towards an officer would likely incur an intermediate use of force response such as Taser, baton, or chemical agent and not require an officer to use hands-on techniques.

The aim of this study was to understand and examine the opinions of a homogenous sampling of probation officers versus a convenience sample of civilians. The participants for the study were derived from a case study of the SCPD Officers (independent variable) and the general citizenry (independent variable) from within the county. The participants made a decision on whether a use of force on a juvenile offender was reasonable or not reasonable (dependent variable).

There is a lack of scientifically based research about probation officer use of force. There are numerous studies and articles bout adult and juvenile probation which probation services, treatment, and supervision, but nothing related to use of force with

either adults or juveniles. Given the lack of empirical studies, it is critical and practical to look at other agencies that do the same type of job as probation such as police, sheriff, and corrections, and to analyze the research from those agencies. As stated earlier, in California, probation is synonymous with police or sheriff officers. In 2010, the SCPA ran a public media poll targeting all Sacramento County voters who voted in 2008 asking them their understanding of probation. The poll revealed that 87% of the respondents were unable to distinguish a probation officer from a deputy sheriff (Sowards, 2009).

Probation departments are accountable to citizens in the communities they serve. Public opinion and support are vital to the success of any civil service agency. For departments to be accountable to the public they serve, they should attempt to gauge and measure citizens' perceptions whenever possible, especially about controversial issues such as law enforcement officers' use of force on juvenile offenders. A citizen's perceptions and experience with law enforcement are critical in creating a positive social environment in the community.

Problem Statement

One of the primary issues facing law enforcement is the split-second decisions officer's make relative to use of force. It is believed by this author, there is a lack of understanding of what is or is not considered reasonable use of force. There may be a disconnection between the citizen and the trained law enforcement officer regarding what is considered reasonable use of force, especially when it comes to a juvenile suspect. The failure to acknowledge and explore the disconnect between what officers see as reasonable and what citizens see as reasonable can result in negative public attention.

An example of negative public attention is, in 2008, Sacramento County Probation failed to address public concerns with the use of force in the juvenile hall, which resulted in a consent decree and a costly financial settlement. Thus, when departments fail to gauge public sentiment, the public may retaliate with litigation or public protest. As the public defensively reacts, departments should adapt and expand community outreach and strengthen relationships to combat the negative perceptions (Ohiagu, 2009).

If there is a disconnect between the civilian and the probation officer on issues as controversial as juvenile use of force, law enforcement agencies may need to consider educating the community and possibly seeking community involvement in the development of significant policies like use of force. Departments make policy decisions on a daily basis, and in a lawful and democratic society, departments are accountable to the citizens they serve and should attempt to understand what citizen perception is, especially about controversial policies such as the use of force. There are no research studies that have examined the public's perceptions of the reasonable use of force with juvenile offenders. Due to the lack of investigation on the use of force with juvenile offenders, probation departments are unable to incorporate the public's view into the internal policy and training of proper use of force.

Purpose of the Study

The purpose of this cross-sectional study was to explore similarities and differences in the perceptions of probation officers and laypersons of what is considered reasonable use of force on juvenile offenders. The study's primary purpose was to

determine whether a probation officer's training influences his or her perception of reasonable use of force (dependent variable) compared to civilians. The proposed study provided empirical data that could assist probation departments in their desire to facilitate the development of evidence-based policy and training and to improve the relationships within the community.

Dependent and Independent Variables

Training may impact a person's perception of a juvenile suspect's actions in a prescribed scenario as reasonable or not reasonable (dependent variable). In order to determine if training has any variance on a person's perception, the study utilized two populations one was trained probation officers and the other was citizens from the community.

The Juvenile Force Perception (JFP) survey is an online survey tool specifically created by this author for this study. The JFP is based on the Response to Resistance (RTR) survey that focuses on adults. The RTR has been completed by over 60,000 participants. The JFP gathers demographic data on civilians, collects the data from the scenario questions, and collects perspectives on reasonable use of force. Probation officers and civilians had a significant difference in their perception of what is a reasonable force option on a juvenile offender.

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Research Questions and Hypotheses

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This study examined civilian's perception of use of force and compared it to the probation officers in the provided scenarios. People develop perceptions through a plethora of influences, most of which they encounter through socialization. It is now clear

that an occupational socialization variable like training has any influence on the use of

force decisions being made by the civilians and the legally trained probation officers. To

test training, each participant answered five scenario questions by selecting if the force is

reasonable or not reasonable. There was a statistically significant difference, a *t*-test and a

chi-square test were completed.

Research Question 1 (RQ1). Do the probation officer and the civilian perceive the

reasonable use of force (dependent variable) differently?

$H_0 1$: Probation officers do not perceive the reasonable use of force significantly

differently than civilians.

$H_a 1$: Probation officers perceive the reasonable use of force significantly

differently than civilians.

Significance

Disparities exist between the perceptions of the public and law enforcement

officers regarding the use of force, as observed in the Occupy Movement in late 2011,

law enforcement officers were using legal force to respond to protestors; however,

protestors and the public were outraged with the type and amount of force used (Kelly,

2012). The difference in perceptions of what is a proper use of force between civilians

and officers becomes more prevalent and more controversial when it comes to using

force on juvenile offenders (Brown, Novak, & Frank, 2009).

Understanding how the public views use-of-force interactions between law

enforcement officers and a juvenile offender is crucial in improving the relationship

between probation officers and the community. An officer who uses force on a juvenile

might be completely within the legal framework of the law and department policy.

However, the public may perceive the officer in that situation as using excessive force.

This variance in perceptions can motivate lawsuits and protests, as seen in Ferguson,

Missouri (Basu, Yan, & Ford, 2014).

Without exploring and attempting to understand the public perception of the use

of force, probation departments will be hampered in their ability to use evidence-based

information to formulate training and policy about the use of force on juvenile offenders.

Probation departments are not proactive in their policy and training curriculum, and many

times both policy and training occurs after a critical incident. The proactive approach to

policy development could assist in the reduction of negative consequence incurred by

agencies (Ohiagu, 2009).

Nature of the Study

The data was collected by using a self-administered online survey called the JFP

survey. The study utilized a purposive homogeneous sampling method for the 465

eligible probation officers and a convenience sampling method for the 1.4 million

citizens for a total population of $n = 176$.

There was a population of 465 licensed probation officer participants, and with a

90% confidence level and 10% confidence interval, the ideal sample size is $n=80$.

Probation participants held a variety of positions throughout the department supervising

both juvenile and adult offenders; all officers were eligible to take the survey. All

probation officers receive a minimum of 8 hours of use of force training a year, and many

officers receive up to 40 hours of use of force training a year depending on their positions

within the department. This variance of training allows for a broad range of response of probation officers. Officers assigned to the juvenile institution and field services are placed in daily use of force situations, whereas officers assigned to court divisions or administration are less likely to encounter a use of force situation. The SCPD allowed officers to participate in the study while on shift (Appendix A).

A convenience sample was drawn from social media databases like Nextdoor, LinkedIn, and Facebook, for the civilian population. The population of Sacramento County is approximately 1.4 million citizens, and with a 90% confidence level and 10% confidence interval, the ideal sample size of citizens is $n= 96$. There were no restrictions on participation; however, the recruitment of participants focused mainly on people in Sacramento County. I used the Rancho Cordova Nextdoor Community websites to recruit participants. The wording for the posting is in Appendix M.

Theoretical Framework

Public opinion is an important aspect in Americas democratic society (Ohiagu, 2009). Democracy is the aggregate of public attitudes or beliefs about government or politics (Bianco & Canon, 2013). Public opinion is what shapes public policy and dictates laws. An example of public opinion shaping laws is the public policy agenda regarding licensed police officers wearing body cameras; the public has expressed concerns over police use of force, and in response, agencies have started to implement body worn cameras.

The question remains, however, about how a person develops his or her opinion. Socialization is the process by which a person develops knowledge that which correlates

to their development of social skills (Berger and Luckman, 1966). Socialization theory traditionally has focused on adolescence; however, there is a movement to expand socialization to include multiple stages of a person's life (Woodford, 2002). Socialization may occur in two forms: primary socialization (childhood to high school years) and secondary socialization (post high school development). The theoretical emphasis of this study revolves around the secondary socialization theory and occupational socialization that occurs in the secondary socialization stage.

Socialization theory may explain the differences between citizens and probation officers. Both citizens and probation officers may have very similar primary socialization exposure in their upbringing. However, the experiences a person encounters in secondary socialization, and more importantly the training that occurs in occupational socialization, explain why probation officers answer a question one way while civilians answer it another. Occupational socialization is the premise that people who enter an organization are changed after they are trained and work within the profession in ways that are consistent with the organization's culture and norms (Neal & Brodsky, 2014). It is important that law enforcement agencies understand the influences their organization culture and norms may have on their officers, as the culture may shape their perceptions and decisions.

Theoretical Framework Assumptions

This study is grounded on the socialization theory. Each society is faced with the requirement and responsibility of developing and shaping its youth as well as developing behavior which can be relied upon so that group norms can be developed. As a person

grows from childhood through adolescence and into adulthood they encounter different stages and types of socialization based on the decisions and experiences they encounter as they age. The primary socialization stage is the childhood to adolescence through teenage years of development, while the secondary socialization stage is typically post high school through adulthood (Woodford, 2002). Secondary socialization assumes a person is making decisions and encountering experiences with individuals that are shaping their perceptions, opinions, interactions, and relationships within society, which may influence their perception of the reasonable use of force.

In this study, I did not research any specific experience or decision that may have influenced the participants' lives and thus influenced their determination of reasonable force. I focused on the issue of training which is influenced and controlled by the occupational socialization premise.

Definition of Key Terms

Excessive force: Defined under California Penal Code section 149 as: Every public officer who, under color of authority, without lawful necessity, assaults or beats any person, is punishable by a fine not exceeding ten thousand dollars ($10,000), or by imprisonment in a county jail not exceeding one year, or pursuant to subdivision (h) of Section 1170, or by both that fine and imprisonment (http://www.leginfo.ca.gov, penal code 149).

Force continuum: The force continuum (Appendix B) – meaning the range of force options available to the law enforcement actor – relative to the current study is officer presence, verbal directives, openhanded control holds, intermediate force options

including chemical agent, impact weapons, TASER and finally, deadly force (National Institute of Justice, 2012).

Juvenile offender: For this study, a juvenile offender is a person under age 18 who has committed a crime, alleged to have committed a crime, and upon whom a law enforcement officer is lawfully allowed to utilize force if needed. For this study, the juvenile offender is not currently incarcerated.

Media: For the purpose of this study, media will include Internet-based information such as Internet-based news, YouTube, Facebook, Twitter, and traditional media including newspapers, magazines, television, and radio.

Occupational socialization: is the premise that people who enter an organization are changed after they are trained and work within the profession in ways that are consistent with the organization's culture and norms (Neal & Brodsky, 2014).

Reasonable force: Reasonable force is what other officers given a like amount of experience and training would do given the same circumstances (Graham v. Connor, 1989).

Socialization Theory: The theory of socialization is premised on an individual's exposure and the processes they undergo as they are introduced and live in a society (Clausen, 1968).

Use of force: The amount of effort required by law enforcement to compel compliance by an unwilling subject. Use of force options range from verbal intervention to deadly force, depending on the department's force continuum (National Institution of Justice, 2012).

Summary

One of the most pressing issues facing California probation departments is the use of force by officers on juvenile offenders (Chief Probation Officers of California, 2014). There are numerous civil rights groups that watch and monitor the treatment of juvenile offenders to ensure that they are being treated fairly and humanely (Prison Law Office, 2017). Moreover, this issue is attributed to the insufficient academic and occupational data and research on probation. There is a plethora of the investigation about traditional law enforcement such as police, sheriff, and corrections. Unlike other areas of law enforcement, there has been no research about probation officers and use of force. There are multiple probation related studies; however, they solely focus on probationer supervision and success of probation related treatment programs. In California, probation is equivalent to any other traditional law enforcement department, and probation faces the same trials and tribulations as traditional law enforcement departments especially when it comes to using force and interactions with the public.

Given the officers exposure to occupational socialization and the training they receive, there may be a disconnection between the public's perception of reasonable force on juveniles and probation officers' perceptions of reasonable force against juveniles. This study explores differences between civilians' and probation officers' understanding of the reasonable use of force situations on juvenile offenders. Chapter 2 will review the relevant literature, most of which will focus on traditional law enforcement, perception studies, the law, juvenile mindsets, and socialization theory. Chapter 3 explains the methodology that is used to gather and interpret the data. Finally, Chapter 4 reports those

data analyses, and Chapter 5 interprets the results and make suggestions for future

research.

Chapter 2: Literature Review

Chapter Organization

There are three primary aspects to this study, the citizen, the officer, and the development of individual experiences and perceptions. About citizens, the study includes the topics of socialization theory, public perceptions, development of perceptions and opinions, critical issues, and citizen participation in public policy. The officer aspect of the study includes the topics of law governing the use of force, Graham v. Connor, reasonable force studies, juvenile cognition, and critical issues. The underlying theme of the literature review is that there are multiple experiences and interactions through which people develop through different stages of their lives, and these experiences, interactions, and relationships are what shape a person's socialization to society.

Introduction

Previous researchers have studied the use of force by law enforcement officers (Riksheim & Chermak, 1993). Most of these studies were focused on police, sheriff, and corrections officers (Alpert & McDonald, 2001; Alpert & Smith, 1999; Paoline & Terrill, 2007; Smith, 2008; Terrill, Leinfeld, & Kwak, 2008; Wolf, Mesloh, Henych, & Thompson, 2009). There is a lack of research regarding the use of force and juvenile offenders; the complete use of force literature is about adult interactions.

There are numerous studies relative to the use of force studies between adult offenders and law enforcement officers. There is no legal difference between a juvenile and an adult in regard to the use of force or an officer's ability to use force. There are no

studies regarding research law enforcement officers' use of force decisions when they are confronted with a juvenile versus an adult. This study researches law enforcement officers' use of force on juveniles. To bridge the gap in the literature, there is a need to use data from many of the adult studies; however, this data only allowed for a baseline of use of force decision making by law enforcement officers. The literature review demonstrates there are no legal or ethical requirements for officers to change their use of force decision making based solely on the age of the person.

There is a lack of research on the use of force against juveniles; there is also no information about the use of force decisions by probation officers on either adults or juveniles. Graham v. Connor, (1989) defines a reasonableness standard which does not include differentiating between an adult or juvenile. Officers are trained to respond to a suspect's actions regardless of the suspect's age. In fact, it is dangerous for officers if they change the way they would handle use of force situations based solely on age. Even though law enforcement officers are trained, and the law does not distinguish based on age.

There is a plethora of research on probation officers; however, extant research is limited to topics like the treatment programs, the relationship between probation supervision and the offender, and the effectiveness of rehabilitation. These probation studies have limited correlation to this study and will not be discussed. Because probation officers are a true hybrid of law enforcement and social services, there are studies that focus on the traditional law enforcement aspect of the job along with the social services aspect looking at the psychology of a juvenile. Probation officers are involved all facets

of the criminal justice system. Probation officers arrest offenders, liaison with the court

system, operate detention facilities, and conduct rehabilitation.

Because this study heavily relied on understanding the reasonable use of force and

people's perceptions of law enforcement and use of force against juveniles, my literature

review includes all law enforcement officers. Discussed in this literature review are the

following: the theory behind both officer and citizen use of force perceptions, juvenile

neurological development, the current case law, current use of force studies, reasonable-

force studies, and law enforcement perception studies.

Search Strategy

The literature review included mostly online resources and some traditional

resources. The electronic resources consisted of peer-reviewed articles obtained from

ProQuest Criminal Justice, SocINDEX with full text, Academic Search Complete, and

other resources through the Walden Library. The primary key terms searched uin the

datebases were: *law enforcement, police, sheriff, probation, corrections*, *socialization*

theory, organizational theory, and *secondary socialization.* Secondary search terms

included: *reasonable force, excessive force, use of force, public perceptions, juvenile*

halls, juvenile use of force, legal socialization and *symbolic interaction.* In addition to the

database search outlined above, there was a need to use a few key probation and use-of-

force oriented websites. There was also a need to use the California Penal Code and

Google Scholar to assist with the detailed literature review.

Socialization Theory

The goal for this study was to understand if probation officers view use of force differently than the citizen. There are inherent differences between the probation officers and citizens; however, this study was interested in the officers training aspect as to why probation officers and civilians see force differently. The officers training is developed in the secondary socilization stage and relative to this study and focused on the occupational socilization factors that officers undergo.

Berger and Luckman (1966) provided a very simplistic description of socialization which is the means of developing common knowledge or common sense. The theory of socialization is based on an individual's exposure and the processes the individual undergoes as he or she is introduced to and lives in a society (Clausen, 1968). Socialization theory has focused on adolescence and naive individuals who are in the process of learning skills, behaviors, values, and motivations needed to function in society (Grusec, 2014). There are multiple definitions of socialization as it is a comprehensive theoretical foundation. However, this study will prescribe to the three stages of socialization.

Woodford (2002) highlighted that there are three main ways socialization occurs during a person's life. The three forms are primary socialization, secondary socialization, and ascriptive recruitment. Although all three forms of socialization contribute to an individual's sense of identity, not all forms are equally influential. The theoretical discussion will revolve around the three ways of developing socialization along with an introduction to legal socialization and occupational socialization theory.

Primary Socialization

Cooley (1998) indicated that primary socialization is focused on the early childhood years and adolescence when relevant stakeholders like friends, family members, and school teachers can connect with a person on an emotional level. Berger and Luckman (1966, pp. 121-122) reported: "The child takes on the significant others' roles and attitudes, that is, internalizes them and makes them his own." As they are growing and developing, most individuals have little influence on the stakeholders in their lives. The parents, for the most part, are in control of who the influential stakeholders are to their children. For this reason, the individual child has minimal control over his or her primary socialization. Primary socialization plays a vital role in the development and formation of the accepted social norms and the belief systems of the individual. This study does not attempt to account for the numerous factors that could influences an individual's primary socialization.

Secondary Socialization

Following the primary socialization stage, secondary socialization typically occurs as a result of career, education, and lifestyle choices (Wallace & Wolf, 1999). Wallace and Wolf (1999) further highlighted that secondary socialization is strongly influenced when a person chooses to enter the workforce or to enroll in higher education. Giddens, Duneier, and Applebaum (2003) argued that the media and peer culture surrounding middle and high school students could also be an early form of secondary socialization. However, most social scientists have argued that secondary socialization occurs when children exit the home, develop new friends, and start to discover their role

in social situations. Giddens, Duneier, and Applebaum (2003) may be correct in their argument that primary and secondary socialization may have some overlap in the highly peer-pressured environment and social media blitz that occurs during most youths' high school experiences.

Most research indicates that primary and secondary socializations vary regarding to content, context, and response (Mortimer & Simmons, 1978; Wallace & Wolf, 1999). In primary socialization, the person exposed to socialization is considered to be a learner within the context of the family, school, and peer groups. During the primary socialization, relationships are typically stronger and more emotionally charged. An example is a love a child has for his or her parent. As a probation officer, I have had to remove probationers from their parents because the family relationship was not healthy for the juvenile, but regardless of what was best for the juvenile, he or she would always run from the group home to get back to the parents. The bond at the primary socialization level is powerful.

In secondary socialization, the relationship may be diminished or less emotionally influential (Wallace & Wolf, 1999). As a probation officer, I have had an adult probationer who was in an unhealthy relationship, was moved, and then was able to disengage from the unhealthy relationship successfully. Finally, the primary socialization of children and adolescents may be more impressionable than even an adult's secondary socialization, as adults are typically self-initiated and voluntary; adults can leave or terminate a process at any time, unlike a child or an adolescent. Adults have the ability to expose themselves to a new and changing social environment, and in secondary

socialization, individuals typically start to separate themselves from friends and acquaintances who do not have the same general belief system (Wallace & Wolf, 1999).

Cox (1997) reported that during secondary socialization, the processes already learned in the primary phase continue and expand while new knowledge, skills, and influences by others are added in secondary socialization. For example, during childhood the parents may be Republicans and instill those values and philosophies in a child, but in college, new experiences and information may change a person to have the values and philosophy of a Democrat.

A natural progression into secondary socialization is the decision to enroll in college. While attending college, students form new social groups, grow intellectually, and become more independent. Woodford (1996) reported that in some cases attending college creates a shift in world-view and sense of identity. However, Roberts (1991) stated that many undergraduates adhere to the deep-rooted beliefs of their youth and resist change. The decision to pursue education or career after high school is a key decision point in secondary socialization theory as it shapes the individual's future perspectives (Woodford, 1996). Furthermore, there are numerous law enforcement studies that correlate an individual's socioeconomic status and level of education to his or her perceptions and beliefs in law enforcement (Correia, Reisig, & Lovrich, 1996; Gamson & McEvoy, 1970; Murphy & Worrall, 1999; Peak& Glensor, 1992; Percy, 1986; Weitzer & Tuch, 1999).

Secondary socialization is the underlying theory of this study. Everyone goes through a personal version of primary socialization, mostly controlled by their guardians.

Post high school, the individual starts the secondary socialization stage, where he or she decides to either enter the workplace or enroll in college. Based on that decision and countless future decisions and interactions, the individual's overall socialization will be determined. The secondary socialization stage is when a citizen can make any decision he or she wants and is free to have new experiences. In the case of a person seeking a law enforcement position, he or she is required to pass a stringent background process that may disqualify a person if he or she has used drugs, been in multiple physical altercations, committed a felony, or had any other socially unacceptable experience (Sacramento County Proabtion, 2015).

When an individual has made the conscious decision to become a law enforcement professional they must make clear decisions in their secondary socialization path in order to pass the stringent backgrounds. Probation officers must have a clean background with no drugs or crimes, and they typically have additional education requirements, including a certain number of units or a bachelor's degree (Sacramento County Probation, 2015). The decisions a person makes in the secondary socialization stage will determine whether or not the person is eligible to become a probation officer.

Legal Socialization as an Aspect of Secondary Socialization

Under secondary socialization, multiple theories could explain why a probation officer and a citizen see things differently. Legal and occupational socialization support how secondary socialization can affect the decisions made by probation officers and civilians. Legal socialization is the process through which individuals acquire attitudes and beliefs about the law, judicial authorities, and legal institutions (Piquero et al., 2005,

p. 267). The development of attitude and beliefs occurs through both personal and vicarious interactions with legal authorities such as law enforcement, attorneys, and courts (Tyler, 1990). Exposure to the legal system can happen at the primary socialization stage if the child decides to break the law, for example, or more typically if the child's exposure to the legal system is outside of his or her control. Examples of this might be if the parents are arrested or if there is a child part of a neglect or abuse case.

More often, the exposure of legal socialization occurs at the secondary socialization stage. Secondary socialization is the stage where an individual has more control over his or her decisions and influences (Wallace & Wolf, 1999). An important aspect to legal socialization is the interaction between the legal authority and the individual. This interaction will affect how the person perceives the legal system as a whole. Numerous law enforcement studies indicate that the way the legal system treats a person has a lasting impression on his or her like or dislike for the system and its caretakers (Smith et al., 1991; Tyler, 1990; Tyler, 1997; Tyler, 2003; Worrall, 1999).

One of the most important factors that influence a person's belief in the legal system is based on fair and equitable treatment (Agnew, 1992, 1994; Sherman, 1993). Tyler (1990) indicated that fair treatment strengthens ties and attachments to laws and social norms and also increases group membership with like-minded people. Although this proposed study is not measuring perceptions of treatment by the legal system, legal socialization must be acknowledged as a process that occurs in the secondary socialization stage. A probation officer may have a different viewpoint than a citizen because his or her exposure to the legal system can be dramatically different.

Occupational Socialization as an Aspect of Secondary Socialization

The second theory that can shed light on why probation officers' and citizens' opinions may vary is the exposure in the secondary socialization stage relative to their occupation. Occupational socialization is a transformative process employees go through in a profession (Neal & Brodsky, 2014). Relative to this study, Neal and Brodsky (2014) best described occupational socialization as the process people undergo and change as they are trained and perform daily duties in a profession in ways that are consistent with others in the profession. Occupational socialization has been defined similarly by different authors. Moore (1970) defined occupational socialization as a process where an individual obtains the skills and knowledge needed to understand the cultural norms. Cohen (1981) defined it as a process where cultural norms are incorporated into a person's self. Burgaz, Kocak, & Buyukgoze (2013) defined occupational socialization by adaptation by the persona and over time the adaptation becomes permanent. Harichandan & Pandya (2012) defined occupational socialization as the process by which the individual learns the roles and responsibilities with their respective duties. Individuals develop their occupational socialization skills through training, an informal network of work norms, and peer-group and relationships (Hassel, 2006).

The law enforcement culture is an interesting phenomenon. Law enforcement administrations and the law dictate the parameters by which officers are allowed to operate. However, law enforcement subculture teaches officers how hard to work, what kinds of relationship to have with other officers and the citizens which they serve, and how they should feel about the legal system including administrators, judges, and the law

(Hassel, 2006). Occupational socialization also works to stimulate change in the individual as he or she participates in the work of the organization (Frese, 1982). It is further argued that participation in a profession will shape an individual's cognition, emotions, and values to be consistence with the work he or she performs (Frese, 1982).

Sacramento County probation officers are required to have a bachelor's degree. Applicants are then required to pass a written test, a physical agility test, a medical exam, and a physiological evaluation. Once they have completed all exams, they must pass a thorough background investigation which is designed to scrutinize many of the choices the applicant has made in the secondary socialization stage of his or her life. Finally, once the applicant has completed all the entrance requirements, he or she is then required to undergo two separate academies totaling three months of training. Officers are then required to complete a minimum of 40 hours per year of in-service training which focuses on multiple aspects of the occupation from legal updates to use of force training.

As demonstrated in the initial hiring phase through the continual education phase, there is a culture that is unique to probation officers and law enforcement officers; there are training and occupational exposures that most civilians never encounter. For instance a probation officer can supervise an adult probationer for up to five years and a juvenile probation up to the age of 25. Being involved in someone's life for that long creates experiences, perceptions, and opinions of the individual that only select careers can demonstrate. Thus, probation officers' occupational socialization will be different from that of most other non-law enforcement occupations. Probation officers must place their lives in the hands of their partners; they must make life or death decisions in a matter of

seconds. Probation officers work in an environment where either they or their probationer encounter an atmosphere of hostility, violence, and emotional trauma.

Ascriptive Recruitment

Ascriptive Recruitment is the third stage of socialization and is the process of beliefs and knowledge being accessible to a person based on age, gender, culture, socioeconomic status, and other factors (Duster, 1997). These ascribed factors have the potential to influence a person's ability to be recruited into a specific social organization. Ascriptive recruitment is of particular importance when discussing undergraduate education, as some of Duster's (1997) factors can influence the determination of who has access to higher education. Certain ascriptive factors such as class origin, ethnicity, and gender can dramatically influence not only access to education but also to the socialization of students during their undergraduate years (Duster, 1997).

Ascriptive recruitment in socialization is a major factor when discussing law enforcement personnel as not all citizens have the opportunity to become law enforcement officers. Law enforcement has rigorous entrance requirements including a physical exam which has a tendency to disqualify many applicants because they do not have the physical ability to drag a 165-pound dummy, to scale a six-foot wall, or to complete an obstacle course. Law enforcement then has the psychological exam and a medical exam which are evaluating a person's physical and mental health. Finally, an applicant must be able to pass a stringent background check. The United States Bureau of Labor Statistics reported that only about 12.6 percent of police officers in 2012 were

women. Given the environmental, physical, and emotional demands of law enforcement, it remains a male-dominated occupation (Christie, 1996).

In regard to probation officers, most California probation departments require probation officers to have a bachelor's degree or at least additional college units (Chief Probation Officer of California, 2014). Probation departments typically have a higher education standard than that of the traditional law enforcement agencies. The Sacramento County Probation Department has over 54 percent of its workforce as women (SCPA, 2015), and in general probation departments tend to have higher female employment rates than other law enforcement agencies (CPOC, 2014). The increase in female officers could be attributed to the type of work, college graduation rates, or other aspects of a person's socialization experiences that lead them to probation.

Given the three forms of socialization theory, there are some commonality points in secondary and ascriptive socialization stages that many probation officers encounter. In the primary socialization stage is where each individual will have very specific and varing childhood experiences. Most applicants for law enforcement will not be penalized for their primary socialization experiences, as most people have little control over those experiences. However, many of the secondary socialization experiences will be used to determine an applicant's eligibility. Anyone who wants to have a career in law enforcement must make some critical decisions early in life which will affect his or her ability to be a law enforcement officer. Most careers do not have the same stringent guidelines and rigid socialization decision points as law enforcement. Even though a person may have a very similar socialization experience, the occupational and legal

socialization will always create a separation between the probation officer and the civilian.

Influence of Socialization

As an individual goes through the primary and secondary socialization stages, interactions and experiences shape his or her overall socialization to society. Socialization describes how an individual's conception of self emerges from social interaction and, in turn, influences the behavior and opinions of said individual. However, typically socialization assumes that the persons involved have a common method of communication whether it is face-to-face interaction or that of social media. Both the perspectives of the civilian and the probation officer start from the person's upbringing, education, social interaction with others, and interaction with law enforcement officers. An individual's previous interaction with law enforcement may be derived from media, friends, family, and real encounters with law enforcement. Socialization is developed the same for all persons through the primary and secondary stages. However, it is the individual who will determine the meaning of the experiences.

Probation officers and civilians each have individual opinions and interactions about the use of force. These perceptions are influenced by the social exposure of the individual. For example, a probation officer has specialized training, knowledge, and experiences that shape their understanding and belief in the use of force, whereas a citizen may derive his or her opinion from friends, family, the media, and personal experience.

Given the difference in the ways in which individuals develop socialization, each may view a specific scenario dramatically differently based on his or her set of beliefs and experiences. For example, when looking at a use of force situation, even though the situation is the same for all viewers, how each viewer observes and processes the information is different based on their prior experiences or interactions within society. If a person has a positive interaction, then he or she is more likely to view the situation positively in the future. If a person has a negative interaction, then he or she is more likely to have a negative perception of the issue (Aksan, Kısac, Aydın, & Demirbuken, 2009).

The influence of modern sources of media and their various uses have a dramatic influence on how socialization occurs in the secondary socialization stage (Arnett, 1995). Many people have smartphones with 24-hour access to social media, such as YouTube, FaceBook, Twitter, and live news feeds, and this has a profound influence on their understanding of key issues (Kaplan & Haenlein, 2010). Social media is efficient and fast in spreading information, whether fact, rumor, or an unverified incident (Kaplan & Haenlein, 2010). Both reliable and unreliable information affects the public's understanding of various situations. Even though an individual may experience the same situation, each will contextualize the information based on their prior social experiences.

Controversial Use of Force Example

The controversial use of force events are important factors in socialization theory. In the primary socialization stage, the parents and other stakeholders are the biggest influence on a child. The opinion that they have about a controversial use of force event

will be the nature of primary socialization on the youth and shapes that youth's opinion about law enforcement. The beliefs and values instilled during childhood continue until decision points in the secondary socialization stage create new experiences to change one's opinion.

The presentation of controversial interactions between civilians and law enforcement on the 24-hour news cycle can affect public opinion and can shape a person's socialization decisions. The study highlights three significant incidents that elicit strong public reaction and outcry about the controversial use of force situations. All three incidents lead to civil riots in the community; the three incidents are the Rodney King riots of 1991, the BART shooting of Oscar Grant 2009, and the Ferguson, Missouri, riots of 2014. In the Rodney King incident, a citizen-produced video was released to the media almost immediately. In the other two incidents, the footage was streamed live, uploaded to the Internet, and blogged about in real time.

The 1991 Rodney King situation in Los Angeles, California, resulted in multiple days of riots in the community. The riots were in response to white police officers using excessive force on an African-American individual named Rodney King. Officers kept striking King multiple times; it was believed by officers that King was under the influence of narcotics which limited his ability to feel pain (The New York Times, 1992). The exoneration of the white officers created a spark to the turmoil being felt in the community about the outcry over the perceived excessive use of force by LAPD officers. One area that has not been deeply researched was the influence of media on the Rodney

King riots. The use of force on Rodney King was one of the first times in modern media that the abuse of a suspect was seen in the average citizen's front room.

The accidental shooting of Oscar Grant by BART Police Officer Johannes Mehserle on January 1, 2009, is the incident that leads to the movie "Fruitvale Station." Oscar Grant was on the Bay Area Rapid Transit train returning from a New Year's Eve event in San Francisco. BART officers responded to a call of a fight on the train. Upon responding, the officers noticed several loud and unruly persons on the train. While attempting to investigate the situation, Officer Mehserle sought to handcuff Oscar Grant; given the dynamic conditions of the encounter, Officer Mehserle mistaken his firearm for his Taser, and shot and killed Oscar Grant. The use of social media made the video go viral while showing only half of the story of the overall situation. The community of Oakland, California, was also upset about the treatment of its citizens, and they rioted.

In the third situation, on August 9, 2014, Officer Darren Wilson attempted to communicate with suspect Michael Brown who was walking down the middle of the street. The results of the contact have been in dispute, but the evidence shows that Michael Brown attacked Officer Wilson who shot and killed Michael Brown. The video, physical evidence, and eyewitness testimony created turmoil. Following this event, there was turmoil and the accumulation of community tension about the use of force by an officer in the community. The result of the shooting and eventually the grand jury's decision not to indict Officer Wilson sparked multiple days of riots. These riots were a demonstration of the public's opinion about the stressed relationship between the law enforcement agencies and the community.

One of the biggest issues in Ferguson was a disconnect between the community and the law enforcement agencies. This disconnect is rooted in the community's cultural beliefs. Those beliefs are used to socialize the youth in the community, who later in their secondary socialization stage are either receiving reinforcement about those primary socialization beliefs or are encountering new experiences needed to amend the primary socialization.

Use of Force Research

Use of force in law enforcement is the same regardless of actual job title. Law enforcement use of force is judged on facts and circumstances regardless of whether the person is a probation officer, police officer, sheriff deputy, or correctional officer. Any law enforcement officer must be able to justify their use of force based on the suspect's actions.

An encounter between a resistive citizen and law enforcement could result in a force confrontation. Most encounters, however, do not involve the use of force. The Bureau of Justice Statistics reports that between 2001 and 2011 there were more than 43 million contacts between police and law enforcement and approximately one percent resulted in a use of force or threat of force situation (BJS, 2011). The statistics do not support heavy use of force interactions between the public and law enforcement. Use of force situations rise slightly in institutional settings because of the proximity of offender and officer, the lack of constitutional freedoms, the risk of assault, and the dynamics of a heavily controlled environment (Hemmens & Stohr, 2001; Jacobs, 1977; Lombardo, 1989; Marquart, 1986).

Very few research studies have addressed officers' use of force in corrections. Almost no studies have focused on the use of force in juvenile correctional settings. Some probation departments subscribe to the Performance Based Standards system (www.pbstandards.org, 2014). However, this information is from a national database and is limited to those probation departments that elect to participate in the database; moreover, much of the information on PbStandards.org is generalized for nationwide comparisons.

PbStandards.org gathers data on everything from institutional safety, use of force statistics, policy changes, and a multitude of other questions; however, much of the research is private and only accessible to departments that subscribe to the services (www.pbstandards.org, 2014). The prior research about correctional environments is mainly qualitative in nature, but the results still allow for generalization (Jacobs, 1977; Lombardo, 1989; Marquart, 1986). The limited quantitative research is primarily due to the lack of access to the populations and officers' reluctance to participate.

Research on the inappropriate use of force by correctional officers is limited and almost entirely anecdotal in nature (Marquart, 1986; Marquart & Roebuck, 1995; Miller, 1995). Many of the use of force researchers have collected data from observational studies, self-reported surveys, and police records. All of the data gathered allows police practitioners and scholars in the criminal justice field to gain a more qualified perspective surrounding the use of force issues. Despite what several mainstream media outlets have reported, previous researchers have demonstrated that beyond handcuffing, police rarely use physical force (Taylor, Alpert, Kubu, Woods, & Dunham, 2011; Terrill et al., 2008).

Rembert and Henderson (2014) examined excessive force lawsuits in correctional institutions and stated there are no scholarly analyses of correctional officers' use of force. However, they did report that several researchers (Hall, Ventura, Lee, & Lambert, 2003; Phillips, Hagan, & Rodriguez, 2006) have hypothesized why there was a lack of research on this topic. Some researchers hypothesized that it had been hard accessing data and that there is a lack of correctional facilities willing to expose their agency to possible discredit by highlighting cases of excessive force (Sever & Reisner, 2008). There is a belief that there is a lack of political and academic concern for excessive force in correctional settings, as is evidenced by few governmental (state or national) reports on the topic (Abramsky & Fellner, 2003).

Cascio and Valenzie (1977) explored the possible correlations between officers' education level and police experience with the use of force incidents. The researchers discovered college-educated officers and veteran officers tend to have fewer use of force occurrences. Paoline and Terrill (2007) and Terrill and Mastrofski (2002) found veteran officers used less verbal and physical force. Officers who possessed a 4-year degree used significantly lower levels of force in general. Previous researchers have not determined why college-educated and veteran officers tend to use force less frequently; thus, there is a need for additional research to address this topic. The SCPD requires all probation officers to have a bachelor's degree. If the research is correct, it would be interesting to see if probation officers who have a bachelor's degree see reasonable force differently. The research instrument allows this data to be collected. The research plan will only

utilize this date in a correlational matrix to determine what might contribute to the statistical significance of the research question.

Laws Governing Probation Officer Use of Force

California Penal Code 830.5 defines probation officers as peace officers whose authority extends to any place in the state while they are performing their duties. Statute entrusts sworn law enforcement officers in California with the authority to arrest and, if needed, to use force to make an arrest, as defined under California Penal Code section 835. Penal Code Section 835(a) allows officers to use force to make an arrest, overcome resistance, or prevent an escape.

Penal Code Section 835(a) affords law enforcement officers legal justification to use force. Once the officer has made the decision to use force, the force is analyzed under the Graham v. Connor 490 U.S. 386 (1989) objective reasonableness standard. The high court decided the Graham v. Connor case in 1989. Since this ruling, the case has been the law of the land in determining whether an officer's use of force was reasonable. The courts indicated that an officer must have a requirement to perform official duties. Then the following are addressed: the degree of intrusion of the force, the severity of the crime at issue, the type of resistance by the offender, and most importantly whether the officer's intentions, either good or malicious, does not impact the constitutionality of the force used. Only those facts known to the officer at the time of the incident can be used to judge the force used (Graham v. Connor, 490 U.S. 386, 1989).

When a probation department, district attorney, or any other judicial officer reviews a use of force situation, they should be examining it under the Graham v. Connor

objective reasonableness standard to determine if the force was excessive or unreasonable. An officer who uses excessive force can have legal repercussions and civil consequences and can be disciplined by his or her agency. Criminal excessive force is charged under California Penal Code 149, which outlines the penalty for excessive force and defines it as any public officer who, under color of authority, without lawful necessity, assaults or beats any person, is using excessive force and punishable by a fine or imprisonment.

Most excessive force complaints have a federal lawsuit filed in conjunction with the state allegations. When officers are charged under the federal law, they are charged under Title 42 of the United States Constitution Code Section 1983, which is the civil rights statute which protects citizens from the deprivation of constitutionally guaranteed civil rights (42 U.S.C. §1983). Title 42 U.S.C. is the Federal law that holds agencies and officers accountable for their actions relative to depriving someone of their civil rights.

When a law enforcement administrator reviews a use-of-force situation, the officer may have used reasonable force under the law; however, the officer may still have violated their departmental policy. For example, an officer decides to utilize an unapproved technique when physically restraining a juvenile while acting reasonably in the decision to use force, but the technique used was not trained; the department could discipline but not prosecute the officer. As a result, the officer would only have administrative, and not criminal, repercussions. Many times in today's society, the public does not always understand the law or even the administration process for holding officers accountable. In California, like many other states, officers have the Peace Officer

Bill of Rights, which protects officers and holds law enforcement agencies responsible

for the equitable treatment of the officers, especially during tumultuous public outcry and

volatility, as seen in Ferguson, Missouri, in 2014 and Oakland, California, in 2009.

Graham v. Connor Reasonableness

Studies on peace officer use of force typically will cite and formalize the

importance of reasonableness. Graham v. Connor (1989) defined reasonableness as a

central issue in physical force cases and examined the reasonableness of the officers'

actions in light of circumstances at the time of the incident. The court stated that all

claims that law enforcement officers have used excessive force -- deadly or not -- in the

course of an arrest, investigatory stop, or other "seizure" of a free citizen should be

analyzed under the Fourth Amendment and its "reasonableness" approach (Graham v.

Connor, 1989).

The reasonableness of a particular use of force must be judged from the

perspective of a reasonable officer on the scene rather than with the 20/20 vision of

hindsight. The evaluation of reasonableness must take into account that officers are often

forced to make split-second judgments in circumstances that are tense, uncertain, and

rapidly evolving about the amount of force that is necessary for a particular situation

(Graham v. Connor, 1989). The court, determining whether a particular application of

force was reasonable, requires a careful, case-specific review of the following Graham

Factors:

1. The severity of the crime in question.

2. The apparent threat posed by the suspect.

3.   Whether the suspect was trying to resist or flee.

4.   Whether the situation was judged from the perspective of a reasonable officer coping with a tense, quickly evolving situation.

In the Graham v. Connor decision, the United States Supreme Court also laid out something called Officer Subject Factors. These are factors officers must consider before determining the amount and level of force they will utilize (Graham v. Connor, 1989).

1.   Number of officers vs. suspects

2.   Prior contacts with law enforcement

3.   Special knowledge or skill

4.   Apparent age, size, and relative strength of the suspect

5.   Officer injury or exhaustion

6.   Mental illness or subject under the influence

7.   Environmental factors

8.   Proximity to potential weapons

To begin to appreciate the complexity of the situations which officers encounter where force might be necessary, one must conceptualize force not as a static concept, but rather as a continuum of responses ranging from verbal commands to deadly force. Extant research has failed to examine those factors that influence an officer's decision to use one type of force over another. While researchers have not looked at this, the U.S. Supreme Court has set some broad guidelines as outlined in the Graham and Officer Subject Factors above.

The reasonableness of a use of force decision is judged on the four Graham Factors and eight Officer Subject Factors all to equal the Totality of the Circumstance. The totality of the circumstances is the evaluation of the incident as a whole rather than in individual parts. One example is: Probation Officer Smith who is 6 feet tall and 200 pounds and his partner Officer Jones who is 5'4" tall and weighs 150 pounds are conducting a supervision check at the home of a juvenile probationer who is 6'3" tall, weighs 220 pounds and is a high school wrestler. Upon entering the home, they see the probationer who seems to be under the influence of a narcotic, and on the kitchen table is a white rocklike substance later identified to be methamphetamine. The officers ask the probationer to turn around and place his hands behind his back so that the officers can place him in handcuffs and proceed to search him. The probationer refuses. The officers request again for the probationer to comply with the lawful order, and again he verbally refuses and says, "Get out of my house, or I will throw you out." Officers are in full uniform and equipped with firearms, Taser, chemical agent, and baton and now must make a decision of what force option they are going to deploy to take the probationer into legal custody. The officers decided they have a good rapport with the probationer and attempt to utilize openhanded restraint tactics. Officer Smith grabs the probationer who immediately pulls away from Smith and starts to wrestle Smith to the ground. Officer Jones grabs his baton and starts to strike the probationer which is ineffective. The probationer is now starting to go after Officers Smith's head region. Officer Jones draws and deploys his Taser and the probe misses. At this time the probationer is grabbing Smith around the neck and choking him. Officer Jones grabs his firearm and contact

shoots the probationer. Once shot, the probationer releases his hold of Smith. Officer Jones calls for medical, and Smith starts first aid. Is the force used in this scenario reasonable? To evaluate the above scenario under the totality of the circumstances is noted below.

Graham Factors

1. The severity of crime at issue (possession of illegal substance, violation of probation, and assault on a peace officer)

2. The apparent threat posed by the suspect (Probationer was attempting to choke Smith.)

3. Whether the suspect was trying to resist or flee (Probationer refused to abide by the verbal commands of the officer, and when officer attempted to place him in custody, the active resistance and fight began.)

4. Whether the situation was judged from the perspective of a reasonable officer coping with a tense, quickly evolving situation (Would another officer in this same situation do something similar? This one is where other officers might use Taser to start but would have still arrested the probationer.)

Officer Subject Factors

1. Number of officers vs. suspects (two officers 6' 200 pounds and 5'4 150 pounds versus 6'3 220 lbs)

2. Prior contacts with law enforcement (Subject is on probation.)

3. Special knowledge or skill (Subject is a good size high school wrestler.)

4.   Apparent age, size, relative strength of the suspect (Even though the probationer is a juvenile, the size of the probationer is 6'3" 220 pounds; and the fact he is in high school sports and works out on a regular basis as a wrestler, puts him in better shape than the two officers.)

5.   Officer injury or exhaustion (Officer Smith was being choked.)

6.   Mental illness or subject under the influence (Probationer was on methamphetamines.)

7.   Environmental factors (in probationer's house limited ability to deploy intermediate force options like chemical agent or baton)

8.   Proximity to potential weapons (Probationer himself is a weapon at this point when he is choking the officer.)

Under the Totality of the Circumstance, one might argue this was an entirely reasonable use of force. The officers were in the home legally performing their duties. The probationer was actively resisting, started to attack the officer, and in fact attempted to kill the officer. The officers attempt to start at a minimal level of use of force with hands-on tactics, but given the probationer's actions, the officers ended with the most severe amount of force, deadly force. This entire force encounter possibly lasted sixty to ninety seconds. Even though the probationer is a juvenile, the courts would determine his age to be irrelevant because his size alone negates his juvenile status.

Use of force is a discretional decision an officer makes at the scene in response to a rapidly developing situation rather than a retrospective decision of an impartial observer. The Supreme Court stated that:

As in other Fourth Amendment contexts, however, the "reasonableness" inquiry in an excessive force case is an objective one: The question is whether the officer's actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent and motivation. (Graham v. Connor, 1989, page 1)

If force is applied in a good faith effort to maintain and restore order, and not implemented either maliciously or sadistically, then no criminal or civil liability is implied or could exist. Graham v. Connor (1989) established a legal standard dictating that police use of force at any level can be justified so long as the officer is acting as other reasonable officers would under the same circumstances. There have been researchers noted throughout this study who have been useful in defining the situations where the use of force is needed in law enforcement work; however, no researcher to date has set out to establish a professional standard where the use of force is both justified and accepted.

Other Research Instruments Measuring Reasonable Force

There is only one survey instrument that is used to measure the reasonable use of force that is widely used and accessible, and that is the RTR. The RTR survey was developed after Sam Faulkner, founder and chief executive officer of Response to Resistance. Faulkner discovered a gap in what is considered reasonable force while he was conducting training and expert testimony. Faulkner developed the RTR survey, designed to measure an officer's response to a suspect who is resisting the officer's directives (Response to Resistance, 2014). Over 60,000 participants, consisting of both

law enforcement officers and citizens, have taken the RTR survey. The RTR is an online survey that can be taken by anyone with Internet connection. The survey has a section for citizen and law enforcement; all used to measure reasonableness. The survey has not been used for a strictly academic study but has been used by many police, sheriff's and corrections departments to identify possible policy and training concerns and has proven validity (Faulkner, 1991). It should be noted that the International Law Enforcement Trainers Association has fully endorsed and has had instructors use the results of this survey in arbitrations as well as state and federal court cases (ILEETA, 2015).

There are no studies on the reasonable use of force by probation officers and very few on other law enforcement officer's use of force, and none of those have used a survey instrument to examine officers' decision-making processes in use-of-force incidents. Given that RTR is a specialized survey instrument, Faulkner (2014) modified the RTR to address changes in law enforcement technology. An argument that can be made against the RTR survey is that the survey instrument is always open and there is nothing to prevent a person from taking the survey more than once. The International Law Enforcement Educator and Trainers Association has endorsed the survey (ILEETA, 2015), allowing trainers to use the RTR survey results on court testimony. The RTR has proven itself a reliable measurement tool for reasonable force.

This study's survey tool is based on the RTR survey. On January 26, 2015, Sam Faulkner signed an agreement (Appendix C) allowing me to utilize his survey as a baseline for the Juvenile Response to Resistance Survey which I created. RTR is developing a standard to determine what is reasonable in use of force situations. RTR has

a nine-part survey that gathers basic biographical information before guiding the participants through multiple situations where force decisions are determined. The participant answers "yes" or "no" regarding the reasonableness of a use of force scenario. When a participant selects "no," he or she is then prompted to select which of the use of force options they consider to be unreasonable. Law enforcement agencies in Ohio have used the RTR to help train and evaluate their officer's use of force decision making. The RTR is always open to the general public and other law enforcement personnel, as it is on an open source website.

Studies of Juvenile Cognition and Law Enforcement

Some might ask how a juvenile's cognition influences the decisions being made by law enforcement when they encounter a juvenile who presents a threat. Just because a person is a juvenile or has the cognition abilities of a young person does not mean they do not visually present a threat to the officer. Officers are trained to recognize a threat and react. Therefore, when attempting to understand the use of force on juvenile offenders, it is important to look at the ability for a juvenile to cognitively understand the possible consequences for failing to follow directives (Kambam & Thompson, 2009). It is also important to comprehend the threat a juvenile can be to an officer in a stressful situation; in fact, law enforcement receives briefings highlighting some of these warning signs which are discussed later in this subsection.

There are numerous studies about the neurological development of juveniles. Questions about a juvenile's development and capability of decision-making and moral reasoning is a frequent topic of discussion in juvenile justice settings (Kambam &

Thompson, 2009). An interesting aspect of juvenile neurology is the development of decision-making capacity. Stienberg (2008) conducted a lab study and found that as an individual transitioning from late childhood into middle adolescence, the person becomes more multidimensional and abstract in the ability to think, leading to a better understanding of hypothetical scenarios. In a study of nondelinquent adolescents, Furby and Beyth-Marom (1992) found that during early adolescence, logical reasoning skills, especially deductive reasoning, and efficiency of and capacity for information processing improve; these capacities roughly reach adult levels by age 14 or 15. Even though a juvenile can effectively process information by age 14 or 15, it does not necessarily mean that his or her brain is fully developed cognitively enough to make sound judgments.

Giedd et al. (1999) point out that based on modern brain imaging techniques, the brain's prefrontal cortex is still developing between the ages of 4 and 21. The person's brain does not fully complete development until the age of 25 (Giedd et al., 1999). The importance of the neural regulatory system is addressed in the work of Sapolsky (2004). This system lies in the prefrontal cortex, an area centrally important to the understanding and the development of decision-making, judgment, and impulse control, all of which influence a juvenile's culpability. The prefrontal cortex is particularly relevant to criminal responsibility. Sapolsky (2004) suggests that the prefrontal cortex is the closest thing a person possesses to a superego, and therefore its role in executive functioning may be relevant to the question of knowing versus controlling (i.e., cognition vs. judgment).

The juvenile justice system is distinctly separate from the adult criminal justice system. The juvenile system has greater informality and emphasizes rehabilitation over

punishment with the sole intent to determine what is in the best interest of the minor. However, over the last 30 years, both justice systems have been influenced by a tough-on-crime, retribution-oriented shift in public attitudes and social policy (Bradley et al., 2012).

The current issue facing the juvenile justice system is how to sentence those juveniles who commit serious and violent or capital crimes, such as murder, robbery, rape, arson, torture, carjacking, and mayhem. The lack of adolescent neurological development, especially in the areas of cognition and judgment, has led the criminal justice system to develop competency criteria for juveniles who commit these crimes. When a juvenile offender, typically over the age of 15, is determined to be competent, he or she will be prosecuted through the adult criminal justice system and face adult penalties for capital crimes. If the juvenile is found not to be competent, some jurisdictions may retain the minor in the juvenile justice system or cause him or her to be placed in the mental health system.

The issues of cognition and judgment have started to make their way into the decision-making processes of legislatures and courts. An example of this is in the Supreme Court case, Roper v. Simmons (2005), in which the court ruled that to impose capital punishment on individuals who commit crimes under the age of 18 is a violation of the 8th and 14th Amendments. Justice Kennedy, writing for the majority, opined that because adolescents are categorically less culpable than older defendants, the imposition of the death penalty was never warranted for crimes committed while under the age of 18.

Even though juveniles are chronologically young, their crimes are just as severe and violent as crimes committed by adults. When law enforcement officers respond to a call for a criminal act, officers have three primary concerns. First, what is the crime, followed by information about any weapons, and finally what is the threat to the community, victim, or officer (California Peace Officer Standards and Training, 2015). When officers enter a basic academy in California they are instructed in a process designed to improve their reaction time to a critical threat; this process is called the OODA Loop (Observe, Orient, Decide and Act; California Post, 2015). When officers arrive on the scene, they start the OODA Loop. Officers are constantly evaluating and responding to a suspect's action, regardless of the suspect's age. Juveniles are committing severe and violent crimes on a daily basis; officers are responding to these crimes and at times may be required to use force to effect the arrest of the juvenile. Law enforcement officers are constantly trained to evaluate a suspect's actions regardless of age (California Peace Officer Standards and Training, 2015).

The Center on Juvenile and Criminal Justice (CJCJ) conducted a study from 1999-2011 about law enforcement shootings (Males, 2014). The study examined the race and age of those individuals killed by law enforcement officers. The study indicated one-fourth of those killed by law enforcement were under 25 years old and that more than half are between the ages of 25 and 44. The study reported that teenagers comprise only seven percent of those killed in police shootings. One out of every four law enforcement shootings will involve a person under 25 (CJCJ, 2014). Due to the neurological development, juveniles may not fully understand the consequences of their actions.

Law enforcement officers are trained to respond to actions and not the age of the suspect. An example of this type of training is a case in Long Beach, California. On April 28, 2015, officers responded to a scene of a vacant house for suspected trespassing and vandalism. As officers responded, they observed a juvenile suspect inside the residence who turned, bent his knees and extended out his arm as if he had a loaded firearm. The officers responded to the threat and shot and killed the teen; later it was determined the juvenile did not have a firearm (Huffington Post, 2015). The scenario is one example of a situation that had life and death consequences, where the juvenile probably thought it would be fun to mess with the police.

In Los Angeles on February 12, 2015, a 15-year-old juvenile was shot by police while he was standing next to a friend who had a replica handgun (Appendix D). Officers were en route to another call when they passed an alley where they saw four young black males, one of whom was pointing a gun at another. Officers stopped and ordered the suspect to drop the weapon; he did not, so officers opened fire after the suspect started to turn toward them with the firearm (LA Times, 2015). Only after the incident did officers discover all four of the suspects were juveniles. There were no fatalities in this case; however, there have been many incidents over the last decade where juveniles have been injured or killed because they were holding a replica firearm when they encountered a law enforcement officer. The Force Science Institute (2015) has conducted numerous scientific studies focusing on an officer's ability to respond to a threat. These studies provide the scientific evidence in support of police training.

Another aspect of law enforcement unfamiliar to most civilians are the field briefings and intelligence bulletins that officers receive on a regular basis. The information from these briefings provides officers the opportunity to better protect themselves and the public they serve. Appendices E, F, and G are only a few samples of photographs and bulletins that I received as a field probation officer. Appendix E is a photo of a Super Soaker water gun that had been converted into an operational 12-gauge shotgun. Appendix F is a picture of a 22-caliber rifle, collected during a juvenile probation search, which had been painted with an orange tip and butt to simulate a toy gun. The sole purpose of changing the appearance of both the Super Soaker and the 22-caliber rifle is to delay an officer's response to a potentially deadly threat. Appendix G comes from an intelligence briefing that contained a picture of a replica Berretta 9mm BB gun. Police officers confiscated this BB gun after a 15-year old used it to shoot another juvenile in the face. These bulletins provided to officers assist in shaping their opinions and decisions on the use of force options when working in the community.

Very few examples of intelligence illuminate the officer's determination of what is considered reasonable use of force. Law enforcement officers are always receiving bulletins and briefings that may influence their decision-making process when confronted with a possible threat, real or perceived.

Citizen Participation in Public Policy

For centuries, the role of people in governance has been at the forefront of public policy debate (Lando, 1999; Langton, 1978; Midgley, Hall, Hardiman, & Narine, 1986; Skocpol & Fiorina, 1999). Only relatively recently in a democratic society has the goal of

civilized societies been to develop citizen participation in the public policy process

(Lando, 1999). There is a multitude of opinions about the merits of citizen participation;

some would argue that pluralism is the key to allowing citizens to participate in the rule

of government (Dahl, 1989; Lando, 1999). Whereas, the opposing arguments support that

pluralism limits government's ability to represent the community as a whole (Hudson,

2001; Lando, 1999). Even though, not all persons will agree about the role of citizens in

government; there is evidence that in today's democratic society the role of people and

citizen participation in public policy decisions is vital (Kweit & Kweit, 1981; Scarrow,

2001). Since the 1960s, a citizen's role and ability to influence and effect change in public

policy has dramatically increased. For example, today an average citizen can dramatically

influence public policy by running for public office or by using social media as a

platform. Given, the fact that citizens have social media access unlike any era in United

States history, they now have a greater ability to influence and shape people's opinions

and public policy (Ohiagu, 2009).

Numerous elements must take place for effective citizen participation in public

policy decisions. The literature highlighted some key elements for effective citizen

involvement which include a citizen's ability to actively and voluntarily participate.

There must be a democratic and fair process, and citizens must have the capacity to have

an impact on decisions being made by the organization (Langton, 1978; Midgley et al.,

1986). However, debate continues to exist over the pros and cons of why and how

citizens should participate in law enforcement policy decisions. A department must

determine the reason why it needs civic participation as well as what are the benefits or

drawbacks of said participation (Chrislip & Larson, 1994; DeSario & Langton, 1987; King & Stivers, 1998; Langton, 1978; Midgley et al., 1986). Before departments consider bringing citizen participation into the policy decision process, they need to understand the full breadth of what that may include.

Probation departments, unlike many police and sheriff agencies, have been able to avoid the pressure of creating citizen review boards or citizen oversight committees. Probation departments should take a proactive approach and include community positions before implementing controversial policy decisions. Probation departments are in the unique position to curry public favor by being proactive. However, before being proactive, probation departments need to be prepared to understand and solicit public opinion and should figure out why and how a person's opinion about law enforcement is developed or influenced. Once a probation department understands how a person develops his or her views, then they are better equipped to influence the opinions positively.

Critical Issues

Throughout the literature review, we have discussed officer use of force and the authority that allows officers to use said force. However, one of the principal issues facing law enforcement is the citizen's belief of excessive use of force. Lieutenant Colonel Dave Grossman (1996) outlined the theory that there are three types of people in the world: the sheep, the wolf, and the sheepdog. The wolves are the criminal element in society, and they prey on the sheep. The sheep are the common law-abiding citizens who go about their day and rarely think of the wolves. The sheepdogs are the law enforcement

officers whose primary duty is to protect the sheep from the wolves. Most of society does not understand the role of the sheepdogs, but an example of when the sheepdogs stop protecting the sheep can currently be seen in Chicago where police have lost the confidence and support of the citizens in the community which they serve (Police Accountability Task Force, 2016). In the Chicago report, they found distrust for law enforcement, and citizens believed officers were racist and used excessive force on citizens in the community. The report also found that the law enforcement officers in response to the citizen outrage started to reduce their proactive approach to policing. What this leads to is that the sheepdogs are no longer actively protecting the sheep, and thus the wolves start to prey. Grossman's theory has been proven true in Chicago as the murder rate is the highest in the nation for 2016 (Police Accountability Task Force, 2016).

Law enforcement officers are charged with enforcing the law and are authorized to utilize force when necessary to ensure compliance with the law (Coffey, 1990). However, a person can search YouTube and see hundreds or thousands of examples where the citizens feel officers are using excessive force. For example, in 2012 the NIJ reported there were over 12 million arrests in the United States and only 410 uses of deadly force which is equal to .00003 percent (NIJ, 2012). In an article by Hough (2017) he discusses that there are more than 320 million people in the U.S. and more than 60 million face-to-face contact situations with law enforcement officers each year with an estimated 880,000 uses of force. This leads to a 1.4 percent chance that contact with law

enforcement may lead to a force encounter. This force encounter can include the simple hand on the shoulder to shooting and killing a suspect.

However, the numerous media outlets along with social media give the perception that there is an overabundance of excessive force by law enforcement officers. There is an anti-law enforcement sentiment in society today, and regardless of the statistical evidence that proves otherwise, citizens perceive there is a problem with law enforcement officer use of force. This perception is a fact and must be understood and accounted for when we start to understand how individuals become socialized. Through the use of the JFP survey the study is intended to initiate the conversation about whether or not there is a difference between the perceptions of use of force for the civilian and the probation officer.

The Development of Public Perceptions

The history of policing in America is overflowing with conflict, confrontation, and revolution in the way the institution carries out its mandate. Today, policing is once again facing its share of conflict and turmoil, which will cause police agencies to undertake new policy transformations (Kappeler, 2013). In today's political climate, protests against law enforcement actions seem to be more common, thus forcing departments to reevaluate the directions given to officers in regard to their interaction with the public.

Law enforcement agencies continue to evaluate and analyze procedures to increase department professionalism. The 1940s through the 1960s saw a dramatic change in civil rights and political agendas; this is a unique time in United States history,

the tensions between the public and law enforcement were extremely high. The high tensions were regarding the citizens who continued to challenge issues related to civil rights such as employment, housing, political representation, and other social concerns. The treatment of black citizens and minorities by law enforcement officers varied dramatically based on jurisdiction and department. However, the majority of interactions between minorities and law enforcement officers during this time of protest and civil unrest lead to confrontation and inflammatory interactions in the community (Brickley, 2014).

Given the public sentiment from the previous decades, during the 1960s to 1980s, enormous pressure was placed on federal, state, and local governments to reform law enforcement encounters with citizens, and many of these pressures came in the face of litigation and court decisions (Brickley, 2014). The civil rights movement and its leaders pressured the U.S. Supreme Court to make amendments to policies to protect individual's rights and force Congress to draft legislation for criminal justice reform (Nunnelley, 1991).

From the 1960s through the 1980s, law enforcement lead agencies examined all aspects of operations from the day-to-day interactions with citizens to the hiring and retaining of employees. In 1969, the U.S. Department of Justice formed the Law Enforcement Assistance Administration (LEAA) to assist in the transition. LEAA allocated federal funding to law enforcement agencies and funded numerous programs and initiatives to help and assist in the improved relationship between the community and law enforcement officers. Each organization set their priorities and programs, so there

was variance in the successful implementation; but all funded programs had to include a program to improve relationships between the citizens and all aspects of the criminal justice system (Rogovin & Velde, 1969). One of the key recommendations from LEAA to law enforcement agencies was to increase the number of minority law enforcement officers being hired and for those officers to take mentoring opportunities with juveniles in their respective jurisdictions. However, to accomplish this recommendation, agencies would require new policies as well as innovative strategies and financial assistance from the federal government (Brickley, 2014).

In 2014, President Obama created the President's Task Force on 21st Century Policing through an Executive Order, which was charged to examine and reduce crime while increasing the trust amongst law enforcement officers and the citizens they serve. The Task Force group, which had academics, youth leaders, law enforcement leaders, and advocates, was designed to represent multiple viewpoints on law enforcement in America. The group toured the United States to interact with citizens about law enforcement reform and to hear testimony from experts. The Task Force concluded by developing recommendations for building trust with the citizens all the while attempting to reduce crime.

The Task Force's final report emphasized trust and legitimacy as the foundation for 21st century policing. It calls for a change in the mindset of officers to move from the warrior mentality to the guardian mentality; they identified the need for additional community policing functions, and it calls for a commitment to procedural justice in both law enforcement organizations and between the officer-community interactions. The

Task Force recommendations cover items for federal, state, local and tribal government and the communities they serve (Davis, 2015). The history of the United States and the current trend in law enforcement has influenced governmental policy, law enforcement agency direction, and citizens' perceptions. A person's knowledge, interactions, and personal history all are factors in the development of socialization.

Development of Perceptions of Law Enforcement

One of the key issues in this proposed study is that there has not been one study about perceptions of citizens in regard to use of force by probation officers. With the substantial media attention, the current public sentiment, and the shift for community supervision versus incarceration, it is important to understand the public perception of probation officers. Most perception studies, in general, have focused on traditional law enforcement, such as police officers and sheriff's deputies. These studies range in subject matter and include reasonable use of force, citizen interaction, and overall perceptions of citizen and law enforcement interactions. Throughout the numerous studies, there were key variables that demonstrated a correlation to a citizen's overall opinion on law enforcement. Many of these key variables are age, race, socioeconomic status, education, contact with law enforcement, and the media. These variables have been tested over time and have demonstrated some level of predictability of citizens' perceptions of law enforcement (Callanan & Rosenberger, 2011; Cheurprakobkit & Bartsch, 1999; Maxson, Hennigan, & Sloane, 2003; National Institute of Justice, 2003). Many of these perception studies were conducted during times of civil unrest in America such as civil rights movements, the Vietnam War, the women's empowerment movement, and during the

drastic change in police training, hiring and recruiting, as well as the increase in media access and attention on policing. These are all major influences, which have affected the way law enforcement officers operate in the United States (Walker, 1977, 1984, 1999).

A review of over 100 articles was conducted by Brown and Benedict (2002). The review resulted in some interesting facts and key variables that influence a person's perception of law enforcement. Some of the variables that were researched included effects of race, socioeconomic status, education, contact with police, age, and the media. Brown and Benedict (2002) reported the majority of the researchers indicated that black people view the police less favorably than white people do. In fact, the study also found that race was "the best predictor for evaluation on police performance" (Brown & Benedict, 2002, p. 28). This assessment was because many of the respondents who were highly critical of police were members of minority groups. Thus, most of the researchers focused on the races of black, white, or Hispanic. Walker (1997) found that many Hispanic participants were concerned about reporting misconduct to police due to the participants' immigration status and the threat of deportation. An interesting point of view that has been highlighted is the fact that a person in a lower socioeconomic tier tends to hold a lower opinion of police than those in higher tiers (Benson, 1981; Brown & Coulter, 1983; Cao et al., 1996; Huang & Vaughn, 1996; Marenin, 1983; Murty et al., 1990; Percy, 1980; Sampson & Bartusch, 1998; Smith et al., 1991; Zevitz & Rettammel, 1990).

It is interesting that socioeconomic status does statistically correlate to the favorability of law enforcement. However, there was an interesting study, which found

that wealthy black citizens hold greater resentment toward the police than poor black citizens (Boggs & Galliher, 1975). One of the criticisms of this study is that the time it took place in history was when the nation was undergoing a civil rights movement. More researchers supported the correlation of race to socioeconomic status; however, there are also researchers who found there is no correlation between race and socioeconomic status (Davis, 1990; Parker et al., 1995; Smith & Hawkins, 1973). Even though there is research that might indicate that there is no correlation, it is apparent that preponderance of research indicates a positive relationship between socioeconomic status and a person's perception of law enforcement.

Even though socioeconomic status typically correlates with level of education, many researchers have found wealthy and well-educated persons view police less favorably than those with lower incomes and less education (Correia et al., 1996; Gamson & McEvoy, 1970; Gourley, 1954; Murphy & Worrall, 1999; Peak & Glensor, 1992; Percy, 1986; Poister & McDavid, 1978; Weitzer & Tuch, 1999). Although some researchers have argued education increases positive perceptions of law enforcement, Carlan (1999) indicated education and political liberalism are correlated, leading to negative perceptions. Those researchers found the better educated a person is, the more likely he or she will hold a liberal attitude favoring civil liberties, and therefore a negative view toward law enforcement (Finney, 1974; Weil, 1995). A person's education correlation is fascinating; the fact the higher educated a person becomes, the less favorably they will perceive law enforcement, while the lower educated person views officers in a favorable light. As for education, one might argue that there is no clear trend

because the variables of community and choice of college attendance leads the research

not to be able to draw a clear conclusion.

Numerous studies focused on the age of the individual relative to the personal

perceptions. Younger people were found to view police less favorably than older people

(Brown & Coulter, 1983; Cao et al., 1996; Chandek, 1999; Chermak et al., 2001;

Cheurprakobkit, 2000; Correia et al., 1996; Gourley, 1954; Hadar & Snortum, 1975;

Huang & Vaughn, 1996; Jesilow et al., 1995; Kaminski & Jefferis, 1998; Koenig, 1980;

Kusow et al., 1997; Lasley, 1994; Marenin, 1983; Murphy & Worrall, 1999; Murty et al.,

1990; Percy, 1980, 1986; Reisig & Correia, 1997; Reisig & Giacomazzi, 1998; Sampson

& Bartusch, 1998; Smith & Hawkins, 1973; Thornton, 1975; Thurman & Reisig, 1996;

Webb & Marshall, 1995; Worrall, 1999; Yagil, 1998). Younger respondents are not in

support of police being aggressive when handling crime, nor are they in support of police

using force. They are more likely to be dissatisfied with treatment provided by law

enforcement than older respondents reported. There is overwhelming evidence that

correlates a person's age with his or her opinion and perception of law enforcement.

Contact with Law Enforcement

Research does support that an individual with a positive interaction with police

will perceive law enforcement more favorably than a person with a negative interaction

(Brown & Benedict, 2002). Contact is defined as any situation where a citizen has an

interaction with a law enforcement officer, including being pulled over, stopped and

questioned, being a victim of a crime, or just a casual interaction such as having coffee or

asking an officer a question in public. When a person has positive contact, they have

positive perceptions; conversely, if the interaction is negative, the individual's perception is negative (Smith et al., 1991; Worrall, 1999).

Researchers have also discovered that contact with the police has one of the strongest impacts on perception, more so than age, race, or socioeconomic status (Scaglion & Condon, 1980). Cheurprakobkit (2000), Huang and Vaughn (1996) and Walker et al. (1972) reported that when a person has positive contact with the police, there is a greater chance of the individual having a positive perception of police; whereas, the research showed that a negative contact does not have the same effect on a person's opinion of law enforcement. Dean (1980) and Jacob (1971) found the type of contact influenced the length of time the contact affected the citizen. If a citizen had negative contact with law enforcement that contact would have more of a long-lasting impression which would influence his or her perception than a positive contact would have.

Other researchers have found that witnessing or having knowledge of an inappropriate law enforcement action correlates to negative perceptions (Dean, 1980; Smith & Hawkins, 1973; Thomas & Hyman, 1977). The negative perception is important, as some researchers indicated fear of crime lowers evaluations of law enforcement (Percy, 1986; Reisig & Giacomazzi, 1998). Cheurprakobkit (2000) reported that the number of times a citizen calls police correlates to the citizen's perception of police. Cheurprakobkit (2000) also found that if a citizen calls the police numerous times, the citizen is likely to have a less than satisfactory opinion of the police.

Media's Influence on Perception

One of the key issues Brown and Benedict (2002) outlined is the problem of the media and the influence it has on the perception of law enforcement. The media influence deserves particular attention as it has ramifications on a person's perception of law enforcement. Research indicates that while a person is viewing television, he or she is fully enveloped in a social two-way communication process (Ronnberg, 1996). The two-way communication process consists of the viewer participating through thinking and feeling all while internalizing and reflecting on what is being shown on television. Ronnberg (1996) indicated the consumption of mass media has a significant influence on a person's opinion. Future studies could include how much time a person spends on social networking sites, conducting Internet searches generally looking at media stories, and how many news applications the person has on his or her handheld devices.

Everyone in society cannot personally interact with law enforcement; nor have they had to interact with the officers as a victim or a suspect. Therefore, public knowledge of victims, criminal acts, and the justice systems relies heavily on social media. In today's technology, driven advancement of information media is at the consumer's fingertips at all times, and that information is being broadcast via an insurmountable number of venues like online applications, newspaper, local televised news, the Internet, and radio. This concept that people develop opinions from social media is another variable being tested in this study.

A majority of Americans receive most of their impressions and knowledge of law enforcement through entertainment television (Surette, 1992). Most of these television

programs feature unrealistic or distorted demonstrations of law enforcement including

crime dramas in which law enforcement always gets the bad guy and solves the crime

typically within the one-hour time slot. Hollywood misrepresents true law enforcement

work which leads the naïve viewers to wrongfully believe that the actions on television

are similar to real-life policing. The theory that explains this concept of confusion is

reflection theory, which states cultural products (i.e., crime dramas) mirror aspects of

society (i.e., policing) and the social order (i.e., television or social media) that gives rise

to them (McNeely, 1995, p. 112). The reason it is important to understand reflection

theory is that media is a major influence on how an individual develops his or her

socialization. It is imperative to comprehend that many of the citizens that will participate

in this study may derive their understanding and interaction with law enforcement solely

from their exposure to television or social media.

Roberts and Doob (1990) believed that most of the public's knowledge of crime

and justice is mostly derived from the media. They conducted a study focusing on the

effects of media consumption on the fear of crime and public ratings of law enforcement

effectiveness. They conducted an annual telephone survey and used the National Opinion

Survey on Crime and Justice (NOSCJ). The NOSCJ was a validated instrument that

collected information about the amount of media exposure, public attitudes toward law

enforcement, delinquency, community problems, and fear of crime. After conducting a

correlational analysis, they found that viewing crime shows was statistically significant

about the perception of crime and law enforcement effectiveness. They also found that

regular viewing of crime shows lead to higher fears of criminal activity and a more negative perception of police effectiveness (Roberts and Doob, 1990).

A series of phone surveys was conducted by Chermak, McGarrell, and Gruenwald (2006) to examine public attitudes towards law enforcement before and after public trials of officers for misconduct. They found a relationship between respondents' amount of exposure to a particular case of misconduct through social media and other media venues lead to a higher likelihood that respondents felt the officers were guilty of the misconduct. A good example of this would be the Ferguson, Missouri, case where the media constantly portrayed the officer as having wrongfully killed Michael Brown; when in reality the courts and the physical evidence exonerated the officer in his actions.

Numerous studies support that publicized incidents of law enforcement misconduct have a negative effect on attitudes towards law enforcement (Roberts and Doob, 1990; Surette, 1992; Jefferies et al., 1997; Jesilow and Meyer, 2001; Chermak et al., 2006). However, some studies indicate the impact of the negative press does not appear to be permanent (Tuch & Weitzer, 1997).

Brown and Benedict (2002) pointed out a concern with some of the studies conducted during the 1970s as they were during a time in history that could influence some of the correlations. The late 1960s through the early 1980s was a time in history that saw civil rights developments and the early stages of the movement to today's modern policing era. However, the influence of media and the effect it can have on a person's underlying belief systems is unparalleled to any time in history (Chermak et al., 2006).

Decker (1981) was one of the early researchers to bring all the issues together and point out that age, contact with police, and neighborhood and media all have a significant impact on police perceptions. Thus, the questions used to measure the participant's perception are based on prior research studies (Cox & Falkenberg, 1987; Decker, 1981, 1985). The importance of citizens' perceptions is supported by Decker (1985), who noted that citizens who are dissatisfied with law enforcement are less likely to contact officers with crime information. Negative perceptions of law enforcement may contribute to a perpetual cycle of reduced police effectiveness, increased crime, and further distrust of law enforcement.

Law enforcement officers are public servants paid by government entities and should be concerned about how they are perceived by the public (Fleek & Newman, 1969; Percy, 1986). Departments need to ensure a positive perception within the public opinion to maintain order and to provide community safety.

Summary

The guiding theory of this study is socialization theory and more specifically the secondary socialization stage where adults are interacting and making decisions that will determine their understanding, beliefs, and perceptions of law enforcement officers. Peoples' lives contain numerous influences that can affect their opinion on an issue, including friends and family, social media, television, social interactions, education levels, economic status, and countless other variables. This literature review highlights many of those socialization factors of why a probation officer and a civilian may perceive the use of force differently.

Research on citizens' perception of law enforcement officers highlights some fascinating points and factors that may affect one's opinion about law enforcement officers. There are studies that both support and refute a correlation between perceptions and demographics like race, socioeconomic status, education, contact with police, age, and the media (Brown & Benedict, 2002).

Some laws and statutes define law enforcement use of force. Many of the case laws attempt to provide guidance to officers about the ability to utilize force; such as California Penal Code 835a which allows officers to use force to overcome a suspect's resistance to a lawful order, to effect and arrest, to prevent a suspect from escaping an officer's custody, or in the protection of an officer or another individual. However, there is nothing in the law that outlines which situations might require a law enforcement officer to use a use a specific level of force or technique. When officers utilize force, they are operating in an intentionally vague area of the law. This vagueness is valuable for officers when they are making use of force decision; however, this vagueness is a disadvantage when it comes to citizen perception of the use of force.

The Supreme Court has said the use of force by a law enforcement officer must be reasonable under certain circumstances, such as the concept of reasonableness in the case Graham v. Connor. However, the Supreme Court has left "reasonableness" vague because the use of force decisions varies from officer to officer and suspect to suspect. In response to the vagueness of the Supreme Court's decision, Faulkner created the RTR survey as one of the first and only surveys of its kind attempting to measure this

phenomenon. Chapter 3 will outline how the RTR survey has been used and adapted to

help create the measurement instrument for this study, JFP survey.

Chapter 3: Research Method

Introduction

The purpose of this descriptive study was to identify if there is a difference between probation officers and the civilians when considering reasonable use of force on juvenile offenders. In order to account for any differences, the theory of socialization is used. As discussed in Chapter 2, a person's socialization can be influenced and affected by both the primary and secondary socialization stages. There are numerous decisions and personal experiences that influence an individual's socialization. I acknowledged those differences and investigated whether there is a significant difference between the opinions of probation officers and civilians.

Chapter 3 outlines sampling strategy, the research instrument, the variables to be measured and their levels of measurement, and the researcher's role along with ethical protections, and it will conclude with the data analysis plan.

Survey Method

Data were collected by a self-administered survey conducted online. The survey instrument for this study was the JPF survey questionnaire hosted online at www.juvenileforceperceptions.org. This website is dedicated to the JFP survey. The JFP survey has demographic questions along with video scenario questions followed by a threat assessment questionnaire. The survey responses on this site can be downloaded into an Excel spreadsheet or CSV file for analysis. The spreadsheet can then be downloaded for a quantitative data analysis via SPSS.

Survey Instrument

The survey instrument for this study was the JFP survey (see Appendix H-K). The JFP is modeled after the RTR survey which has been taken by over 60,000 officers and citizens. Sam Faulkner, the author, and developer of the RTR, has provide permission (Addendum C) for the utilization of the RTR as needed (Faulkner, 1991). The RTR is not equipped to collect the required data for this study, and the RTR is solely focused on gather information relative to an adult suspect and not a juvenile suspect. The RTR has demonstrated is validity and reliability in other studies (Faulkner, 1991). The RTR has been used in numerous use-of-force cases in Superior Courts throughout the nation (Faulkner, 1991).

The JFP survey is divided into three primary sections including demographics, scenarios, and the risk assessment. The JFP has a consent section which requires a participant to agree to the survey through the online checkbox form. The online visitors who check the "disagree" box on the consent form were not able to continue. Those who agreed to participate identified themselves as "civilian" or "sworn officer." The survey instrument of both civilians and officers were the same survey questionnaire.

In Part I of the survey, the participant was asked fundamental demographic questions. Parts II has five use of force scenario questions where the participant watched the video and decided whether the force used was reasonable or not. If the participant decided the force was unreasonable, he or she was prompted to select which technique was unreasonable. Following the video, scenarios were Part III of the survey, which asked participants to evaluate situations on a seriousness scale from 1 to 10.

Subjects

Based on the purpose of this study, the data were collected from a sample of two populations: probation officers and laypersons in Sacramento, California. A nonprobability convenience sampling strategy was used for the citizens and a homogenous sampling method for the probation officers; the sampling strategy was at a 90 percent confidence level and a 10 percent confidence interval. Both probation officers and citizen participation were solicited from a convenience sampling strategy.

The significance level for this study was determined at five percent $\alpha = .05$. The sample of trained law enforcement officers included sworn probation officers in Sacramento, California. Currently, there are 465 probation officers employed by Sacramento County (SCPA, 2015). With the total sworn population of 465 officers, the ideal number of participants would be approximately 80 officers. Probation officer participants may be assigned to any one of the following divisions: juvenile hall, juvenile field, adult and juvenile courts, adult field, and administration. The multitude of assignments provided a well-rounded perspective on the use of force perceptions by a probation officer. Sacramento County Probation Chief Lee Seale permitted an email to be sent to officers (Appendix B). The department did not require officers to participate, nor did they endorse the study; however, they did allow officers to complete the survey while on duty.

Data were also collected from a convenience sample of civilians. The use of social media was the primary method of obtaining participants. The use of social media allowed a wide selection of citizens within Sacramento County. The sample size of the

citizen population has endless possibilities and can be incredibly vast. As of 2006, the U.S. Census Bureau had the County of Sacramento at 1.4 million people, and the ideal number of citizen participants was 96. Of the 1.4 million, 41% are non-Hispanic White, 15.5% are Black, 22% are Hispanic, and 17.5% are Asian/Pacific Islander. Sacramento was in the top five of the most diverse cities in America in 2015 (Wells, 2015).

Citizen participants were recruited from social networking websites like Nextdoor, LinkedIn, and Facebook. Nextdoor is one of the critical social media websites that was used in this study. Nextdoor is a website that covers multiple communities in Sacramento County. As a member of one of the Nextdoor communities that has over 4,000 members, Nextdoor allowed for a diverse mix of county residents. I used a convenience sampling method, and posted on Nexdoor, LinkedIn, and neighborhood Facebook pages. Appendix M is the post that was upload to the social media websites. Nextdoor does not have any rules against this type of solicitation. Sacramento County Probation Department agreed to assist in facilitating this study, and they were asked to post on their publicly-followed Facebook and LinkedIn websites (Appendix B). Furthermore, I had friends and individuals on Nextdoor forward the request to their personal Facebook and LinkedIn accounts to help solicit participation. Participants put their cities into the JFP Survey, and I was able to filter out participants outside the Sacramento County. Demographic variables relevant to the study were only analyzed if there was a significant difference between probation officers and civilians. Given Sacramento's diversity, there was no requirement for any specific demographic. The use of social media websites provided a broad range of demographic variables and responses.

Survey Procedure

The data collection proceeded on two tracks: probation officers and laypersons. Both were directed to participate in the online survey at www.juvenileforceperceptions.com. On July 28, 2015, I received an email from Sacramento County Chief Probation Officer Lee Seale who agreed to facilitate the dissemination of the study through a departmental email and a link on the departmental intranet home page (Appendix B). Probation officers were recruited through a department-wide email, asking officers to participate in the study. Citizen participation was solicited on several social media websites including Nextdoor, LinkedIn, and Facebook.

Each survey participant needed Internet access on a computer. Participants were asked to select "Take Survey" on www.juvenileforceperpections.com. After selecting "Take Survey," all survey participants were prompted to complete a consent form before starting the survey. If the participants selected "agree" to the consent form, they were allowed to proceed to the survey. After the consent form, the participants were prompted to choose whether to take the questionnaire as a citizen or as a law enforcement officer/corrections/military (Appendix H). All participants completed the demographics section (Appendix I). All participants had the same use of force scenario questions (Appendix J) and the same set of evaluation of the seriousness of resistance questions (Appendix K) at the conclusion of the survey. The participants at the end of the survey were able to see the results of the scenario questions on the final page of the survey.

Participants were required to complete each section of the survey before moving to the next part of the survey. This process helped to ensure complete data sets.

Once a participant entered and completed the survey, their data was incorporated into the overall dataset. Because the participant provided no personal identifying information, it is unable to be retrieved, changed, or removed at the respondent's request for withdrawal.

The survey took approximately 15 – 20 minutes to complete. Sacramento County evaluated the length of the survey and permitted officers to complete it while on duty. After approximately 10 – 15 days, I reviewed the number of officers who participated in the survey to determine if additional officer participation was needed. Citizens, on the other hand, had little incentive to complete the survey. However, the use of social media resulted in an excess of the desired participation rate.

Variables and Measurement

The study's research question was: Does the probation officer perceive the reasonable use of force differently than the civilian? This study's dependent variable is determined by the five dichotomous questions and one dichotomous independent variable which is the participant. The study analyzed at all five of the use of force scenarios to determine if there is any significant relationship.

Dependent Variable

The dependent variable for the study is the perceptions of the reasonable use of force. All participants answered the five questions concerning the use-of-force scenarios. All participants were asked if they perceived the force as reasonable "Yes" or "No."

When a participant selected "No" regarding reasonableness, he or she then must choose

which of the options they thought were not reasonable. As participants answered the five

scenario questions, they either receive a score of one (1) for "Yes" or a zero (0) for "No."

Each use of force scenario will be reviewed independently, to determine if there was any

significance between the civilian and the probation officer.

Independent Variables

The independent variable is dichotomous and represents the two groups of

participants: civilians and probation officers. There were four variables: the participant's

gender, age, income, and educate that were examined. These variables were reviewed to

determine if they have any influence on the participants perception.

Data Analysis Plan

The study answered the first research question by comparing the average score of

the perceptions of the use of force and thus, used a chi-square test. The chi-square

assisted in the determination of any significant differences in perceptions of the

reasonable use of force between the two groups of participants. The statistical

significance was determined at a $\alpha =.05$. I used the SPSS database for the analysis.

Assumptions and Limitations

I assumed the online survey instrument was valid as it was based of the RTR. The

survey instrument, JFP is a modification of the RTR survey. The RTR is currently

available online and has been completed by over 60,000 officers (Response to Resistance,

2014). This survey has been found to be both reliable and valid (Faulkner, 1991;

Response to Resistance, 2014). The only difference between the RTR is the suspect is a

juvenile. The suspect is a juvenile, and the JFP suurvey assumes that the participants will be making their use of force decision based on the suspect being a juvenile and not an adult.

There are several factors that can influence an officer's decision to use force on a juvenile, such as the juvenile offender's actions, the crime committed by the juvenile offender, as well as internal department policies and practices (Alpert & McDonald, 2001). The JFP survey does not attempt to account for any of these external variables. Although the survey highlights that the participant has the probable cause to stop and arrest the suspect and that the suspect is a juvenile, there is no way to account for participants understanding of these issues.

Researcher's Role

My role within the department and in secondary educational settings has provided valuable insight into the use of force scenarios and discussion. This insight has assisted me in the development of the current survey instrument. The results of this study may have future implications for the use of force training and departmental procedures in the future. It is important to comprehend what officers' perceptions are and whether the officers perceive themselves to be using reasonable force.

My role included contacting the Probation Department to seek permission to conduct the survey, creating and developing the website www.juvenileforceperceptions.org, and contacting Sam Faulkner for permission to use the RTR survey in the creation of the JFP.

Ethical Protection of Participants

The current study includes the following steps to avoid any risk to survey participants. Data collection did not start until after obtaining the approval for the proposed study from the Institutional Review Board (IRB) (09-28-17-0264808) at Walden University. I also secured permission from Sacramento County Chief Probation Officer Lee Seale to have access to the department's email and intranet to seek participation. All participants were prompted to review the consent form at the start of the survey to understand the voluntary nature of the participation and decide whether they agree to continue. Finally, there were no identifiers in the data collection process or in the survey instrument to enable the investigator to match the responses with individual respondents.

<div align="center">

Conclusion

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Chapter 3 discussed the use of the JFP survey as the self-administer online survey instrument that both groups of participants will access to participate in the study. The dependent variable is the perception of reasonable use of force. The use of social media and department email distribution is the main source of recruiting the participants. Chapter 4, analyzed the data gathered by the JFP and will use a independent t-test and a chi square test to determine if there is any difference between the civilian and the probation officers determination of reasonable force.

Chapter 4: Results

Introduction

Probation officers must make split-second decisions when they are confronted with a situation which requires the use of force. The purpose of this study was to explore if there is a disconnection between what citizens and probation officers view as a reasonable use of force. The JFP gathers data to assist in determining if there is any difference between the citizen and the officer. As JFP survey was disseminated and completed by 71 sworn probation officers and 125 civilians. This chapter includes descriptions of the results of the data collected and the statistical test used to answer the research question.

RQ1: Do the probation officer and the civilian perceive the reasonable use of force (dependent variable) differently?

$H_0 1$: Probation officers do not perceive the reasonable use of force significantly differently than civilians.

$H_a 1$: Probation officers perceive the reasonable use of force significantly differently than civilians.

Data Collection

Data collection for this study started on October 6, 2017 and went through October 31, 2017. On October 6, 2017, the survey website was posted on Facebook, Nextdoor, and LinkedIn and updated every week until October 31, 2017. The ideal sample size for the civilian participants was 96; there were 125 rresponses from civilians. The survey announcement was sent to all 465 sworn probation officers through email on

October 8, 2017 and was resent on three separate occasions until October 31, 2017. To

determine the proper sample size for probation officers, a 95% confidence level was used

with a 10% confidence interval which required 80 probation officers. However, the

response rate of 71 probation officers changed the confidence interval from 10% to

10.72%. The lack of nine probation officers had no significant statistical implications for

this study.

Demographics

The study had a basic demographic section that gathered essential non-identifying

data of the participants. The participants ($n= 196$) in the survey completed all survey

questions, including the demographic section. The recruitment of civilians was easier

than that of probation officers. It is unknown why the turnout of probation officers was

not as successful as the civilian participants. Table 1 summarizes the demographic

distributions of the participants, including age, income, ethnicity, and education. The

demographic distributions were presented in two groups: Officers and civilians.

Demographic distribution of officers in the sample vs. the distribution of the civilians

The study had a few demographic results that should be noted. There were 125

civilian respondents and 64% of which were women, whereas the men accounted for

36%. Of the 196 participants, 52% have a bachelor's degree or higher. The officer group

had significantly more educated respondents than the civilian group. The officer group

had 91.6% of its participants obtained a bachelor's or graduate degree, compared to the

civilian group where only 26.6% had a bachelor's or graduate degree. The Sacramento

County Probation Department requires all employees to have a minimum of a bachelor's degree; however, there are a few exceptions where officers who are in their final semester of college can be hired, which may account for the six officers without a bachelor's degree or higher.

As for the probation officers, according to the Sacramento County Personnel job classification, probation officers in Sacramento County range from $72,000 – $87,000 a year which explains why a 100% of the officer group had income between $50,000 and $249,000. The civilian group had a significant portion of respondents whose household income was under $50,000. In fact, 41% of the civilian respondents where under $30,000.

Table 1

Percentage Distribution of Demographic Information for Survey Participants

Characteristic	Probation Officer (*n=71*)	Civilian (*n=125*)
Gender		
Male	52.1	36.0
Female	47.9	64.0
Ethnicity		
African American	11.3	3.2
Asian	12.7	6.4
Hispanic	25.3	28.8
White	43.6	52.0
Other	7.1	9.6
Education		
High School	0	3.2
Some College	7.0	55.2
Associate's Degree	1.4	12.0
Bachelor's Degree	81.7	18.4
Graduate Degree	9.9	11.2
Income		
$0-$24,999	0	40.8
$25,000-$49,000	0	11.2
$50,000-$99,000	71.8	24.8
$100,000-$249,000	28.2	20.8
$250,000 +	0	2.4

Group Differences in Responses to the Questions about Reasonable Use of Force

Reasonable use of force Scenarios 1 through 5 demonstrate an escalation in the juvenile's suspect actions as well as an escalation in the probation officers use of force options. Scenario 1 is the lowest level of resistance and the force options are minimal. Scenario 5 has the highest level of resistance by the juvenile suspect and the force option includes the use of deadly force. The increase in threat by the juvenile and officers force response is demonstrated the Action-Response Continuum in Table 2.

Table 2

Action-Response Continuum in the JFP Survey

Survey Scenario	JFP Defined Individuals Action	Officers Responses
Scenario 1	Not responding to commands verbal or physical danger cues	Balance displacement, escort position, assistance from other officers, verbal commands, officer presence
Scenario 2	Pulling away from officer refusing to move-dead weight resistance	Striking muscle groups, take downs, joint manipulations or pressure points
Scenario 3	Wrestling with officer, pushing officer	Striking, punching, kicking, OC or Taser, baton restraints
Scenario 4	Striking or kicking officer	Baton techniques or sleeper holds
Scenario 5	Weapons used against officer, attempting to disarm officer, life threatening assault.	Deadly Force

Table 3 presents the descriptive statistics of the responses relative to the use of force on juveniles in five scenarios. These responses are the data for the dependent variable. Scenario 1 had a noncompliant suspect who poses no threat to the officers; use of force response options included the use of verbal, open hand controls, call for assistance, and directional motivation. Scenario 1 uses the lowest level of force available to an officer (Faulkner, 1991). Scenario 2 had a juvenile who was not physically attacking the officer but resists by using the weight of his body; if a juvenile pulls away from the officer's grasp, this type of resistance is considered a lower level of threat, but the suspect was actively resisting the officer. Scenario 2's options include all those from Scenario 1 with the addition of control holds, takedowns, and strikes to large muscle

masses to distract the suspect. These options are considered a low-level use of non-deadly force (Faulkner, 1991)**.** In Scenario 3, a juvenile was pushing the officer away or is in a push/pull wrestling type of encounter; this type of encounter is a moderate level of threat to an officer's safety. Scenario 3's force options include everything from prior scenarios plus the addition of intermediate level of force options, like chemical agents, Taser, or a baton used as a control device but not a striking instrument. Scenario 4 had a juvenile who was physically attacking the officer with strikes or kicks, which presents a high level of risk to the officer's personal safety. Scenario 4's force options included everything from prior scenarios, as well as baton strikes and vascular neck restraint, which are still intermediate levels of force. Scenario 5 had a juvenile who was seriously attempting to injure or kill an officer with personal body weapons (hands and feet); if a juvenile is trying to take the officer's firearm away or is using a weapon against the officer (gun, knife, shank, club, etc.), this is considered a deadly threat to the officer (Faulkner, 1991). Scenraio 5's force options included the use of a firearm, which is considered deadly force. Table 3 is a display of the response distributions by the five scenarios in which force is used; probation officers and civilians were summarized respectively.

Table 3

Distributions of the Participant Responses to Use of Force Scenarios by the Two Samples

Questions of Reasonable Use of Force	Probation Office (N=71)		Civilians (N=125)	
	Reasonable Force (%)	Unreasonable Force (%)	Reasonable Force (%)	Unreasonable Force (%)
Scenario 1 (suspect noncompliant)	97.2	2.8	92.8	7.2
Scenario 2 (suspect use of dead weight, or pulling away)	80.3	19.7	60.8	39.2
Scenario 3 (suspect pull or push away from officer)	88.7	11.3	68.8	31.2
Scenario 4 (suspect striking or kicking officer)	87.3	12.7	79.2	20.8
Scenario 5 (suspect use of deadly force against officer)	97.2	2.8	82.4	17.6

The JFP survey also collected additional information relative to civilian perceptions of law enforcement. The responses for perception were measured on a Likert Scale ranging from a negative perception to a positive perception of law enforcement. The JFP asked civilian participants their overall perception of law enforcement; 12.8% had a negative or somewhat negative perception, 16% were neutral and 71.2%

participants had a positive or somewhat positive perception of law enforcement. Each

civilian was able to select what factors weighed most in determining their perception of

law enforcement. Of the 125 civilian participants, 42% reported that their personal

interactions were most influential when developing their perception of law enforcement

and 30% of respondents indicated and social media interactions were most influential

when developing their perception of law enforcement.

Hypothesis Testing

Overall Perceptions of All Five Use-of-Force Scenarios by Group Difference

To determine how the two groups, compare in their total perception score of all

five scenarios overall an independent-sample t-test was performed. The results show a

statistically significant difference in the overall score approving the force used in five

scenarios: Civilians ($M = 3.84$, $SD = 1.30$) and Probation Officers ($M = 4.51$, $SD = .98$);

$t(196) = -4.04$, $p < .001$ (Table 4). The null hypothesis was rejected. There was a

difference between a probation officer's and civilian's perception of use of force.

Table 4

Results of t-test and Descriptive Statistics for Response to Use of Force Scenarios by Role

	Role						95% CI for Mean Difference	t	df
	Civilian			Probation Officer					
	M	SD	n	M	SD	n			
Total response to use of force scenarios	3.840	1.304	125	4.507	0.984	71	-0.992, -0.341	-4.042*	178.855

*Note. *$p < .05$.

Group Difference in the Perception Scores of Each Use-of-Force Scenario

To evaluate the responses by the two groups compared for each scenario, a Pearson chi-square test was performed. Scenarios 2 through 5 where able to use a Pearson chi-square test. However, Scenario 1 violated a statistical assumption for the chi-square test. Therefore, for Scenario 1 a Fishers exact test was used.

Table 5 indicates that, of responses to the five use-of-force questions, the two groups had no significant difference in their responses to Scenarios 1 and 4. In Scenario 1, a noncompliant suspect poses a minimal threat to the officers and in Scenario 4, a juvenile was physically attacking the officer with strikes or kicks. The responses differed significantly on the use of force in the other three scenarios. In Scenario 2, the suspect used dead weight or just not complying; in Scenario 3, the juvenile suspect actively attempts to pulls or push away from officer. In Scenario 5, the suspect used deadly force against officer.

Scenario 2 had a juvenile using the weight of his body and pulling away from the officer's grasp. In Scenario 2, 80.3 % of the probation officers and 60.8% of civilians perceived the use of force as reasonable. The responses to the second scenario had a statistically significant relationship with the participants role, $\chi^2(1, N = 196) = 7.879, p = .007$. This significant association indicated that probation officers will tend to report the force as reasonable for the second scenario while civilians were more likely than expected to indicate an unreasonable use of force. There is a moderate effect size relative to difference between the two roles.

Scenario 3 had a juvenile who is pushing the officer away or is in a push/pull wrestling type of encounter. In Scenario 3, 88.7% of the probation officers indicated the force was reasonable, whereas, 68.8% of civilians reported the use of force as reasonable. The responses to the third scenario had a statistically significant relationship with participants' roles, $\chi^2(1, N = 196) = 9.869, p = .002$. Probation officers are more likely than expected to indicate a reasonable use of force for the third scenario while civilians were more likely than expected to indicate an unreasonable use of force. There is a moderate effect size relative to difference between the two roles.

Scenario 5 had a juvenile who was seriously attempting to injure or kill an officer. In Scenario 5, 97.2% of the probation officers and 82.4% of civilians perceived the scenario as reasonable. The responses to the fifth scenario had a statistically significant relationship with participants' roles: $\chi^2(1, N = 196) = 9.209, p = .002$. Probation officers were more likely than expected to indicate a reasonable use of force for the fifth scenario while civilians were more likely than expected to indicate an unreasonable use of force. The Phi value in Table 5 indicates the effect of the groups differences is moderate for Scenario 2 (.201), Scenario 3 (.224), and Scenario 5 (.217).

Table 5

chi-square Tests of Independence between Scenario Outcome and Role

Scenario	Role		
	χ^2	*p*	Phi
1 suspect noncompliant	1.642	0.333	0.092
2 suspect use of dead weight, or pulling away	7.879	0.005	0.201
3 suspect pull or push away from officer	9.869	0.002	0.224
4 suspect striking or kicking officer	2.037	0.153	0.102
5 suspect use of deadly force against officer	9.209	0.002	0.217

Note. $N = 196$. Degrees of freedom for all scenarios was 1.
Education

Conclusion

The results of the statistical test conducted for this research study, with a 95%

confidence level (*p*=.05), indicate that there is a statistically significant difference

between a probation officer and a citizen's response to determining the reasonable use of

force. The null hypothesis $H_0 1$ was rejected in this study for Scenarios 2, 3 and 4.

This research is the first of its kind, and even though it is a small study it has

contributed to the current literature on probation officer use of force. This study is the

first quantitative study that examines citizens' perception of juvenile use of force

compared to probation officers' perception of the same use of force scenario. Civilians

are significantly more likely than probation officers to view a use-of-force as

unreasonable. The group difference was particularly significant in three out of five

scenarios: Scenarios 2, 3, and 5. The three scenarios vary greatly in the level of threat by

the juvenile suspect and the use of force options available to the officer.

Chapter 5: Conclusion

Probation officers in California are found in every facet of the criminal justice system. Probation officers work in the courts preparing court reports and liaising with judge and attorneys; they work on the street responding to crimes, they supervise offenders in the community, and they operate the county juvenile institutions. Like other law enforcement branches, probation officers must make split-second decisions relative to the use of force. There has been no research relative to probation office use of force on juvenile offenders. There is a plethora of research on law enforcement officers' use of force on adult offenders. The purpose of this study was to explore if there was a difference between the perceptions of probation officers and citizens regarding reasonable force. There is a statistical difference between citizens' and probation officers' determination of what is considered reasonable use of force on a juvenile suspect.

This study explored a broader societal issue of the perceived disconnect between the community and law enforcement officers employed within those communities. This disconnect is rooted in the community's cultural beliefs and perceptions of law enforcement as demonstrated in the Chapter 2 discussion of the riots Ferguson, Missouri, and the 2009 BART shooting of Oscar Grant which lead to protest and riots (Basu, Yan, & Ford, 2014). These incidents as well as the hundreds of YouTube, Facebook and other social media posting and videos are the types of social media discussed in Chapter 2 that influence the socialization of community members (Brown & Benedict, 2002). Chapter 5 will demonstrate how this study is contributing to the body of research for future researchers.

Discussion of Findings

Because there is no academic research relative to probation officers' use of force, this study has had to make inferences from the broader community of law enforcement. Use of force in law enforcement is the same regardless of job title. Law enforcement use of force is judged on facts and circumstances regardless of whether the person is a probation officer, police officer, sheriff deputy, or correctional officer (Graham v. Connor, 1989). Any law enforcement officer must be able to justify his or her use of force based on the suspect's actions (Graham v. Connor, 1989).

I was unsuccessful in my ability to examine the perceptions by controlling the demographic variables of age, gender, ethnicity, income, and education, which would require a large stratified sample. This could not be achieved at this time due to the limitation of the time and resources I had. It should, however, be considered for future studies. As a result, a question remains whether the difference between the officers and civilians in this study are attributed to perceptions based on demographic variables.

Age, income, and education have been researched and determined to have correlations to a person's perception of law enforcement (Brown & Benedict, 2002). Research does support that an individual with a positive interaction with officers will perceive law enforcement more favorably than a person with a negative interaction (Brown & Benedict, 2002). Of the 125 civilian participants, 72% had a favorable perception of law enforcement. This is a significant number, as participants with a positive perception are more likely to view an officer's actions in a more favorable light.

Scenario 1 had a high level of agreement between officers and civilians when they felt that it is reasonable for an officer to use force. Scenario 1 had a juvenile suspect who was not responding to an officer's instructions or commands and offered verbal threats and/or physical signs of resistance; this is the lowest level of threat to an officer. The use of force options in Scenario 1 where the least intrusive level of force available to the officer.

Scenario 2 had a statistically significant level of difference between officers and civilians when they believe it was reasonable for officers to use force when the juvenile was not physically attacking the officer but resists by using the weight of his body or if a juvenile pulls away from the officer's grasp. This is a medium level of resistance and officers have the option of a low or moderate level of non-deadly force.

Scenario 3 had a statistically significant level of difference between officers and civilians when they believe it was reasonable for officers to use force when a juvenile was pushing the officer away or when they end up in a push/pull wrestling type of encounter. This is a high level of resistance, and the force options included intermediate levels of force like chemical agent, baton, and Taser.

Scenario 4 had a high level of agreement between the officer and the civilian when they believe it is reasonable for officers to use force when a juvenile is physically attacking the officer with strikes or kicks. This is a high level of resistance, and officers had force options that included Taser, baton, chemical agent, and vascular neck restraint. Question 4 was an interesting question, as the Sacramento County Probation Department does not train or carry some of the use of force options that are available in Scenario 4.

Vascular neck restraint is not trained, and officers do not carry impact weapons. Of the 71 officers, nine officers felt the use of the vascular neck restraint and the baton were unreasonable force options in Scenario 4. The results of this scenario would need additional follow up as it is unknown if these nine officers felt those options where unreasonable because they have not been exposed to the training of the technique or weapon.

Scenario 5 had a statistically significant level of difference between the officer and civilians when they believe it is reasonable for officers to use force when a juvenile is seriously attempting to injure or kill an officer. One of the most alarming issues in the study is Scenario 5, where the juvenile is attempting to kill, stab, or shoot the officer, officers are instructed and trained that deadly force is entirely reasonable. However, two of the probation officers felt that deadly force was unreasonable. This study's percentage of 97.2% is very similar to the RTR survey, where 97% of the law enforcement respondents responded that deadly force is reasonable when the suspect was an adult (Response to Resistance, 2014).

Age

Although I was unable to statistically confirm that age has a correlation to the selection of reasonable force, there is substantial evidence that younger respondents are not in support of police being aggressive when handling crime, nor are they in support of police using force. They are more likely to be dissatisfied with treatment provided by law enforcement than older respondents. There is evidence that correlates a person's age with their opinion and perception of law enforcement (Brown & Benedict; 2002).

The understanding of age and its influence on a person's perception is essential if agencies want to educate the public about an officer's decision relative to the use of force. For instance, if departments are attempting outreach to community members, they are going to want to focus on areas where younger demographics prevail such as high schools, colleges, malls or fairs, and spend less time focusing on senior citizen groups or associations with older members.

Income

The study revealed that the entire officer population earned more thant $50,000 while half of the civilian popluation was under $50,000. The literature review has demonstrated a clear correlation between a person in a lower socioeconomic tier to hold a lower opinion of law enforcement than those in higher tiers (Benson, 1981; Brown & Coulter, 1983; Cao et al., 1996; Huang & Vaughn, 1996; Marenin, 1983; Murty et al., 1990; Percy, 1980; Sampson & Bartusch, 1998; Smith et al., 1991; Zevitz & Rettammel, 1990). It is interesting that socioeconomic status does statistically correlate to the favorable view of law enforcement. Education often works in the opposite direction: higher educated persons are typically more critical of law enforcement actions. Yet, higher education typically correlates to socioeconomic class (Brown & Benedict, 2002).

Education

Of the 196 participants in this study, over half had a bachelor's degree or higher. More importantly, the vast majority of probation officers had a bachelor's degree or higher, while only a quarter of the civilian population had a bachelor's degree or higher. Numerous studies correlated a person's education with the perception of law

enforcement. The higher eductation a person receives, the less favorably they will perceive law enforcement, while the lower educated person views officers in a more favorable light (Benson, 1981; Brown & Coulter, 1983; Cao et al., 1996; Huang & Vaughn, 1996; Marenin, 1983; Murty et al., 1990; Percy, 1980; Sampson & Bartusch, 1998; Smith et al., 1991; Zevitz & Rettammel, 1990). Favorability of law enforcement is a variable to be considered for future studies.

Media

There are studies that indicate that the use of media has a substantial influence on a person's socialization and perception of law enforcement (Brown & Benedict, 2002; Ronnberg, 1996, Surette, 1992). I briefly looked at a person's media influences. In this study, the civilian participants were asked what two of the most influential factors that influenced there perception of law enforcement were. Of the 125 civilian respondents, a third of the respondents indicated that some social media was the primary influence. Future studies could include how much time a person spends on social networking sites, conducting Internet searches looking at media stories, and how many news applications the person has on his or her handheld devices.

When a person does not have face-to-face interaction with a law enforcement officer, the use of social media and television are their primary substitutes. An individual today has access to information and media 24-hours a day and that information is being broadcast via an insurmountable number of venues like online applications, newspaper, local televised news, the Internet, and radio. Surette (1992) reported that a majority of

Americans receive most of their impressions and knowledge of law enforcement through entertainment television.

Socialization

Socialization was the theoretical foundation of this study. When probation agencies understand the implications and stages of different types of socialization, agencies can target individuals to influence their perception with education and training. The study highlighted four types of socializations theories: primary, secondary, occupational, and legal socialization. However, there are two main socializations theories that really explain an individual's perception of use of force, secondary socialization and more directly related to probation officer's occupational socialization.

Harichandan and Pandya (2012) defined occupational socialization as the process by which the individual learns the roles and responsibilities of their respective duties. Probation officers in Sacramento County undergo an in-service academy that is five-weeks long, then they attend a five-week state-mandated academy, and each year they must undergo 40 hours of annual training. Individuals develop their occupational socialization skills through training, an informal network of work norms, and peer-group and relationships (Hassel, 2006).

The chief probation officer of Sacramento County dictates at his sole discretion what use of force options he will allow his deputies to employ. The administration sets the parameters within which officers are allowed to operate. However, law enforcement subculture teaches officers how hard to work, what kinds of relationships to have with other officers and the citizens that they serve, and how they should feel about the legal

system including administrators, judges, and the law (Hassel, 2006). I did not ask

questions about the subculture of the department but does ask training questions. The

study revealed that all 71 officers know the use of force policy, and most of the 71

participants indicated that policy and training influence their decisions on the use of

force. These responses support the importance and the need for continued use of force

training and scenarios.

Limitations of the Study

Chapter 1 outlined several factors that can influence an officer's decision to use

force on a juvenile, such as the juvenile offender's actions, the crime committed, the

department relationship in the community, as well as internal department policies and

practices. I was unable to account for these external variables. Even though the survey

highlights that the probation officer has the probable cause to stop and arrest the suspect

and that the suspect is a juvenile, there is no way to account for participants'

understanding of these concepts.

The JFP survey asked questions about force options that may be foreign and

unknown to civilian participants; while probation officers are asked about intermediate

force options in which they are may not be trained. This limitation goes to the heart of the

study about secondary and occupational socialization where a participant's answers are

going to be their best guess, or their personal feelings are absent any formal training or

experience which is satisfactory for this study but is still a limitation.

The analysis of the JFP survey gathered all the data that it was designed to

gather, and I believed the survey holds its validity and trustworthiness as demonstrated by

its adult counterpart, RTR. One of the issues that would need to be considered in future studies is the use of civilian and officer specific questions. Is there a need for these questions since the RTR survey does not have these questions?

Another limitation to this study was the way the participant population was derived. I used a convenience sampling strategy. However, when it was time to conduct analysis, the convenience sampling created numerous statistical assumption errors, and the demographics section could not be used for further analysis. For future studies, a large stratified or probability sampling strategy may need to be used.

Recommendations

My research revealed a significant difference between the citizen's and probation officer's perception of the use of force, but not uniformly across all five scenarios. After discovering the significant difference between the civilian and the probation officer, it was essential to determine if ethnicity, education level, income level, and gender had any significant relationship with the perception of reasonable force. However, given the sampling method and the demographic data statistical assumption errors, this study was unable to successfully measure any correlation with force and demographics. My research is only a small glimpse into the realm of law enforcement use of force. There is a need to expand further and explore the relationship between the law enforcement officer and civilian.

The JFP survey has the ability to continually build and expand the database of responses. My research is only the start; as the database grows, the number of participants will only continue to expand, and their responses will only strengthen the validity of the

survey tool. Education data collection is an area I believe may change as the database

grows. In the current study, two-thirds of overall college-educated participant were

probation officers. As the JFP survey database expands, the civilian and law enforcement

respondents will either continue to contradict the literature or change to reflect prior

studies. The entire probation officer participant pool from which the current study's

sample was drawn had some college education or above. Whereas, other law enforcement

agencies may have a more diverse educational background of their law enforcement

officers.

I believe this study was successful and very revealing. However, a

recommendation for future studies would be to increase the participation of both officers

and civilians, to ensure a greater representation of the population as a whole. I would

look to utilize a probability sampling strategy, and I would expand the training

component to the officer specific questions. I would also look to further elaborate on the

issue of a civilian's number of contacts with law enforcement and whether this has any

relationship with their positive or negative perception of officers.

This study research can be a valuable tool to gauge the effectiveness of

department training. Probation officers should complete the survey twice; once before

starting the academy and again after they have graduated from the academy. This type of

pre and post-test will assist in determining the effectiveness of the use of force training.

Furthermore, this study could be turned into a longitudinal study where officers were

surveyed upon hiring, after academy graduation, and again a few years into their

employment. This type of study would further strengthen the theory of occupational

socialization as officers may change their perceptions based on the experiences within the department.

Implications

With the possible political and societal pressures being placed on law enforcement officers by community members, there is a great need for law enforcement agencies to have research like this study and research instruments like the JFP survey to help combat these growing pressures. I demonstrated there is a difference between what probation officers and the community members believe is a reasonable use of force. I believe the numerous anti-law enforcement social media threads and YouTube videos also demonstrate there is a disconnection between the officers and civilians. I only provided a microanalysis of the broader societal problem, but this study does not research the underlying reasons for this disconnect. The JFP survey was only designed to have participants make decisions in a sterile environment without out any external variables other than officers' prior training and civilians' preconceived perception of law enforcement. Regardless of the limitations of the JFP survey and this study, there is empirical data that now supports the fact that probation officers and civilians perceive the reasonable use of force differently and based on this perception departments can start to target populations where they can have the most significant effect.

The JFP survey was designed explicitly for this study and was designed to allow for future exploration and development for probation departments throughout the nation. The JFP survey is a living database that will only get stronger as the number of participants increase. The current study has provided an ample amount of information

that the Sacramento County Probation Department can use to target training of officers

and education within the community. An example of the community outreach is if the

Sacramento County Probation Department wanted to increase community education and

support relative to the use of force situations, the recommendation would be to target a

younger population along with areas of lower socioeconomic status.

The targeting of younger populations is supported by secondary socialization

theory where post-high school individuals are going to make their choices based on

exposure to the workplace and community experiences. Targeting locations where there

is a higher likelihood of a negative perception of law enforcement like high schools,

colleges, malls, fairs, and social media venues will have the greatest chance to influence a

person's perception of officers. This targeting of a person's secondary socialization stage

gives departments the best chance of success. My study and prior research supports the

ideology of targeting the younger generations and lower socioeconomic individuals. This

is an area where departments can have the most significant influence on the social change

in their community relative to the use of force. Departments who are approaching

homeowners' associations or clubs where the membership's age maybe considered older

will not have as much impact on influencing the community perception of officers.

Based on secondary and occupational socialization theory, there is a need to

educate the public about what law enforcement does and about the decisions being made

by officers. As previously noted and supported by research and this study there is a

benefit to targeting the younger generation and lower socioeconomic individuals.

The recommendation for the training aspect would be to create a community outreach training program. The focus of the program will be on teaching about the authority and duty of probation officers along with a discussion on use of force. To test the impact of this training a department could have participants take the JFP survey before and after the training to see if there is a definite impact.

The central philosophy of the mission statement of the Sacramento County Probation Department is "Supporting Positive Change," Walden University also is about creating "Positive Social Change." What do these statements mean? In the context of this study, both statements I believe are achieved. This researches purpose was to determine if there was a disconnect between probation officer and civilian, and it successfully determined there was a disconnect which starts the development of creating positive change. Departments can now, as outlined above, start to target the populations of individuals that traditionally perceive law enforcement officers negatively; they can then develop courses to help educate community members about the controversial issue of the reasonable use of force.

A participant emailed me with a comment in reference to the deadly force encounter scenario she stated, "I challenge the notion of protection from shoot to kill rather than shoot to maim, why not shoot to cripple rather than shoot to kill?" This statement is not uncommon, and, in fact, movies and television give the appearance that this is a realistic option. As discussed in the literature review of this study, law enforcement officers are not the best marksman, especially when the body encounters the extreme stress of a deadly force encounter. Probation officers are trained to stop the

threat and to target the areas with the highest likelihood of stopping the threat which is

the center mass of an individual. My research and her question only support that the

general public needs to be educated by having discussion and training that help them

understand what officers encounter when they are determining whether to use force or

not.

One of the best videos I have seen and use as a teaching tool, is from Fox 10 in

Phoenix Arizona (https://youtu.be/yfi3Ndh3n-g) where a prominent civil rights activist is

invited by the Maricopa County Sheriff's office to participate in a force on force training

scenario. After the training, the activist has changed his perception of law enforcement

and is now out educating the community about the importance of complying with law

enforcement officer directives. My research supports the need for positive change in the

community by providing the data required for probation departments to develop outreach

programs that will help educate the community they serve.

Conclusions

I have statistically proven that a probation officer and a civilian see the reasonable

use of force differently. I used the theoretical ideology of secondary and occupational

socialization to emphasize why this difference has occurred. Probation officers are

trained and exposed to use of force in a much different way than an ordinary civilian.

Probation officers undergo numerous hours of education and physical training, while

many civilians are typically educated by their personal experiences or by what they have

seen on social media or television. The fact that civilians and probation officers see the

use of force differently is only harmful if departments make no effort to reach out to the

community, to take steps to educate, and to have a discussion with its community members.

My research only provides a small example of one of the many issues that affect the overall societal tension between law enforcement officers and the communities they protect. I plan on using this study and the JFP survey as the starting point to impact probation departments and the communities they serve. Someone needs to start the discussion and education of use of force; probation departments are well equipped to start the outreach to the community. Only when law enforcement as a whole starts to attack this societal tension by education and discussion can we start to change the negative perception that is rising against law enforcement. I believe that this study and the JFP survey along with probation departments can be the leader in the effort to change perceptions.

References

Abramsky, S., & Fellner, J. (2003). *Ill-equipped: U.S. prisons and offenders with mental illness*. New York, NY: Human Rights Watch.

Alpert, G. P., & MacDonald, J. (2001). Police use of force: An analysis of organizational characteristics. *Justice Quarterly, 18*(2), 393-409. doi:10.1080/07418820100094951

Alpert, G. P., & Smith, M. (1999). Police use of force data: Where we are and where we should be going. *Police Quarterly, 2*(1), 57-78. doi: 10.1177/1098611103006002002

Agnew, R. (1992). Foundation for a general strain theory of crime and delinquency. *Criminology,* 30: 47–87. doi:10.1111/J.1745-9125.1992.tb01165.x

Agnew, R. (1994). The techniques of neutralization and violence. *Criminology,* 32: 555–580. doi:10.1111/J.1745-9125.1944.tb01165.x

Aksan, N., Kısac, B., Aydın, M., & Demirbuken, S. (2009). Symbolic interaction theory, Procedia. *Social and Behavioral Sciences, 1*(1), 902-904. doi:10.1016/j.sbspro.2009.01.160

Arnett, J. J. (1995). Adolescents' uses of media for self-socialization. *Journal of youth and adolescence*, *24*(5), 519-533. doi.org/10.1007/BF01537054

Basu, M., Yan, H., & Ford, D. (2014). Fires, chaos erupt in Ferguson after grand jury doesn't indict in Michael Brown case. *CNN*. November 25, 2014. Retrieved from:www.cnn.com/2014/11/24

Benson, P. R. (1981). Political alienation and public satisfaction with police

services. *Pacific Sociological Review*, *24*(1), 45-64. doi:10.2307/1388792

Berger, P. L., & Luckman, T. (1966). *The social construction of reality: A*

treatise in the sociology of knowledge. Garden City, NY: Doubleday.

Bianco, W., & Canon, D. (2013) "*Public Opinion." In American Politics Today*. (3rd ed.)

New York, NY: W.W. Norton.

Board of State Community Corrections, (2015). Juvenile Detention Profile Survey.

Retrieved from http://www.bscc.ca.gov

Boggs, S. L., & Galliher, J. F. (1975). Evaluating the police: a comparison of black street

and household respondents. *Social Problems*, *22*(3), 393-406. doi:10.2307/799819

Bradley, A. R., Mayzer, R., Scherfer, M., Olufs, E., Miller, J., & Laver, M (2012).

Juvenile competency and responsibility: Public Perceptions. *Journal of Applied*

Social Psychology, 42(10), 2411-2432. doi:10.111/j.1559-1816.2012.00947.x

Branan, B. (2014, April). Assembly reject bills to put parole supervision back on state.

Sacramento Bee. Retrieved: www.sacbee.com/news/politics-

government/article2597423

Brickley, T. (2014). *Perception of police in public housing communities* (Doctoral

dissertation). UMI, Ann Arbor. Retrieved from: https://scholarcommons.sc.edu

Brown, B., & Benedict, W. R. (2002). Perceptions of the police: Past findings,

methodological issues, conceptual issues and policy implications. *Policing: An*

International Journal of Police Strategies & Management, *25*(3), 543-580.

Retrieved from: http://www.emeraldinsight.com/1363-951X.htm

Brown, K., & Coulter, P. B. (1983). Subjective and objective measures of police service

delivery. *Public administration review*, *43*(1), 50-58.

doi:10.1177/0095399710378080

Brown, R. A., Novak, K. J., & Frank, J. (2009). Identifying variation in police officer

behavior between juveniles and adults. *Journal of criminal justice*, *37*(2), 200-

208. doi:org/10.1016/j.jcrimjus.2009.02.004

Bureau of Justice Statistics, (2011). *Data Collection: Police-Public Contact Survey*.

Retrieved from: www.bjs.gov

Burgaz, B., Kocak, S. & Buyukgoze, H. (2013). The Opinions of Teachers on

Professional and Bureaucratic Socialization. *Hacettepe University Journal of

Education*, 1, 39-54. doi:10.1177/002248718103200302

California Peace Officer Standards and Training Commission. (2015). POST Learning

Domain 20 and 33. Retrieved from: www.post.ca.gov

Callanan, V. J., & Rosenberger, J. S. (2011). Media and public perceptions of the police:

Examining the impact of race and personal experience. *Policing & Society*, *21*(2),

167-189. doi: 10.1177/0734016811428779

Cao, L., Frank, J., & Cullen, F. T. (1996). Race, community context and confidence in

the police. *American journal of police*, *15*(1), 3-22.

doi:10.1108/07358549610116536

Carlan, P. E. (1999). Occupational outcomes of criminal justice graduates: Is the master's

degree a wise investment? *Journal of Criminal Justice Education*, *10*(1), 39-55.

doi:10.1080/10511259900084441

Cascio, W. F., & Valenzi, E. R. (1977). Behaviorally anchored rating scales: Effects of

education and job experience of raters and ratees. *Journal of Applied*

Psychology, *62*(3), 278. doi: 10.1037/0021-9010.62.3.278

Center of Juvenile and Criminal Justice. (2014). *Who are Police Killing.* August 26,

2014. Retrieved from: http://www.cjcj.org/news/8113

Chandek, M. (1999). Race, expectations and evaluations of police performance: An

empirical assessment. *Policing: An International Journal of Police Strategies &*

Management, *22*(4), 675-695. https://doi.org/10.1108/13639519910299599

Chermak, S., McGarrell, E., and Gruenewald, J. (2006). Media coverage of police

misconduct and attitudes toward the police. *Policing: An International Journal of*

Police Strategies & Management, 29(2), 261-281. doi:

10.1108/13639510610667664

Cheurprakobkit, S. (2000). Police-citizen contact and police performance attitudinal

differences between Hispanics and non-Hispanics. *Journal of Criminal*

Justice, *28*(4), 325-336. https://doi.org/10.1016/S0047-2352(00)00042-8

Cheurprakobkit, S., & Bartsch, R. A. (1999). Police work and the police profession:

Assessing attitudes of city officials, Spanish-speaking Hispanics, and their

English-speaking counterparts. *Journal of Criminal Justice*, *27*(2), 87-100.

https://doi.org/10.1016/S0047-2352(98)00050-6

Chief Probation Officers of California. (2014). *The future of adult probation: A CPOC*

business model to improve criminal justice outcomes in California. Chief

Probation Officer of California Archives. Retrieved from: http://www.cpoc.org

Chrislip, D. D., & Larson, C. E. (1994). *Collaborative leadership: How citizens and civic leaders can make a difference.* San Francisco, CA: Jossey-Bass.

Christie, G. (July, 1996). The Police Role: Studies of male and female police. *Australian Institute of Criminology Conference.* Sydney, Australia. Retrieved from: www.aic.gov.au

Clausen, John A. (ed.) (1968) *Socialization and Society.* Boston: Little Brown and Company.

Coffey, A. R. (1990). *Law enforcement: A human relations approach.* Englewood Cliffs, NJ: Prentice-Hall.

Cohen, H. A. (1981). *The nurse's quest for a professional identity.* Menlo Park, Calif: Addison-Wesley.

Cooley, C. (1998). *On self and social organization.* University of Chicago Press.

Correia, M. E., Reisig, M. D., & Lovrich, N. P. (1996). Public perceptions of state police: An analysis of individual-level and contextual variables. *Journal of Criminal Justice*, *24*(1), 17-28. doi:10.1016/0047-2352(95)00049-6

Cox, P. (1997). The professional socialization of music teachers as musicians and educators. In R. Rideout (Ed.), *On the sociology of music education* (pp. 112-120). Norman: University of Oklahoma.

Cox, T.C., & Falkenberg, S.D. (1987). Adolescents attitudes toward police: An emphasis on interactions between the delinquency measure of alcohol and marijuana, police contacts and attitudes. *American Journal of Police*, *6,* 45-62. Retrieved from: www.selfdeterminationtheory.org

Dahl, R. (1989). *Democracy and its critics*. New Haven, CT: Yale University.

Davis, J. R. (1990). A comparison of attitudes toward the New York City police. *Journal of Police Science and Administration*, *17*(4), 233-243. Retrieved from: http://www.ncjrs.gov/App/publications/abstract.aspx?ID=126766

Davis, R. L. (2015, December 18). Law enforcement leads the change. [Weblog Blog]. Retrieved from https://www.whitehouse.gov/blog/2015/12/18/law-enforcementleads-change

Dean, D. (1980). Citizen ratings of the police: The difference contact makes. *Law & policy*, *2*(4), 445-471. doi: https://doi.org/10.1111/j.1467-9930.1980.tb00225.x

Decker, S.H. (1981). Citizen attitudes toward the police: A review of past findings and suggestions for future policy. *Journal of Police Science and administration*, *9,* 80-7. Retrieved from: http://www.ncjrs.gov/App/publications/abstract.aspx?ID=77072

Decker, S.H. (1985). The police and the public: Perceptions and policy recommendations, in Homant, R.J., & Kennedy, D.B. (Eds), *Police and Law Enforcement, 1975-1981*, Vol. 3. New York, NY: AMS Press.

Desario, J. & Langton, S. (1987). *Citizen participation in public decision making*. New York: Greenwood Press.

Duster, T. (1997). The stratification of cultures as the barrier to democratic pluralism. In R. Orrill (Ed.), *Education and democracy: Re-imagining liberal learning in America* (pp. 263-286). New York: College Entrance Examination Board.

Fleek, T.A., & Newman, T.J. (1969). The role of the police in modern society. *Police, 13*(4), 21-7. Retrieved from: www.emeraldinsight.com › Volume 25, Issue 3

Finney, H. C. (1974). Political dimensions of college impact on civil-libertarianism and the integration of political perspective: A longitudinal analysis. *Sociology of Education*, 214-250. doi: 10.2307/2112106

Faulkner, S. (1991). Action-response use of force continuum. Unpublished Paper. Ohio Peace Officers Training Academy.

Force Science Institute, (2015). Research. Retrieved from: http://www.forcescience.org

Frese, M. (1982). Occupational socialization and psychological development: An underemphasized research perspective in industrial psychology. *Journal of Occupational Psychology,* 55, 209-224. doi: https://doi.org/10.1111/j.2044-8325.1982.tb00095.x

Furby, L., & Beyth-Marom, R. (1992). Risk taking in adolescence: A decision-making perspective. *Developmental Review, 12,* 1-44. doi: https://doi.org/10.1016/0273-2297(92)90002-J

Gamson, W. A., & McEvoy, J. (1970). Police violence and its public support. *The Annals of the American Academy of Political and Social Science*, *391*(1), 97-110. doi: https://doi.org/10.1177/000271627039100109

Giddens, Duneier, & Applebaum, (2003). *Introduction to Sociology* (4th ed.). New York: W. N. Norton.

Giedd, J.N., Blumenthal, J., Jeffries, N.O., Castellanos, F.X., Liu, H., Zijdenbos, A.,

    Rapoport, J.L. (1999). Brain development during childhood and adolescence: a

    longitudinal MRI study. *Nature Neuroscience 2,* 861-863. doi:10.1038/13158

Gourley, G. D. (1954). Police public relations. *The Annals of the American Academy of*

    Political and Social Science, *291*(1), 135-142. doi:

    https://doi.org/10.1177/0002716203262548

Graham v. Connor, 490 U.S. (1989).

Grossman, D. (1995). *On killing: The psychological cost of learning to kill in war and*

    society. Boston, MA: Little, Brown.

Grusec, J. E., & Hastings, P. D. (Eds.). (2014). *Handbook of socialization*. Retrieved

    from http://ebookcentral.proquest.com/lib/waldenu/detail.action?docID=306757

Hadar, I., & Snortum, J. R. (1975). The eye of the beholder: Differential perceptions of

    police by the police and the public. *Correctional Psychologist*, *2*(1), 37-54. doi:

    https://doi.org/10.1177/009385487500200103

Hall, D. E., Ventura, L. A., Lee, Y. H., & Lambert, E. (2003). Suing cops and corrections

    officers: Officer attitudes and experiences about civil liability. *Policing*, *26*, 529-

    547. doi:10.1108/13639510310503578

Harichandan, D., & Pandya, S. R. (2012). Teacher education and ICT. *New Delhi, India:*

    APH. Retrieved from: https://files.eric.ed.gov

Harris, P. (1999). *Black Rage Confronts the Law*. New York University Press.

Hemmens, C., & Stohr, M. K. (2001). Correctional staff attitudes regarding the use of force in corrections. *Corrections Management Quarterly, 5*(2), 27. Retrieved from: https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=188607

Hicks, W. L. (2003). Police vehicular pursuits: An overview of research and legal conceptualizations for police administrators. *Criminal Justice Policy Review*, *14*(1), 75-95. doi: https://doi.org/10.1177/0887403402250925

Hough, R. (2017). The Future of Defensive Tactics. *Caliber Press.* April 26, 2017. https://www.calibrepress.com/2017/04/future-defensive-tactics/?utm_source=Calibre+Press+Newsletter.

Huang, W., & Vaughn, M. S. (1996). Support and confidence: Public attitudes toward the police. *Americans view crime and justice: A national public opinion survey*, 31-45. doi: http://dx.doi.org/10.4135/9781483326900.n3

Hudson, W. E. (2001). *American democracy in turmoil: Seven challenges to America's future*. Chatham, NJ: Chatham House.

Huffington Post. (2015). *Hector Morejon, unarmed teen shot, killed by police, cried for his mother: mommy, mommy, please come*. Retrieved from www.huffingtonpost.com

International Law Enforcement and Training Association (2015). Retrieved from: www.ileeta.org

Jacob, H. (1971). Black and white perceptions of justice in the city. *Law & Soc'y Rev.*, *6*, 69. doi: 10.1108/13639510310489458

Jacobs, J. B. (1977). *Stateville: The penitentiary in mass society*. University of Chicago
Press.

Jefferis, E. S., Kaminski, R. J., Holmes, S., & Hanley, D. E. (1997). The effect of a
videotaped arrest on public perceptions of police use of force. *Journal of criminal
justice*, *25*(5), 381-395. doi: https://doi.org/10.1016/S0047-2352(97)00022-6

Jesilow, P., & Meyer, J. A. F. (2001). The effect of police misconduct on public attitudes:
a quasi-experiment. *Journal of Crime and Justice*, *24*(1), 109-121.
doi:10.1080/0735648x.2001.9721619

Jesilow, P., Meyer, J. O., & Namazzi, N. (1995). Public attitudes toward the
police. *American journal of police*, *14*(2), 67-88. doi:
https://doi.org/10.1108/07358549510102767

Kambam, P., & Thompson, C. (2009). The development of decision-making capacities in
children and adolescents: Psychological and neurological perspectives and their
implications for juvenile defendants. *Behavioral sciences & the law*, *27*(2), 173-
190. doi: 10.1002/bsl.859

Kaminski, R. J., & Jefferis, E. S. (1998). The effect of a violent televised arrest on public
perceptions of the police: A partial test of Easton's theoretical
framework. *Policing: An International Journal of Police Strategies &
Management*, *21*(4), 683-706. doi: https://doi.org/10.1108/13639519810241692

Kaplan, A., & Haenlein, M. (2010). Users of the world, unite! The challenges and
opportunities of Social Media. *Business Horizons: ScienceDirect, 53,* 59-68. doi:
http://dx.doi.org/10.1016/j.bushor.2009.09.003

Kappeler, V. (2013). The History of Policing in the United States, Part 6. Retrieved

    from http://plsonline.eku.edu/insidelook/history-policing-united-

    statespart6#ga=1.56739946.1341012897.1458944691

Kelly, A. (2012). Riot police smash Occupy Wall Street demo. Reuters March 22, 2012.

    Retrieved from: www.reuters.com

King, C. S. & Stivers, C. (1998). *Government is us: Public administration in an*

    antigovernment era. Thousand Oaks, CA: Sage.

Koenig, D. J. (1980). The effects of criminal victimization and judicial or police contacts

    on public attitudes toward local police. *Journal of Criminal Justice*, *8*(4), 243-

    249. doi: https://doi.org/10.1016/0047-2352(80)90004-5

Kusow, A. M., Wilson, L. C., & Martin, D. E. (1997). Determinants of citizen

    satisfaction with the police: The effects of residential location. *Policing: An*

    International Journal of Police Strategies & Management, *20*(4), 655-664. doi:

    https://doi.org/10.1108/13639519710192887

Kweit, J. G. & Kweit, R. T. (1981). *Implementing citizen participation in a bureaucratic*

    society: A contingency approach. New York: Praeger.

Lando, T. (1999). Public participation in local government: Points of view. *National*

    Civic Review, 88, 109-123. Retrieved:

    www.unece.org/fileadmin/DAM/env/pp/ecases/handbook.pdf

Langton, S. (1978). *Citizen participation in America*. Lexington, MA: Lexington Books.

Lasley, J. R. (1994). The impact of the Rodney King incident on citizen attitudes toward

    police. *Policing and Society: An International Journal*, *3*(4), 245-255. doi:

    https://doi.org/10.1108/13639519710192887

Leginfo.ca.gov (2017). California Penal Code 149. Retrieved from:

    http://www.leginfo.ca.gov

Lombardo, L.X. 1989. *Guards imprisoned: Correctional officers at work* (Second

    Edition). Cincinnati, OH: Anderson Publishing Co.

Los Angeles Times, (2015). *Unarmed 15-year old mistakenly shot by LAPD officer want

    apology.* Retrieved: www.latimes.com

Males, M. (2014). Who are police killing. *Center on Juvenile and Criminal Justice.*

    Retrieved from www.cjcj.org/news/8113

Marenin, O. (1983). Supporting the local police: The differential group basis of varieties

    of support. *Police Stud.: Int'l Rev. Police Dev.*, *6*, 50. Retrieved from:

    https://www.ncjrs.gov/App/Publications

Marquart, J. W. (1986). Prison guard and the use of physical coercion as a mechanism of

    prisoner. *Criminology*, *24*(2), 347-366. Retrieved from: onlinelibrary.wiley.com ›

    Criminology

Marquart, J. W., & Roebuck, J. B. (1995). Prison guards and snitches: Social control in a

    maximum security institution. *The dilemmas of corrections. Waveland Press, Inc.*

    Illinois. pp, 147-165.

Matthews, S. (2017). Using the Media to Build Empathy. August 25, 2017. Retrieved

    from: https://blacklivesmatter.com

Maxson, C. L., Hennigan, K., & Sloane, D. C. (2003). *Factors that influence public opinion of the police*. US Department of Justice, Office of Justice Programs, National Institute of Justice. Retrieved from: https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=197925

McNeely, C. (1995). Perceptions of the criminal justice system: Television imagery and public knowledge in the United States. *Journal of Criminal Justice and Popular Culture, 3*(1), 1-20. Retrieved from: http://www.albany.edu/scj/jcjpc/vol3is1/perceptions.html

Midgley, J., Hall, A., Hardiman, M. & Narine, D. (1986). *Community participation, social development and the State.* London: Methuen.

Miller, R. A. (1995). Domestic structures and the diversionary use of force. *American Journal of Political Science*, 760-785. doi: 10.2307/2111653

Moore, W. E. (1970). *The professions: Roles and rules*. New York: Russel Sage.

Mortimer, J. T., & Simmons, R. G. (1978). Adult socialization. *Annual Review of Sociology, 4,* 421-454. doi: https://doi.org/10.1146/annurev.so.04.080178.002225

Murphy, D. W., & Worrall, J. L. (1999). Residency requirements and public perceptions of the police in large municipalities. *Policing: An international journal of police strategies & management*, *22*(3), 327-342. doi: https://doi.org/10.1108/13639519910285080

Murty, K., Roebuck, J., & Smith, J. (1990). The image of the police in black Atlanta communities. *Journal of Police Science and Administration*, *17*(4), 250-257.

Retrieved from:

https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=126768

National Institute of Justice. (2012). Use of force. Retrieved from http://www.nij.gov

National Institute of Justice. (2003). Factors that influence of public opinion of the police.

Retrieved from https://www.ncjrs.gov/pdffiles1/nij/197925.pdf

Neal, T., & Brodsky, S. (2014). Occupational Socialization's Role in Forensic

Psychologist Objectivity. *Journal of Forensic Psychology Practice*, *14*:24-44.

doi:10.1080-15228932.2013.863054

Ohiagu, O. P. (2009). Modern public relations is founded on a fresh realization of the

supremacy of public opinion. *African Journal of Communication & Development,*

3(1), 77-93. Retrieved from:

https://www.researchgate.net/profile/Obiageli_Ohiagu/

Paoline, E. A., & Terrill, W. (2007). Police education, experience, and the use of force.

Criminal Justice and Behavior, *34*(2), 179-196. doi: 10.1177/0093854806290239

Parker, K. D., Onyekwuluje, A. B., & Murty, K. S. (1995). African Americans' attitudes

toward the local police: A multivariate analysis. *Journal of Black Studies*, *25*(3),

396-409. doi: https://doi.org/10.1177/002193479502500308

Peak, K. J., & Glensor, R. W. (1999). *Community policing and problem solving:*

Strategies and practices. Upper Saddle River, NJ: Prentice Hall.

Percy, S. (1980), Response time and citizen evaluation of the police. *Journal of Police*

Science and Administration, 8, 75-86. Retrieved from:

http://www.ncjrs.gov/App/publications/abstract.aspx?ID=66602

Percy, S.L. (1986). In defense of citizen evaluations as performance measures. *Urban Affairs Quarterly, 22*, 66-83. doi:10.1177/004208168602200104

Performance Based Standards (2014). Resources. www.pbstandards.org

Phillips, S., Hagan, J. M., & Rodriguez, N. (2006). Brutal borders? Examining the treatment of deportees during arrest and detention. *Social Forces*, *85*, 93-109. doi: https://doi.org/10.1353/sof.2006.0137

Piquero, A. R., MacDonald, J., Dobrin, A., Daigle, L. E., & Cullen, F. T. (2005). Self-control, violent offending, and homicide victimization: Assessing the general theory of crime. *Journal of Quantitative Criminology*, *21*(1), 55-71. doi: https://doi.org/10.1007/s10940-004-1787-2

Prison Law Office. (n.d.). Retrieved August 01, 2017, from http://prisonlaw.com/

Poister, T. H., & McDavid, J. C. (1978). Victims' evaluation of police performance. *Journal of Criminal Justice*, *6*(2), 133-149. doi: https://doi.org/10.1016/0047-2352(78)90060-0

Police Accountability Task Force, (2016). *Recommendations for reform: Restoring trust between the Chicago police and the communities they serve.* (Chicago Police Accountability Force). Chicago, IL. Retrieved from: https://chicagopatf.org

Reisig, M.D., & Giacomazzi, A.L. (1998). Citizen perceptions of community policing: Are attitudes toward police important? *Policing: An International Journal of Police Strategies& Management, 21,* 547-61. doi: https://doi.org/10.1108/13639519810228822

Rembert, D. A., & Henderson, H. (2014). Correctional officer excessive use of force civil

liability under Section 1983. *Prison Journal*, *94*(2), 198-219. doi:

10.1177/0032885514524731

Response To Resistance (2014). Retrieved from http://www.responsetoresistance.com

Riksheim, E. C., & Chermak, S. M. (1993). Causes of police behavior revisited. *Journal*

of Criminal Justice, *21*(4), 353-382. doi: https://doi.org/10.1016/0047-

2352(93)90019-J

Roberts, B. A. (1991b). Music teacher education as identity construction.

International Journal of Music Education, 18, 30-39. Retrieved from:

http://drbrianroberts.com/Publications_files/MTE%20as%20identity.pdf

Roberts, J. V., & Doob, A. N. (1990). News media influences on public views of

sentencing. *Law and Human Behavior*, *14*(5), 451. doi:

https://doi.org/10.1007/BF01044222

Rogovin, C. H., & Velde, R. W. (1969, August 31). Law enforcement assistance

administration. In *National Institute of Justice*. Retrieved from

https://www.ncjrs.gov/pdffiles1/nij/2157.pdf

Ronnberg, M. E. (1996). *Television viewing as dialoguing: Towards a symbolic-*

interactionist television theory. ProQuest Dissertations and Theses, 528-528

Retrieved from:

http://search.proquest.com/docview/304350288?accountid=14872

Roper v. Simmons. 553 U.S. 551 (2005).

Sacramento County Probation Association, (2015) retrieved from www.sacprobation.org

Sacramento County Probation Department. (2015). Sacramento County Use of Force

    Policy.

Sacramento County Probation Department. (2009). Porter v. Speirs Case No.

    06AS03654, Proposed consent decree.

    https://www.saccourt.ca.gov/juvenile/delinquency/orders/docs/ssc-jv-10-080.pdf

Sampson, R. J., & Bartusch, D. J. (1998). Legal cynicism and (subcultural?) tolerance of

    deviance: The neighborhood context of racial differences. *Law and society*

    review, 777-804. doi: 10.2307/827739

Sapolsky, R. (2004). The frontal cortex and the criminal justice system. *Philosophical*

    Transactions of the Royal Society B: Biological Sciences, 359(1451), 1787-1796.

    doi:10.1098/rstb.2004.1547

Scaglion, R., & Condon, R. G. (1980). Determinants of attitudes toward city

    police. *Criminology*, *17*(4), 485-494. doi: https://doi.org/10.1111/j.1745-

    9125.1980.tb01312.x

Scarrow, S. E. (2001). Direct democracy and institutional change: A comparative

    investigation. *Comparative Political Studies, 34*, 651-665. doi:

    https://doi.org/10.1177/0010414001034006003

Schuck, A. & Rosenbaum, D. (2005). Global Neighborhood Attitudes Toward the Police:

    Differentiation by Race, Ethnicity and Type of Contact. *Journal of Quantitative*

    Criminology, 21, 391-418. doi:10.1007/s10940-005-7356-5

Sever, B., & Reisner, R. (2008). Collecting data from the criminal courts: Perspectives

    of court staff members-A research note. *Criminal Justice Policy Review*, *19*, 103-

116. Retrieved from:

https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=243790

Sherman, L.W. (1993). Defiance, deterrence and irrelevance: A theory of the criminal

sanction. *Crime Delinquency 30*: 445–473. doi:

https://doi.org/10.1177/0022427893030004006

Skocpol, T. & Fiorina, M. P. (1999). Making sense of the civic engagement debate. In

Skocpol, T. & Fiorina, M. P. (Eds.), *Civic engagement in American democracy*

(pp. 1-23). Washington, DC: Brookings Institution.

Smith, M. R. (2008). Toward a national use of force data collection system: One small

(and focused) step is better than a giant leap. *Criminology & Public Policy, 7*(4),

619-627. doi:10.1111/j.1745-9133.2008.00530.x

Smith, P. E., & Hawkins, R. O. (1973). Victimization, types of citizen-police contacts,

and attitudes toward the police. *Law & Society Review*, *8*(1), 135-152. Doi:

10.2307/3052811

Smith, T. J., Allgood, S. M., Smith, T. J., & Allgood, S. M. (1991). Socialization

Activities. Contemporary Family Therapy, 13345-356.

Sowards, T. (2009). *Information poll relative to knowledge of probation and what

probation does*. Archived from Sacramento Probation Association.

Surette, R. (1998). *Media, Crime, and Criminal Justice: Images and Realities* (2nd Ed.).

New York: Wadsworth Publishing.

Taylor, B., Alpert, G., Kubu, B., Woods, D., & Dunham, R. G. (2011). Changes in officer

use of force over time: a descriptive analysis of a national survey. *Policing: An

International Journal of Police Strategies & Management, *34*(2), 211-232. doi: https://doi.org/10.1108/13639511111131058

Terrill, W., Alpert, G. P., Dunham, R. G., & Smith, M. R. (2003). A management tool for evaluating police use of force: An application of the force factor. *Police quarterly, 6*(2), 150-171. doi: 10.1177/1098611103006002002

Terrill, W., Leinfelt, F. H., & Kwak, D. (2008). Examining police use of force: A smaller agency perspective. *Policing: An International Journal of Police Strategies and Management, 31*(1), 57-76. doi:10.1108/13639510810852576

Terrill, W., & Mastrofski, S. D. (2002). Situational and officer-based determinants of police coercion. *Justice Quarterly*, *19*(2), 215-248. doi:http://dx.doi.org/10.1080/07418820200095221

The New York Times, (1992, March 20). Sergeant Says King Appeared to be on Drugs. *The New York Times.* Retrieved from: http://www.nytimes.com

Thomas, C. W., & Hyman, J. M. (1977). Perceptions of crime, fear of victimization, and public perceptions of police performance. *Journal of police science and administration*, *5*(3), 305-317. Retrieved from: https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=43171

Thornton, L. M. (1975). People and the police: an analysis of factors associated with police evaluation and support. *Canadian Journal of Sociology/Cahiers canadiens de sociologie*, 325-342. doi: 10.2307/3340416

Thurman, Q. C., & Reisig, M. D. (1996). Community-oriented research in an era of

community-oriented policing. *American Behavioral Scientist*, *39*(5), 570-586. doi:

https://doi.org/10.1177/0002764296039005005

Tooley, M. (2009). *The Media, the Public, and the Law Enforcement Community:*

Correcting Misperceptions. Police Chief Magazine, vol. LXXVI, no. 6. Retrieved

from: http://www.ncjrs.gov/App/publications/abstract.aspx?ID=249912

Tuch, S. A., & Weitzer, R. (1997). Trends: Racial differences in attitudes toward the

police. *The Public Opinion Quarterly*, *61*(4), 642-663. Retrieved from:

http://www.jstor.org/stable/2749572

Tyler, T. R. (1990). *Why People Obey the Law*. New Haven, CT: Yale University Press.

Tyler, T. R. (1997). Procedural fairness and compliance with the law. *Swiss J. Econ.*

Stat., 133: 219–240. Retrieved from:

https://www.researchgate.net/profile/Tom_Tyler/publication

Tyler, T. R. (2003). Procedural Justice, legitimacy, and the effective rule of law. *Crime*

Justice: A Review Research, 30: 283–358. doi: https://doi.org/10.1086/652233

Wallace, R. A. & Wolf, A. (1999). *Contemporary sociological theory: Expanding*

the classical tradition (5th ed). Upper Saddle River, NJ: Prentice-Hall.

Walker, S. (1977). *A critical history of police reform.* Lexington, Mass: D.C. Heath and

Co.

Walker, S. (1997). Complaints against the police: A focus group study of citizen

perceptions, goals, and expectations. *Criminal Justice Review*, *22*(2), 207-226.

doi: https://doi.org/10.1177/073401689702200205

Walker, S. (1984). Broken windows and fractured history: The use and misuse of history in recent police patrol analysis. *Justice Quarterly, 1*(1), 75-90. doi: http://dx.doi.org/10.1080/07418828400088041

Walker, S. (1999). *The police in America.* 3d ed. Boston, MA: McGraw-Hill College.

Walker, D., Richardson, R.J., Denyer, T., Williams, O., & McGaughey, S. (1972). Contact and support: An empirical assessment of public attitudes toward the police and the courts. *North Carolina Law Review, 51,* 43-79, 124-146. Retrieved from: https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=29293

Webb, V. J., & Marshall, C. E. (1995). The relative importance of race and ethnicity on citizen attitudes toward the police. *American Journal of Police*, *14*(2), 45-66. doi: https://doi.org/10.1108/07358549510102749

Weil, F.D. (1995). The variable effects of education on liberal attitudes: a comparative-historical analysis of anti-Semitism, using public opinion survey data. *American Sociological Review, 50*, 458-74. doi: 10.2307/2095433

Weitzer, R., & Tuch, S. A. (1999). Race, class, and perceptions of discrimination by the police. *Crime & Delinquency*, *45*(4), 494-507. doi: https://doi.org/10.1177/0011128799045004006

Wells, J. (2015). *American Diversity: Cities where it works*. CNBC May 22, 2015. http://www.cnbc.com/2015/05/21/american-diversity-cities-where-it-works.html

Worrall, J. L. (1999). Public perceptions of police efficacy and image: The "fuzziness" of support for the police. *American Journal of Criminal Justice*, *24*(1), 47-66. doi: https://doi.org/10.1007/BF02887617

Woodford, P. (1996). Developing Critical Thinkers in Music: Fostering critical-thinking

skills in students empowers them to control their own musical growth. *Music

Educators Journal*, *83*(1), 27-32. doi: https://doi.org/10.2307/3398991

Woodford, P. G. (2002). The social construction of music teacher identity in

undergraduate music education majors. In R. Colwell (Ed.), *Handbook of

research on music teaching and learning* (pp.675-694). New York:

Schirmer Books.

Wolf, R., Mesloh, C., Henych, M., & Thompson, L. F. (2009). Police use of force and the

cumulative force factor. *Policing, 32*(4), 739. doi:10.1108/13639510911000795

Yagil, D. (1998). Gender and age-related differences in attitudes toward traffic laws and

traffic violations. *Transportation Research Part F: Traffic Psychology and

Behaviour*, *1*(2), 123-135. doi: https://doi.org/10.1016/S1369-8478(98)00010-2

Zevitz, R. G., & Rettammel, R. J. (1990). Elderly attitudes about police service. *Am. J.

Police*, *9*, 25. Retrieved from:

http://www.ncjrs.gov/App/publications/abstract.aspx?ID=134409

Appendix A: Sacramento County Consent Letter

COUNTY OF SACRAMENTO

Probation Department

3201 FLORIN-PERKINS ROAD, SACRAMENTO, CALIFORNIA 95826

TELEPHONE (916) 875-0300

FAX (916) 875-0203

MICHAEL SHORES	LEE SEALE	MARLON G. YARBER
ASST. CHIEF PROBATION OFFICER	CHIEF PROBATION OFFICER	ASST. CHIEF PROBATION OFFICER
ASST. COUNTY PAROLE OFFICER	COUNTY PAROLE OFFICER	ASST. COUNTY PAROLE OFFICER

January 6, 2017

To Whom It May Concern:

The Sacramento Probation Department is writing this letter to demonstrate our intent to work with Timothy Sowards and his research project as a requirement for his Doctorate Degree with Walden University. The department is happy to support employees who are interested in furthering their academic credentials. Regarding Mr. Sowards request, he has the department's permission to use our email system to request voluntary participation in your survey, subject to the conditions that we have final review over the content of the email that he send out (to ensure that we accurately convey that the department supports your academic endeavors, though we take no position on the content or substance of your actual work), that the survey itself takes only 10 minutes of staff time and does not contain any objectionable content, and that you guarantee the anonymity and confidentiality of the responses.

We hope that his work can advance our understanding of how to better support our employees and pursue our departmental mission. But, even if it were the case that the department ultimately disagreed with the conclusions of his work, we believe strongly in the principle of academic freedom and supporting him as an employee of our department.

Sincerely,

Lee Seale
Chief Probation Officer
Sacramento County Probation

Appendix B: Response to Resistance Force Continuum

The Supreme Court said that we must act objectively reasonably.

What Are **REASONABLE** Responses To Resistance or Aggression? Well over twenty-thousand civilians, law enforcement, correctional, and security officers have been surveyed in every state in the United States; here is what they think is reasonable:

ACTION - RESPONSE CONTINUUM

INDIVIDUAL'S ACTIONS	OFFICER'S RESPONSES
WEAPONS USED AGAINST OFFICER / ATTEMPTING TO DISARM OFFICER / LIFE THREATENING ASSAULT	DEADLY FORCE
STRIKING OR KICKING OFFICER	BATON TECHNIQUES OR SLEEPER HOLDS
WRESTLING WITH OFFICER / PUSHING OFFICER	STRIKING, PUNCHING, KICKING / AEROSALS OR ELECTRICAL DEVICES / BATON RESTRAINTS
PULLING AWAY FROM OFFICER / REFUSING TO MOVE - DEAD WEIGHT	STRIKING MUSCLE GROUPS / TAKE DOWNS / JOINT MANIPULATIONS OR PRESSURE POINTS
NOT RESPONDING TO COMMANDS / VERBAL OR PHYSICAL DANGER CUES	BALANCE DISPLACEMENT / ESCORT POSITION / ASSISTANCE FROM OTHER OFFICERS / VERBAL OR PHYSICAL COMMANDS / OFFICER PRESENCE

Appendix C: Letter to Response to Resistance

January 26, 2015

To Whom It May Concern:

I Sam Faulkner, the Chief Executive Officer for Response to Resistance am writing this letter to demonstrate our intent to work with Timothy Sowards and his research project as a requirement for his Doctorate Degree with Walden University. I understand that Mr. Sowards is utilizing an online survey tool www.juvenileforceperceptions.com which utilizes a quantitative research methodology. Juvenile Force Perceptions (JFP) Survey is very similar to my current survey www.responsetoresistance.com. I understand that Mr. Sowards is focusing on what is a reasonable response for an officer when responding to resistance from juvenile offender. Furthermore, JFP will focusing on citizen perceptions of law enforcement officers and ask question to sworn officers about departmental cultural issues and how that may influence an officer decision to use force. The Response to Resistance Survey does not focus on perceptions or departmental culture. However, the use-of-force scenarios are the exactly same except he utilizes a juvenile suspect. Whereas, the RTR utilizes an adult suspects. In exchange for my permission to utilize the scenarios and wording that is outlined in the RTR and is being used for Mr. Sowards survey, I would like a copy of the aggregate data upon completion of his study.

Sincerely,

Sam Faulkner
Chief Executive Officer
Response to Resistance

Appendix D: Replica Gun Used in LA TIME Article 2015
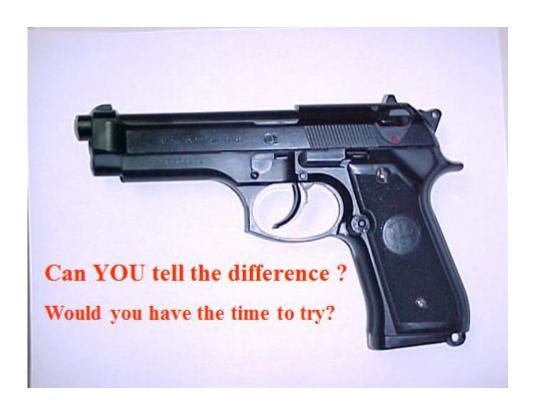
Appendix E: Super Soaker Converted to a Real Shotgun

Appendix F: Real 22 Caliber gun Disguised to Look Like a toy

Appendix G Replica 9mm Berretta BB Gun

Can YOU tell the difference ?

Would you have the time to try?

Appendix H: Instructions for the Survey

INSTRUCTIONS FOR TAKING THE ACTION-RESPONSE SURVEY

When you are taking this survey there are a few things that should be keep in mind:

- The Juvenile has been informed that he is under arrest
- It is a legal and lawful arrest
- The juvenile knows that he is under arrest. He is not in hypoglycemic shock, etc.
- The juvenile is intentionally resisting the officer's attempts at control

Thank you for taking this national Action-Response Survey

1. For standardization purposes it is necessary to watch the video segment prior to marking your survey decision.
2. If you think that the control methods being used are reasonable, mark "agree".
3. If you think that any of the control method demonstrated in that video segment is unreasonable, mark "disagree" but then indicate which technique(s) you think is excessive.
4. Please do not mark "disagree" if you believe that too little force is being used, only if you think that the control methods shown are excessive.
5. Only make your decisions based on what you truly believe and would be willing to swear to in court, not what any policy or trainer has told you.
6. **Do not** mark "disagree" if the technique demonstrated is not what you would have chosen to use at that moment, only if you believe that the technique demonstrated would be excessive for any officer to use against the level of resistance demonstrated.
7. Realize that not all officers are trained or equipped equally, so would the technique(s) demonstrated be excessive for any officer to use.
8. No special effects like blood, etc. were used because we did not want to bias the survey. Please focus on the actions of the juvenile and the responses of the officer demonstrate.
9. After the video survey, there is a section that asks how much of a threat you think the action described would be to you personally, if you were faced with controlling that action. It is listed on a scale of 1 to 10, with 1 being the lowest and 10 being the greatest.

Please describe your role:

- Law Enforcement
- Corrections/Private Security
- Military
- Civilian

CONTINUE

Appendix I: Demographics

Appendix J: Scenario Questions

JUVENILE ATTEMPTED TO HARM THE OFFICER OR OTHERS (LAW ENFORCEMENT)

If the juvenile is not attempting to harm the officer or others, but resists by using the weight of his body, or if a juvenile pulls away from the officer's grasp, **is it reasonable for the officer to attempt the following**?
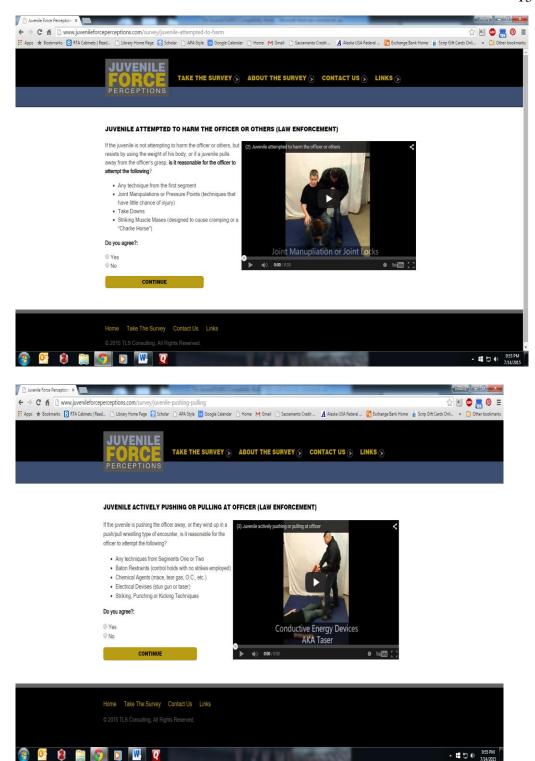
- Any technique from the first segment
- Joint Manipulations or Pressure Points (techniques that have little chance of injury)
- Take Downs
- Striking Muscle Mases (designed to cause cramping or a "Charlie Horse")

Do you agree?:

- Yes
- No

CONTINUE

JUVENILE ACTIVELY PUSHING OR PULLING AT OFFICER (LAW ENFORCEMENT)

If the juvenile is pushing the officer away, or they wind up in a push/pull wrestling type of encounter, is it reasonable for the officer to attempt the following?

- Any techniques from Segments One or Two
- Baton Restraints (control holds with no strikes employed)
- Chemical Agents (mace, tear gas, O.C., etc.)
- Electrical Devises (stun gun or taser)
- Striking, Punching or Kicking Techniques

Do you agree?:

- Yes
- No

CONTINUE

Home   Take The Survey   Contact Us   Links

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Appendix K: Threat Evaluation

Appendix L: Use of Force Continuum
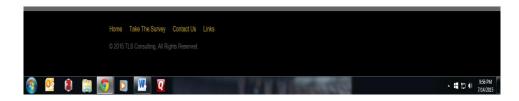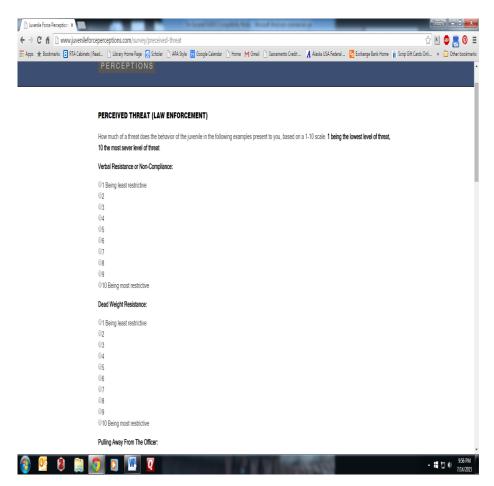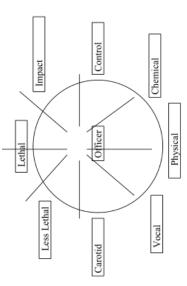
Note: The above graphic is termed "The Force Wheel." The Officer is placed at the center of the Force Wheel and is expected to immediately use the reasonable level and amount of force to control and restrain the suspect(s), then de-escalate when it is safe and appropriate to do so.

LEVELS OF FORCE

A: Lethal Force: Consists of force or threat of force likely to produce great bodily injury or death to the officer or another and is not limited to firearms use.

B: Impact Force: Consists of issued impact weapons as well as body weapons or other implement used for striking a blow or blows to the suspect(s).

C: Less Lethal: Consists of specialized ammunition issued or used against suspect(s) delivered through use of a firearm. "Less Lethal" is understood not to mean "non-lethal," however can be implemented in instances of (but not limited to) barricaded or suicidal subjects. Less lethal can be deployed at the officer or supervisors discretion when deemed reasonable to do so. Less Lethal Force level is equivalent to "remotely delivered impact force." It is understood that Less Lethal Force will generally be accompanied by the ability to deliver lethal force.

D: Canine Force: Employment of a canine to bring a suspect under control.

E: Chemical Agents: Employment of CS, CN or O.C. irritant or other chemical agent or device.

F: Carotid Control: Use of the carotid control shall be limited to personnel trained in it's use. The carotid control hold is also known as the "Lateral Vascular Neck Restraint.

G: Control Holds: Includes "joint-lock," "come-along," bio-mechanical, "pain-compliance," "take-downs," "grappling," or other method of physical restraint or control holds.

H: Vocal Control: Verbal direction given to subject(s) to gain compliance. An officer need not verbally warn when doing so would increase the danger to the officer or another.

I: Command Presence: Simple presence of a uniformed or identified officer.

Author-Warren Consultin/Rose Consulting-The author requests notification if this policy is used by an agency. Notification will serve in lieu of any royalty for its use. E-Mail: mtw16@juno.com

Lethal

Impact

Less Lethal

Control

Officer

Carotid

Chemical

Vocal

Physical

Appendix M: Social Media Postings

Hello, I am in the process of working towards my doctorate degree. I am studying law enforcement officer use-of-force, and I have compiled a self-administered online survey I need your help in completing. The survey takes approximately 15 minutes. To complete the survey please click here http://www.juvenileforceperceptions.com/survey

Your participation is completely voluntary, and your participation will assist in attempting to help improve law enforcement and citizen relationships. Please feel free to forward the link to other friends and family members. The more people who participate and complete the survey, the better the results will represent the citizens of Sacramento. I appreciate your time and support.

Sincerely,

Tim Sowards

Tweet

#www.juvenileforceperception.org a survey that measures reasonable use of force by law enforcement officers on juvenile offenders

Appendix N: Department Email

Hello, I am in the process of working towards my doctorate degree. I am studying probation officer use-of-force versus civilians, and I have compiled a self-administered online survey I need your help in completing. The survey takes approximately 15 minutes. To complete the survey please click here

http://www.juvenileforceperceptions.com/survey

The Department has authorized this email to be sent to all sworn officers. The Department is not endorsing this survey, they are only supporting officers in their desire to pursue higher education. Your participation is completely voluntary. Your answers are completely anonymous as there is no specific identifying information. Please feel free to forward the link to other friends and family members. The more people who participate and complete the survey, the better the results will represent the citizens of Sacramento. I appreciate your time and support.

Sincerely,

Tim Sowards

Appendix O**: National Institutes of Heath**

Certificate of Completion

The National Institutes of Health (NIH) Office of Extramural Research certifies that **Timothy Sowards** successfully completed the NIH Web-based training course "Protecting Human Research Participants".

Date of completion: 02/23/2017.

Certification Number: 2333973.