

2019

# Influence of Police Officer Fear and Use-of-Force Outcomes

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*Walden University*

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# Walden University

College of Social and Behavioral Sciences

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Walden University  
2019

Abstract

Influence of Police Officer Fear and Use-of-Force Outcomes

by

Michele D. Stafford

MPA, Alfred University, 2014

BA, Cheyney University, 2009

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Public Policy and Administration

Walden University

June 2019

## Abstract

Police officer and community relations tensions have heightened with increases in publicized deadly use-of-force incidents on social media platforms. Though some deadly force encounters have been justified because officers stated they feared for their lives, little is known about the impact fear has on police officers' actions. The purpose of this phenomenological study was to explore the impact fear plays when officers implement use-of-force continuum practices during encounters with civilians. Schacter and Singers' two-factor theory of emotion was used as the conceptual framework for this study. The key research question examined the influence of police officer fear as a factor in decision making during use-of-force incidents. Data were collected through in-depth interviews with 9 active police officers. Colaizzi's descriptive phenomenological method was used for data analysis. The four emergent themes were: (a) wall of blue, characterized by police culture, (b) being brave not invincible, characterized by civilians expecting police officers to not be human, (c) policing has evolved for the worse, characterized by policing practices to be good in theory but not realistic in practice, and (d) wearing body-worn cameras are a great tool. The key findings of this study were fear of the unknown and fight-or-flight actions are common amongst police officers when they are engaged in use-of-force incidents, and body-worn cameras are a contributing factor in how officers respond. The positive social change implications stemming from this study include recommendations for police leaders where they achieve their mission of partnership with the community and impartially enforce the law by enhancing community relations.

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## Dedication

Dr. Lee, thank you for your availability, instrumental guidance, and unwavering support during this dissertation process.

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I am humbled and extremely appreciative to have you both as my Dissertation Committee, which I affectionately refer to as “*The Dream Team.*” Thank you, I could not have done this without you.

Thank you to all my family, friends, colleagues, research participants, and the community; you all pulled through when I needed and helped me in varying ways to get here today!

To all Ph.D. Candidates, you can ABSOLUTELY do this! Consistency, time management and confidence will get you to the end goal! NEVER give up!

It definitely takes a village to raise a child, and know that I am the proof! I am humble, grateful, and nervous BUT ready and prepared for the road ahead.

This is only the beginning.

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## Chapter 1: Introduction to the Study

### Introduction

“I can’t breathe” were the last words of the late Eric Gardner. He was unarmed, held down in a chokehold, by four New York Police Department (NYPD) officers. Eric Garner died as a result of the force applied by officers in July 2014. One month later, in August 2014, Michael Brown was unarmed and fatally shot by a Ferguson County officer. Increasingly, America’s news coverage has been dominated by deadly encounters between civilians and law enforcement. "Walking the beat" is not easy; it often presents officers with life-threatening experiences that foster very quick decision-making. *Walking the beat* is used to describe patrol policing. Due to time constraints and the safety of the public, officers have developed mental shortcuts to determine the use-of-force continuum procedures to implement (Ishoy & Dabney, 2018). Police officers have developed mental shortcuts to determine the level or appropriate force to apply. However, these mental shortcuts are founded on discretionary factors. Ishoy and Dabney (2018) have attributed law enforcement discretionary decision-making to the tight organizational cultures that influence norms and common worldviews amongst officers.

Discretionary decision-making in the American criminal justice system was not always as in-depth as it is today. Research in the last 50 years has provided a substantial amount of evidence surrounding police behavior. However, research has overwhelmingly proven the lack of success in confirming what directly influences officers' decision-making processes (Bonner, 2015). Officers’ decision-making discretion is undeveloped theoretically, leaving a gap for this study to address how fear plays a role in

implementing force during an incident. Ishoy (2016) suggested that personal evaluations, situational influences, and the desire to engage in enforcement behavior plays a crucial role in applying formal use-of-force procedures during an incident.

The literature surrounding police officer training has not addressed fear and the impact it has on decision-making skills as it relates to the use-of-force practices. The goal of this research study was to analyze the role fear plays in officers and civilian encounters as it relates to fear invalidating skills learned in police academies. This chapter includes the background of use-of-force practices, evidence of past research studies surrounding police officers' decision-making during incidents, purpose of study and the conceptual framework identified with law enforcement decision-making processes, terms associated with use-of-force continuum practices, and the limitations, scope, and significance of decision-making of police officer processes and outcomes. The societal impact of this study can lead to decreased tensions between law enforcement and communities, reinforce positive images of law enforcement, introduce new training topics for officers, and, most importantly, decrease the number of civilian fatalities.

### **Background**

Rising deadly use-of-force incidents has called for identifying solutions to balance safety measures for both police officers and community residents. Police officer use-of-force policy/matrix has demonstrated a lack of effectiveness due to the increased deadly force incidents. There is no question that stress and fatigue attribute to controversial responses, but more so in the role of an officer during a use-of-force incident (Hope, 2016). However, there are policies specifically designed to ensure the safety of both

officers and civilians when interacting in varying situational conditions (Goode, 2018). Law enforcement training and policies set forth the expectations and guidelines for officers when performing day-to-day duties, the procedures to administer when responding to incidents (Goode, 2018). Garrett and Stoughton (2017) suggested that it may be time to revitalize the policies that regulate law enforcement use-of-force tactics. Numerous concerns have been identified from several presidents and civil commissions regarding the increase of use-of-force incidents, but no solid path forward has been identified regarding a national data collection process (Shane, 2018).

Researchers have indicated that the demands of an incident can eliminate the processing of tactics and or resources available to respond appropriately or according to guidelines. This allows for fear to influence the enforcement response as opposed to following the use-of-force procedures learned in the training academy. Mental shortcuts have reduced the ability to control the fight-or-flight and/or prejudice response (Swencionis & Goff, 2017). Sixty percent of American adults perceive fatal outcomes during encounters with police officers as signs of broader concerns as they relate to racial disparities, training techniques, and the notion that officers often justify their actions with fearing for their lives as a validation for the fatal outcomes (Swencionis & Goff, 2017). Fearing for life or for the lives of others is later examined in the publicized shootings of Phillando Castillo, LaQuan McDonald, and Daniel Shaver.

Police officer roles have expanded significantly and with a growing challenge over the years; decision-making and problems solving abilities are essential to community policing (Bawden, Rowe & Sereni-Massinger, 2015). A typical day for officers entails

observing and/or experiencing verbal and physical abuse coupled with gruesome, graphic, and distressing events, where experiences can be equated to the traumatic incidents witnessed by first responders (Trounson & Pfeifer, 2017). A consensus has developed identifying that leadership has some responsibility in the increased numbers of use-of-force incidents (Rudovsky, 2017).

Law enforcement agencies serve as an integral part of the criminal justice system; they play an instrumental role in sustaining the safety of communities (Lambert, Hogan, Griffin, & Kelley, 2015). Law enforcement discretion has been questioned in many instances. Researchers have identified disparate outcomes as a result of officers' discretion, which is influenced by their prejudice (Lambert, Hogan, Griffin, & Kelley, 2015). During training in the Academy, potential emotional responses of officers have not been identified as one of the topics addressed in the curriculum (Bawden & Sereni-Massinger, 2015). Police training academies focus on de-escalation, cultural competency, use-of-force procedures, tactical skills, mental health awareness, opioid saving mechanisms, daily patrol tactics and techniques, and a slew of additional mediation and survival trainings (Bawden & Sereni-Massinger, 2015). In this study, I explored literature related to police officers' use-of-force practices, public deadly use-of-force incidents, and fear as it relates to police officers' decision-making processes.

### **Problem Statement**

Michael Brown, Daniel Shaver, Walter Scott, Antwon Rose, Stephon Clark, Laquan McDonald, Philando Castillo, John Crawford, Keith Lamont Scott, and Terence Crutcher are just a few of the many civilians who have been killed in a use-of-force incident with



officers, resulting in national outrage. Increased public shootings of unarmed civilians have gained national attention, where, according to officers, fear for their lives or the lives of others was a significant factor in their decision-making and actions taken (Swencionis & Goff, 2017). Humans are naturally impaired by fear; it is a physiological response commonly referred to as fight-or-flight (Andersen & Gustafsbeg, 2016). Fight-or-flight plays a crucial role in how individuals respond to a stressful or dangerous interaction in any environment (Cherry, 2018). However, it is important to highlight that fear is an emotion that is provoked by a threat that is imagined, real, or perceived. Officers are trained to respond to the unexpected.

Recent public outcries indicate the public's perception of deadly use-of-force incidents differs significantly from the perceptions of officers. Officers believe that increased social media postings of use-of-force incidents have created a false narrative of police officers' actions and intentions (Stalcup & Hahn, 2016). Noppe (2018) stated that a suspect's resistance is a crucial predictor of the level of force implemented during a use-of-force incident. The public's perception is independent of the legality procedures. Recent rulings have been in favor of law enforcement agencies where fear, an emotion, was deemed as a justification for the death of civilians, compliant or resisting Noppe (2018).

The legality of fear, an emotion, as a justification for deadly use-of-force has sparked outrage amongst the public. Police officers are trained to use force on a "continuum" or "matrix" when interacting with civilians who are not compliant or are being combative (Garrett & Stoughton, 2017). Police officers' decision-making

discretion is undeveloped theoretically, identifying a gap for me to examine how fear plays a role in implementing force during an incident.

### **Purpose of the Study**

Increased publicized deadly use-of-force incidents where police officers have identified fearing for their life or the lives of others as a justification for their actions has sparked outrage throughout communities. In this study, I did not aim to focus on race. However, race is discussed as it has played a significant role in law enforcement agencies' history and in the development of law enforcement culture. The purpose of this qualitative phenomenological study was to explore the impact fear plays when officers implement use-of-force continuum practices during encounters with civilians. Data included qualitative interviews. This study is important because police officer decision-making processes and any factors that interfere with implementing procedures during an incident can result in fatal outcomes.

In this study, I investigated and contributed to the literature on the use-of-force continuum/matrix effectiveness for police officers when identifying what threatening measures are present and the appropriate next steps to yield. Growing challenges could be attributed to lack of training surrounding emotional responses and multiculturalism (Bawden, Rowe & Sereni-Massinger, 2015). This qualitative study aids in reforming procedures that are specific to police officers' behavior during a use-of-force , facilitating discussions on revisions of the use-of-force continuum policy/matrix ,and training for officers resulting in a significant decrease in the number of deadly use-of-force incidents throughout society.

### **Research Question**

How does fear influence officer decision-making process in relation to the use-of-force continuum practices?

### **Conceptual Framework**

Schacter and Singers's two-factor theory of emotion was used as the conceptual framework for this study. The two-factor theory of emotion was coined in 1962 by Stanley Schacter and Jerome Singers after they performed an experiment that assessed how individuals use clues in their environment and external factors to determine and justify physiological changes. The two-factor theory of emotion suggests that people foster beliefs about their capabilities to produce designated levels of performance that influence their lives. Schachter and Singer (1962) suggested that physiological cues underlie emotions where cognitive cues explain internal reactions. Cognitive factors are major determinants of emotional states; they label arousal according to the cognitions available to the individual (Schachter & Singer, 1962). Cognition determines how the arousal state is labeled in order to assign an emotion to the situation (Schachter & Singer, 1962). The contextual lens of my study addressed how fear influences the police officer decision-making process in relation to the use-of-force continuum practices. Schacter and Singers's two-factor theory of emotion was used to understand how cognitive labels impact the decision-making process despite training efforts.

### **Nature of the Study**

The nature of this study was qualitative with phenomenological techniques. Qualitative research is recognized for producing information that is quite detailed about first-hand experiences. Qualitative research enables the researcher to describe the phenomena of interest in great detail in the original language of the research participants. The phenomenology design aims to understand the meaning, structure, and essence of the lived experience and/or phenomenon (Patton, 2015). Qualitative studies are known for exploring complex and sensitive issues (Rudestam & Newton, 2015), and law enforcement agencies are complex and have sensitive data and issues, directing me to focus on the impact of fear as it relates to officers' decision-making and to increased civilian fatalities.

In this study, I carefully researched the role fear plays in the decision-making process of officers during use-of-force incidents. The phenomenon of interest is fear and is identified as a justification for fatal outcomes despite the use-of-force continuum procedures outlined. Interviews were conducted over the phone with police officers from the New York City area. Questions in the interview instrument were purposed for gaining insight into the physiological and psychological response that officer's experience during an incident. Interviews were transcribed within 48 hours of the interview, and Colaizzi's (1978) descriptive phenomenological method was used to ensure the validity of the participant response. The continuous iterative process and InVivo coding were used to identify emergent themes.

## Definitions of Terms

*Cultural competence:* Behaviors, attitudes, and policies by which individuals respond effectively to people of all ethnicities, religions, immigration status, races, cultures, languages, spiritual traditions, and classes (Danso, 2018).

*Community policing:* A law enforcement program where police officers often work on foot, bicycle, or vehicle and are assigned to specific neighborhoods or communities to work with residents to prevent crime and develop a rapport (Bawden, Rowe & Sereni-Massinger, 2015).

*Community relations:* The relationship an organization has with the residents and business in the area (Lim & Lee, 2015).

*Deadly force:* A force that is intended to cause or that carries a substantial risk of causing death or serious bodily injury (Brandl, 2017).

*Decision-making:* The act or process of deciding something individually or with a group of people (Ishoy & Dabney, 2018).

*De-escalation:* Minimizing danger and tension that can have an adverse effect on the safety of the public and officers or that interferes with the duties of law enforcement. Officers are encouraged to make every effort to de-escalate a situation where the use-of-force continuum policy does not guide them to do so (Lind, 2015).

*Eighth Amendment:* Establishes the right of the “people to be secure in their persons” and to be protected from “unreasonable searches and seizures” (as cited in Smith, 2016, p. 319).

*Emotion:* A natural instinct aroused by impending circumstances (Cherry, 2018).

*Ethnicity*: A particular affiliation or social group based common national or cultural tradition (Edwards, Esposito, & Lee, 2018).

*Facial electromyography*: Measures facial movement (Hur, Gerger, Leder, & McManus, 2018).

*Fear*: A distressing emotion aroused by impending danger, evil, and or pain (Cherry, 2018).

*Fight-or-flight response*: The physiological reaction in response to something physically or mentally terrifying (Cherry, 2018).

*Fourth Amendment*: Establishes the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall be issued, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized” (U.S.C, 1789, rev.1992).

*Gender differences*: Physical and mental behaviors based on the sex of an individual (Shjarback, & White, 2016).

*Law enforcement culture*: The norms, attitudes, and values developed as a response to the strains and stressors of being on the job (Silver, Roche, Bilach, & Ryon, 2017).

*Objectively reasonable*: The particular force judged from the perspective of a reasonable officer on the scene as opposed to a 20/20 vision hindsight (Cadwallader, 2018).

*Situational awareness:* The perception of “the elements in the environment within a volume of time and space, the comprehension of their meaning, and the projection of their status in the near future” (Endsley, 1988, p.35).

*Skin conductance response:* Provides an indication of arousal (Hur, Gerger, Leder, & McManus, 2018).

*Social media:* Forms of electronic communication (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos) (Stalcup & Hahn, 2016).

*Two-factor theory of emotion:* States how emotion is developed due to a combination of arousal and cognition to identify how to understand a situation (Schachter & Singer 1962).

*Verdict:* The finding or decision of a jury on the matter submitted in a trial (Warren & Bode, 2015).

*Use-of-force continuum policy/matrix:* Outlines a series of actions to follow as an incident escalates in order to resolve the situation at hand (Garrett & Stoughton, 2017).

*Use-of-force:* The amount of force or effort needed to subdue and/or apprehend an unwilling subject (Brandl, 2017).

### **Assumptions**

A number of assumptions were associated with this study. The first assumption was that police officers implement deadly use-of-force more so with non-White civilians. The second assumption was that the use-of-force continuum policy and/or matrix

accounts for all interactions with civilians. The third assumption was that judicial mandates are clear and can hold police officers accountable for deadly use-of-force incidents. The final assumption was that emotional responses during an incident are addressed in police training academies. The final assumption was that all officers respond to fear similarly during encounters with civilians.

### **Scope and Delimitations**

This study included interviews that addressed the impact fear plays when police officers implement use-of-force continuum procedures during incidents with civilians. The interviews were formatted in Microsoft Word, where participants had time prior to the interview to review the questions. This qualitative study addressed active NYPD police officers' experiences regarding fear as it related to their decision-making skills when implementing use-of-force practices. This study excluded any police officer who was not on active duty and had less than three years on the job. This study can be used to improve use-of-force discussions, procedures, policies, and trainings.

### **Limitations**

There were a number of limitations in this study. First, officers are hesitant to participate in any study due to fear of backlash despite ensuring them about complete confidentiality. Second, I am a civilian employee in a law enforcement agency, Department of Correction, where I do not interact with inmates daily, but I am privy to the protocols and procedures regarding use-of-force. Finally, participants may not have fully disclosed truthful answers due to nervousness. Questions were tailored to police officers, where they were consistently made aware that their participation was voluntary



and could choose to no longer participate at any time during the study. These limitations were addressed through interviews, coding, and emergent themes. To address these limitations further, I discuss steps I took to implement epoché, where findings were reported as they emerged without withholding and/or enhancing statements.

### **Significance**

This research contributes to an emerging field about the increased number of deadly use-of-force incidents and how police culture, social media, policies, and training contribute to community relations. This study is significant as it impacts police policies in an effort to decrease the number of civilians fatalities and tension between officers and community residents while providing further insight for police leadership regarding ways to enhance policies and trainings that are both safe for officers and civilians. Additionally, this study is significant in decreasing the lack of trust regarding police officers' actions, which can have a favorable effect on the deadly use-of-force occurrences and community relations. This study provides the rationale for identifying topics to be included in the use-of-force training and policies. This study contributes to the United Nations 16<sup>th</sup> sustainable development goal of peace, justice, and strong institutions.

### **Summary**

Fear has been identified as a determinant for deadly use-of-force incidents in the society of late, becoming the vessel for a need for social change in law enforcement procedures. Identifying triggers and emotions that encourage human beings to react are essential to self-development. However, when various trainings are in place to prepare for

varying incidents and fear interjects causing the death of others, it becomes a concern. Discriminatory practices and violence amongst police in the United States is not uncommon, and many communities believe that very little to no progress has been made, leading to an overwhelming distrust for the judicial system to hold police officers accountable (Nascimento, 2017). Societal trust and safety are key for law enforcement agencies to be successful in their roles. Schacter and Singers's two-factor theory of emotion was used because deadly encounters with officers, where fear was stated as the root cause of police officer actions, are on the rise despite the use-of-force protocols and training requirements. Interactions between individuals of different cultures is an example of an interaction of differences where structured critical thinking can help to prevent erroneous conclusions or actions (Bawden & Sereni-Massinger, 2015).

Chapter 2 is a literature review that encompasses a comprehensive overview of current research associated with law enforcement factors and the historical background related to use-of-force procedures. Chapter 3 addresses the qualitative methodology chosen for this study and a description of the design and rationale identified from the research problem. In Chapter 3, I further highlight the role of the researcher, instrumentation, data analysis plan, issues of trustworthiness, and ethical procedures. In Chapter 4, I discuss the setting, demographics, data collection and analysis, evidence of trustworthiness, and results of the participants who completed an interview via telephone. In Chapter 5, I interpret the findings, review the limitations of the study, identify implications for social change, offer recommendations, and identify areas for future research.

## Chapter 2: Literature Review

### **Introduction**

Often, the public's perceptions of deadly use-of-force incidents differ significantly from law enforcement agencies' perceptions. Due to the increase of cameras on cell phones and instant access to social media sites, officers often believe that viewed use-of-force incidents create a false narrative of their actions and intentions. However, recent judicial rulings have been in favor of law enforcement agencies where fear, an emotion, is deemed as a justification for the death of civilians, compliant or resisting. The legality of fear, an emotion, as a justification for deadly use-of-force has sparked outrage amongst the public. In this literature review, I discuss the use-of-force procedures, law enforcement history, factors and culture, Schacter and Singers's two-factor theory of emotion, constitutional factors, judicial rulings, technology, community relations, three publicized shootings, and fear as a determinant for justified deadly use-of-force. The research question guiding this study was as follows: How does fear influence officer decision-making process in relation to the use-of-force continuum practices? The goal of this research study was to analyze the role fear plays in officer and civilian encounters as it relates to fear to invalidate decision-making skills learned in law enforcement training academies.

The purpose of this qualitative phenomenological study was to explore and gain insight on officers' use-of-force experiences, current use-of-force practices and how training addresses best practices regarding personal fears when responding to an incident. Officers are often the mediators of altercations where weapons may be present. By no

means is this role stress or error-free. Policing has been ranked as one of top five most dangerous occupations, often resulting in fatalities and injuries (Hine, Porter, Westera, & Alpert, 2016). Law enforcement members often experience both physiological and psychological consequences that impact their daily decisions and family relations. Hine et al., (2016) identified that 44% of officers sustain injuries during encounters with subjects. This metric is inclusive of physical force and the exchange of bodily fluids (Hine et al., 2016).

Hine et al. (2016) stated that despite significant dangerousness of the role of an officer, it is ultimately up to the officer about on how they respond to an incident that determines the severity of the situation. Police officers are required to make objectively reasonable decisions when initiating the use-of-force or when there are exigent circumstances (Cadwallader, 2018).

The International Association of Chiefs of Police (IACP) (2017), stated that law enforcement agencies, despite the number of communities it serves, has a use-of-force continuum policy that strives to allow the officer to gain control of the situation, while preserving the lives of all involved. However, every use-of-force policy/matrix differs on procedures and implementation according to each state. The use-of-force continuum policy/matrix was put in place to put forth a standard where all law enforcement agencies' actions exhibit preservation of all lives. Hall, Hall, and Perry (2016) timeline over the course over twenty years of publicized deaths provide evidence that the policy/matrix has not been adhered too. Additionally, emotions and/or natural human

responses are not factored into the policy/matrix but continue to influence not guilty verdicts in deadly use-of-force cases.

In Chapter 2, I explore literature related to topics identified with deadly use-of-force incidents. In the first section, I outline the use-of-force policy/matrix, training strategies identified with the role the Fourth Amendment, Eighth Amendment, and technology play in legal proceedings, law enforcement culture and gender differences, verdicts, and how social media has been a factor in sharing deadly use-of-force footage. In the second section, I outline community relations, community policing, race, decision-making/de-escalation procedures, and cultural competence. The final section addresses fear, the fight-or-flight response, the role of situational awareness, two cases where fear was deemed as a justification for deadly use-of-force, and one case where fear was not deemed as a justification for deadly use-of-force.

### **Literature Search Strategy**

The framework for this research study consisted of electronic peer-reviewed academic articles and journals from EBSCOHost, SAGE, Justice Policy Journal, Science Direct, PsychoINFO, PsychoARTICLES, and PsychoBooks. I identified journals and articles through the citations outlined in the primary search results. Some keywords used to identify articles were *law enforcement, police, de-escalation, fear, use-of-force, Schachter-Singer's two-factor theory, use-of-force policy, gender, decision-making, race, officer, verdict, community policing, cultural competence, trainings, social media, technology, Fourth Amendment, and use-of-force continuum*. This search led to over

26,278 articles where use-of-force was mentioned in 19,000 articles in some relation to law enforcement within the allotted 5-year timeframe.

### **Schacter-Singer's Two-Factor Theory**

Schacter-Singer's two-factor theory (1962) states how emotion is developed due to a combination of arousal and cognition to identify how to understand a situation.

Schacter and Singer (1962) suggested that physiological cues underlie emotions where cognitive cues explain internal reactions. Cognitive factors are major determinants of emotional states (Schacter & Singer, 1962). Two-factor theory labels arousal according to the cognitions available to the individual (Schacter & Singer, 1962). Cognition determines how the arousal state is labeled in order to assign an emotion to the situation (Schacter & Singer, 1962).

The two-factor theory tested three hypotheses: (a) If an individual experiences a state of arousal unfamiliar to them, the outcome would be to label this and outline his or her emotions based on the cognitions available in that moment, (b) if an individual experiences a state of arousal familiar to them, the outcome would be that the individual is unable to label his or her feelings regarding the alternative cognitions available in that moment, and (c) if an individual experiences a state of arousal familiar to them from a past experience that made them feel the emotion, they will react emotionally or experience some form of emotions if they are in the state of physical arousal (Schacter & Singer, 1962).

### **Use-of-force**

The International Association of Chiefs of Police (2017) defined use-of-force as the amount of force or effort needed to subdue and/or apprehend an unwilling subject. Within in the last decade, use-of-force has become a more familiar topic and term to many communities, which can be attributed to increased publicity of deadly encounters between officers and civilians (Curtiss, 2015). Using force has been a defining characteristic on law enforcement agencies; it is this capacity to use force that has established law enforcement's responsibility to respond to a wide range on incidents (Bolger, 2015). Law enforcement agencies standardize officers' behavior regarding the use-of-force implementation to alter their behaviors according to environmental cues and communities through different training (Bolger, 2015). Cameras have been instrumental in gaining a better understanding of techniques that are implemented during an encounter between civilians and officers (Stalcup & Hahn, 2016). Data indicates that use-of-force incidents occur at a higher rate when suspects resist (Gross, 2016). However, researchers have attributed this rate to the implementation of de-escalation techniques or awaiting backup from fellow officers (Willits & Makin, 2018). Other researchers have confirmed the racial disparities in applied force, where officers implement the deadly use-of-force practices more frequently towards minorities as opposed to Whites (Willits & Makin, 2018).

Determining a reasonable of a use-of-force can obscure patterns of use-of-force incidents, however, without reliable data, it proves to be difficult to measure the depth of the matter (Gross, 2016). A national database has not been instituted to collect data

involving use-of-force incidents consistently. Many activists and organizations have established some tracking systems. The Federal Bureau of Investigation (FBI) collects data from 18,000 law enforcement agencies. This number is relatively low as policing is done in a decentralized fashion in the United States (Shane, 2016). Without the capability to analyze data, law enforcement agencies have an extreme disadvantage to improve processes (Shane, 2016).

In November 2018, the FBI announced that they will begin to collect use-of-force data based on serious bodily injury or death, twice a year (Donaghue, 2018). Information will be collected via web application beginning January 1, 2019, however, participation is voluntary. Training will be provided for all participating law enforcement agencies. It is important to note, some jurisdictions do not track use-of-force incidents where this will skew national data. The FBI does not have the authority to mandate law enforcement agencies to report any data (Donaghue, 2018). Data criteria will include age, sex, ethnicity, height, and race of both officers and civilians involved.

### **Guidelines for Police Use-of-force**

A use-of-force continuum policy/matrix was developed to instruct officers' on the appropriate time and what level of force to implement (Garrett & Stoughton, 2017). The use-of-force continuum policy/matrix was developed to standardize officers' response when implementing force across all law enforcement agencies, however, some policies/matrixes differ base on state and or city law. Literature suggests that the use-of-force continuum policy/matrix has some loopholes. For example, the policy/matrix identifies responses for varying levels of resistance but it does not address unexpected



events, reactions (emotions) or actions. This loophole speaks to the increased number of deadly use-of-force incidents where the use-of-force continuum policy/matrix was not implemented as a result of experiencing fear, which has identified by some of the responding officers. The use-of-force continuum policy/matrix outlines appropriate levels of force ranging from verbal commands to lethal weapon use (Lind, 2015). For example, when officers respond to an incident, they are to assess the situation first. If the subject(s) is calm, the officer proceeds with verbal commands. If the subject(s) begins to become physically or verbally aggressive, officers may proceed with implementing hands-on techniques so forth and so on. The use-of-force continuum policy/matrix varies slightly amongst law enforcement agencies throughout the United States. However, all policies are grounded in the idea that officers can only implement as much force to overcome the subject and gain control of the situation (Brandl, 2017).

There are many levels to the use-of-force continuum matrix, officers can implement all levels in a matter of seconds and do not have to begin at the lowest level (Lind, 2015). The use-of-force continuum matrix is referred to as a tool to eliminate officers' discretion when responding to an incident (Brandl, 2017). Literature frequently reiterates that force must be "objectively reasonable" when implemented in order to be deemed "acceptable" within the use-of-force continuum guidelines. Brandl (2017) states the use-of-force continuum policy/matrix is unclear, as it does not factor in the varying forms of resistance, leaving it to the discretion of the officer. "Objectively reasonable" was outlined in the Supreme Case, *Graham v. City of Charlotte (1986)*. "Objectively reasonable" is defined as the particular force judged from the perspective of a reasonable

officer on the scene as opposed to 20/20 vision hindsight (Cadwallader, 2018).

“Objectively reasonable” serves as a safety net for officers as they frequently make split-second decisions that can be incorrect but the decision was made with reasonable and unbiased discretion. Experts have pleaded with courts in their ruling on “objectively reasonable” guidelines as it is detrimental towards deadly and or excessive use-of-force practices and does not resemble appropriate respect for human life (Jacob, 2016).

The use-of-force continuum policy/matrix does not clearly outline the appropriate force to implement when a subject resists (Lind, 2015). For example, ambiguity surrounds what amount of force should be implemented when the subject is “physically active” (attempting to hit an officer with their hands or object), and or complaining about pain, “pain compliance” (twisting arm) (Lind, 2015). Implementing “hard hands” (punching/kicking) is permissible if the subject is attempting to flee. Law enforcement agencies state officer safety is paramount, where the permission to implement deadly use-of-force as a part of the use-of-force continuum policy/matrix to address any presented dangers (Lind, 2015).

Law enforcement agencies often try to find a balance between restrictive and permissive use-of-force procedures (Lind, 2015). Restrictive policies may lead to the death of an officer and permissive policies render an increased amount of lawsuits and dissatisfied citizens (Lind, 2015). Permissive policies further wedge the division between the public’s perception and the lack of trust regarding police intentions (Lind, 2015). The use-of-force continuum matrix instructs officers to implement guidelines, placing more restrictions on use-of-force execution (Goode, 2018).

## **Training**

Training is impactful in any environment. Training allows for theories to be put into practice, where it reinforces the learning process. Additionally, training is impactful as it offers multiple ways to apply theories in the field in any situation. Instructors serve as the subject matter experts and help to guide participants in walking through best practices step-by-step. In this setting, mistakes are welcomed as training serves as a learning opportunity. Law enforcement agencies may be held responsible for officers' actions in the event they are unable to provide proper and accurate documentation to confirm staff training on identified topics (IACP, 2017). Law enforcement trainings consist of basic training, field training, and in-service training. Each form of training reviews potential situations in the form of scenarios, role-playing, memory activities, and simulations (Stickle, 2016). All law enforcement agencies provide training annually (in-service) after Academy completion. Required topics and hours vary as a result of the specifications of state and city regulations inclusive of consent decrees (Stickle, 2016).

Basic training consists of reviewing the basic skills required to handle circumstances, inclusive of criminal law procedures, tactical techniques, self-defense and non-lethal weapons (Stickle, 2016). Field training can be referred to as on the job training, where probationary officers shadow senior officers and participate in some of the operations of the job. In-service training review updates to policies and serve as a refresher for procedures that should be implemented as outlined in legal and or departmental mandates, and in addition to maintaining certification. In-service training

topics and hours vary and are provided according to legal and or departmental mandates. An overwhelmingly large number of law enforcement leaders have identified in-service training as not having the same rigor or high standard of importance as they do when officers are in the Academy. During a symposium titled "The Emerging Issues of Use-of-force ", Major Steven James, stated in-service training are critical learning opportunities but most officers are distracted or disinterested. Leaders also wonder if in-service training is impactful due to the format as it outlines what an officer cannot do versus what an officer can do. Some officers believe in-service training environment can be discouraging and not open for learning. Encouraging environments foster officers to respond as outlined in the directive where they do not factor in environmental or subject(s) nuances.

Use-of-force training is developed and implemented to enhance staff discretion regarding the appropriate techniques and times to implement in an incident (IACP, 2017). Use-of-force training should be geared to simulating actual incidents or observing video(s) of an incident where the outcomes are explained. Use-of-force training is provided annually where techniques are reviewed and the appropriate de-escalation techniques are reinforced (IACP, 2017). It is overwhelmingly clear that law enforcement agencies develop clear and precise guidelines for officers to implement when responding to an incident. Additionally, it is significantly important for officers to immerse themselves in the policies and all applicable laws and that are related to the job in order to perform their role legally (IACP, 2017).

Training continues to be crucial in preparing officers to address varying encounters with civilians, ensuring the safety of neighboring surroundings and to prevent misconduct (Goode, 2018). To date, many law enforcement agencies continue to lack formal guidance that incorporates most recent policy research and proposals that will protect public safety, minimize force and improve tactics (Goode, 2018). Rajakaruna, Cutler, and Fairman (2017) identified issues with training scenarios, where adequate feedback and time is not provided for officers. Research further indicates that the level of education has a correlation with the rates of use-of-force incidents. Stickle (2016) research highlights a study where highly trained officers with higher education were found to resolve conflict with significantly less force than an officer who received less training and lower education. Additionally, in-service training was consistently found to be significantly impactful regarding the reduction of levels of force implemented in incidents and or complaints, deadly or not (Stickle, 2016). Research confirms that supervisors are not trained at the same rate as officers, leading to ineffective guidance and possibly inaccurate procedures and or protocols not being adhered to due to the direction of the supervisor (Lim & Lee, 2015).

Lim and Lee (2015) highlight the instrumental role law enforcement supervisors' play in reasonable/unreasonable use-of-force practices and daily day-to-day operations. At appropriate times, officers are required to use force. However, failure to fully understand the legal and departmental regulations can result in legal liabilities, community resistance and decreased public trust (Lim & Lee, 2015). Deliberate indifference applies to both officers and supervisors, where it is often difficult to prove

liability in a case (Garrett & Stoughton, 2017). Deliberate indifference is defined as negligence and when an individual purposefully engages in actions that cause harm or know that harm will be the end result. On average, research has indicated 96% of officers have completed use-of-force training, where less than half of their supervisors have completed the use-of-force training (Lim & Lee, 2015). Supervisors have a large influence on frontline officers regarding the decision-making processes, arrests and use-of-force procedures. The decrease of supervisors not completing in-service training can be viewed as a direct contributor to increased deadly use-of-force incidents. Officers' daily practices are often a reflection of their supervisors, it is imperative for time to be identified for supervisors to complete in-service training more regularly as they are indispensable in preventing use-of-force incidents, unnecessary, deadly or non-deadly.

Training will continue to be a conduit to provide proper practices, most recent policies, and ramifications when implementing appropriate day-to-day duties. Accurately designed training sessions can increase work productivity and commitment for officers (Lim & Lee, 2015). Furthermore, proper training can contribute to the reduction of lawsuits, positive community relations and reduce anxiety levels when in the field. Despite the increased observation of use-of-force procedures, law enforcement leadership must be more transparent in their responsibility to ensure that all officers are granted the appropriate time for training in order to develop techniques (Curtiss, 2015).

## **Law Enforcement Culture**

From its inception, law enforcement agencies have a huge responsibility, where they have extraordinary powers and have permission to use force to maintain order (Smith, 2016). Law enforcement began, as a result, to ensure slaves were returned if they escaped and or tried to travel without proper documentation in 1704. While slavery was abolished in 1865 via the 13<sup>th</sup> Amendment, "Black Codes" were instituted in 1865, where inequalities in school, hospitals, churches, public and private areas against African Americans were written into law in the South. This is where public and private social groups threatened and murders African-American legally. In 1866 the Civil Right Act passed and the 14<sup>th</sup> Amendment was ratified in 1868. This provided citizenship to individuals born or naturalized to the United States. The Civil Right Act sparked outrage in the South, where public officials' outwardly denounced compliance. Jim Crow laws were instituted instantaneously in the south. By 1971, the "War on Drugs" is what led to the mass incarceration of African Americans as it replaced state control decisions and imprisoned African Americans at a disproportionate rate (Lumsden, 2017).

Policing culture and its origin is rooted in biases, echoes the history against African Americans as surveillance is increased amongst all non-Caucasian groups, militarized police responses where wrongful death and incarceration rates continue to be disproportionate to non-Caucasian groups (Lumsden, 2017). Law enforcement has evolved into the dominating representation of government in all communities. Law enforcement often exercises "street justice". Street justice can be in the form of accidentally banging the head of a subject or tightening the cuff to impede circulation.

Law enforcement administrations are hesitant to acknowledge or punish officers for "street justice" (Marenin, 2016). Law enforcement agencies are typically identified as paramilitary organizations. As such law enforcement members are met with similar risk factors that are life-threatening and unpredictable. Varying stressors increased scrutiny, and unpredictable events are some factors of law enforcement work. Law enforcement agencies have unique environmental hindrances and exceptional strains, which often foster a strong sense of camaraderie and culture amongst its members. Resisting arrest is often used as a cover charge to protect an officer's wrongdoing (Marenin, 2016).

Officers make three critical decisions in every aspect of their day. The decisions are (a) deciding whether or not to approach a subject in an investigative or adversarial way, (b) identify the subject's behavior and determining if force is necessary and the amount required to subdue the subject and (c) determine whether the use-of-force was implemented accordingly legal and departmental mandates (Cadwallader, 2018). The subjectivity of motives, intentions, perceptions, and the ability to know what going on in the subject minds is the difficulty of being on the job. However, if decisions are found to be "reasonable" and do not clearly violate established constitutional rights (Nielson & Walker, 2018, p.1853); officers will be granted "qualified immunity". "Qualified immunity" has been referred to as one of "the most important doctrine in the law of constitutional torts" as it shields law enforcement members from forthcoming lawsuits (Nielson & Walker, 2018, p.1853).

Police culture is influenced by individual officer characteristics, social contextual characteristics and organizational characteristics (Silver, Roche, Bilach, & Ryon, 2017).



Silver et al., (2017) defines traditional police culture as the norms, attitudes, and values developed as a response to the strains and stressor of being on the job. Traditional police culture is also attributed to the day-to-day strains of law enforcement's role in society. Officers adopt a mentality of crime fighter in order to apprehend subjects and to protect the community as opposed to pursuing required mandates policies and procedures. This mentality is developed in order to aid officers with coping emotionally with potential unforeseen dangers, and frequent use-of-force incidents (Silver, et al., 2017).

Traditional police culture adopts an "us versus them" perception and often demonstrates authority when possible (Silver, et al., 2017). This culture reinforces distrust between communities and law enforcement, where officers often view civilians as potential subjects or inconvenient bystanders (Silver, et al., 2017). Traditional police culture is instrumental in shaping relationships between communities and law enforcement agencies. However, research overwhelmingly indicates traditional police culture is an impediment to changing policing practices as it has a strong endorsement on use-of-force proceedings' as opposed to procedural justice (Silver, et al., 2017). Decreased physical and mental health well being has been identified as having an adverse impact on policing which has residual effects and fosters hostile interactions between officer and civilians (Tyler, Goff, & MacCoun, 2015). Additionally, officer safety is compromised when using forced based practices (Tyler, Goff, & MacCoun, 2015).

Gender differences have often been a topic of traditional police culture. Law enforcement agencies have increased their female representation throughout the agencies in order to promote equal opportunity and gender diversity in the workplace (Shjarback,

& White, 2016). Promoting, badgering and the harassment of female officers, has decreased over the decades. Women in leadership roles throughout law enforcement agencies have made instrumental strides in advancing policing methods.

### **Gender Differences**

Males have dominated law enforcement agencies for many decades, where an emphasis on an individual's raw physical presence and abilities is still regarded (Orrick, 2015). During the 1970's law enforcement agencies saw an influx of women joining. Most law enforcement leaders shared their concerns about having women in the agency due to their concerns on their ability to use physical force (Orrick, 2015). Research indicates that most women shared they were less confident in their ability to use force. However, despite initial concerns, once they are on the job they are willing or more willing than male counterparts to use force, deadly or non-deadly (Orrick, 2015).

Since women have joined law enforcement agencies, they have developed innovative recruitment and retention practices, established family medical leave, implemented light duty maternity policies and have de-established the once male-dominated industry (Schuck & Rabe-Hemp, 2016). The presence of women in law enforcement agencies serves as change a catalyst, where their leadership styles have been identified as inclusive and transformative (Schuck & Rabe-Hemp, 2016). Additionally, women have been identified to use significantly less excessive force, have a lower rate of civil liability payouts and significantly lower civilian complaints against them (Bergman, Walker, & Jean, (2016). Furthermore, research indicates 2% of women use force in incidents as compared to male counterparts (Bergman, Walker, & Jean, (2016).

## **Constitutional Ramifications**

The Fourth Amendment states “the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.” (U.S.C, 1789, rev.1992) The Supreme Court offers an extremely broad position when identifying whether or not law enforcement is constitutionally permitted to use force (Goode, 2018). However, there is no universally agreed upon specific definition and or is vague when identifying when it is necessary and when excessive force is permissible (Goode, 2018).

*Tennessee v. Garner (1985)* was the first case to establish constitutional limits on the use-of-force. In *Tennessee v. Garner (1985)*, the Supreme Court ruled that deadly use-of-force against fleeing nonviolent individuals violates unreasonable seizures (Goode, 2018). Four years later in *Graham v. Connor (1989)*, the Supreme Court allowed for significant deference to officers in the field (Goode, 2018). The “provocation rule” was established under *Graham v. Connor (1989)*, where it states if the officer recklessly provokes a violent confrontation with a subject it violates the Fourth Amendment (Goode, 2018).

The Eighth Amendment establishes the right of the "people to be secure in their persons" and to be protected from "unreasonable searches and seizures" (Smith, 2016, p. 319). The Eighth Amendment is explicit where it only applies after the State has complied with the "constitutional guarantees "associated with criminal prosecutions"

(Exum, 2015). Courts have contested any implications that the Fourth Amendment should be applied to excessive use-of-force procedures. The Eighth Amendment is the appropriate vehicle to address excessive use-of-force incidents. Humanity is clearly supported in the Eighth Amendment but is absent when applied to deadly incidents with officers. Exum (2015) confirms there is a disproportionate number of deadly use-of-force against subjects committing a crime as opposed to officers deliberately committing homicide, which has not been addressed in legal discourse.

Courts often leave the discretion to law enforcement agencies to be substantially responsible, where they are encouraged to implement stricter policies, and guidelines that go beyond constitutional standards that focus on monitoring officers' compliance with human rights and moral commitment (Goode, 2018). Policing policies were often provided orally, where written policies came to existence in the 1970s. A study was done with the NYPD over a five-year period after written policies were adopted (Goode, 2018). This study revealed that after the adoption of written policies, there was a significant reduction in the frequency of officers discharging their firearms and officer injuries and deaths (Goode, 2018).

Officers make split-second decisions regarding whether or not to implement force. Courts often focus solely on this moment and deliberately disregard the larger context of the incident (Wanebo, 2018, p.1003). Law enforcement agencies are authorized to implement force but it must be within legal ramifications and professional standards. The Fourth Amendment "does not account for law enforcement overreaction, emotional distraction or incompetence" as it solely provides protection for unreasonable

action, where officers are granted the benefit of the doubt by law (Garrison, 2018, p. 312). Society is in an "unrest state" as deadly use-of-force rulings ranging from 2014 have not met societal or morally appropriate expectations. Repeated abuse-of-force and coercive power has been identified as an external factor that has yet to be addressed at the Supreme Court level (Gerber & Jackson, 2017). Police use-of-force accountability is not governed by errors, strategy or lack of communication (Garrison, 2018,). Police use-of-force and the regulation of police violence ramifications remain unclear (Gerber & Jackson, 2017). Justice is often identified with a guilty verdict where guilty individuals are punished, however, the severity of the punishment should be proportional to the severity of the crime (Roiphe, 2017). Minority communities do not believe that this has been applied to officers. Use-of-force will continue to be a controversial issue in policing until "fear" is clarified in the scheme of implementing deadly use-of-force techniques.

### **Verdicts**

Jurors hear testimonies in order to reinforce the notions of the defendant and prosecutor evidence for the case. Witmer-Rich (2017) identifies the role of juries' as the "shield and sword", where the "shield" serves as investigating the facts of the crime and as the "sword" serves to ensure that the prosecutor pursues the appropriate charges for a crime (p.543). Despite juries acting as the "shield and sword" in proceedings, they are not institutionally capable of true independence (Witmer-Rich, 2017 p.548). Unless specific instructions are provided from the court on the reasonableness of an individual's action as it is defined in the charge brought against the defendant; juries must reply on expert testimonies in order to make decisions (Gross, 2016). Prosecutors take control in

deciphering whether or not to charge an individual, where the public often influences their action (Witmer-Rich, 2017).

Verdicts can only be deemed according to how the defendant is charged. For example, in the shooting of LaQuan McDonald, the officer made a split-second decision in identifying the level of threat McDonald posed. McDonald had a small pocket knife and was thought to be damaging vehicles, however, he made no advances to officers. McDonald was shot and tasered by officers; under the Graham standard, it would have been deemed constitutionally permissible as he was a potential threat although he did not pose an imminent threat to the public's safety (Wanebo, 2018, p.1015). The officers' use of deadly force was not justified or substantiated as the possibility of imminent threat was only a "possibility" (Wanebo, 2018, p.1016).

Data indicates that a small percentage of thousands of use-of-force indictments get prosecuted. For example, in 2015, seventeen officers were charged in deadly incidents, where all were acquitted of all charges. However, 1,100 individuals died as a result of an encounter with an officer, 200 of which were unarmed (Smith, 2016). It is overwhelmingly clear that despite video evidence, judicial proceedings have yet to proportionately address the growing concerns of law enforcement excessive deadly use-of-force procedures. The United States has initiated data collection by each state in order to accurately account for incidents.

The courts are held to ensuring law enforcement does not violate the basic notions of morality and justice as outlined in the Constitution, yet the trivialization of civilian life is evident in the lack of guidance offered by the Supreme Court rulings (Symeonides,

2018). The consistent “not guilty” verdicts and widely accepted use-of-force standards serve as evidence of an absent judicial system (Warren & Bode, 2015). Courts are in place to provide a sense of fairness and justice practices as it relates to the rights of citizens, as outlined in the Constitution. However, the courts have to implement procedural barriers making it difficult to hold officers accountable (Smith, 2016). Transparency, consistency and credible information are essential to investigations as this is the only plausible way to find the defendant guilty (Lancaster, 2017).

Communities believe that prosecutors have struggled in providing justice for deadly use-of-force incidents due to their working relationship with officers and difficulty in convening juries to convict officers due to the constitutional principles that are vaguely outlined (Marenin, 2016). Courts have indicated that they are cable in evolving with their support of same-sex marriage decision, where the same should apply to law enforcement excessive deadly use-of-force procedures in an effort to change civilians’ disposition towards policing.

### **Technology**

Technological policing advancements is not new (Jennings, Lynch, & Fridell, 2015). Public surveillance began in the 1970s with efforts to combat crime and grew immensely after the September 11, 2001 attacks in New York City to combat anti-terrorism. The September 11, 2001 attack in New York City is often referred to as 9/11. However, during this timeframe, technology platforms were well controlled by law enforcement agencies (Stalcup & Hahn, 2016). Within in 6 years of the 9/11 attack, consumer capabilities expanded to sharing pictures, text/video messages and emails

instantaneously. Simultaneously, the number of consumers utilizing social media had the same trajectory in the frequency of using social media (Stalcup & Hahn, 2016). Fatal encounters between civilians and officers are not new; the difference is the surge in technology accessibility for consumers in the first decade of the 21st century (Stalcup & Hahn, 2016). Law enforcement agencies participated in the increased use of technology for public relations and community outreach initiatives (Stalcup & Hahn, 2016). However, what was not foreseen is how video footage would outlive an incident, fostering tension between the public and law enforcement agencies.

Technology has proven to be a resource in many industries. Technology aids law enforcement agencies to be both technically efficient and to improve the effectiveness of police work (Lum, Koper, & Wills, 2016). However, it is difficult to determine the effectiveness for community relations, crime preventions and accountability as technology offers a broad platform. For example, systems have been developed to scan objects to establish authenticity in turn decreasing time it would take to investigate but cannot provide an outcome of an encounter between a civilian and officer (Lum, Koper, & Wills, 2016).

Law enforcement agencies have implemented more technology throughout their operations, initially as a preventative tool but now it is used as a reactive tool. Technology is feasible to purchase but expensive to sustain and store data. Cameras are now the foundation for transparency and accountability as well as resolving discrepancies in claims and protecting officers (Stalcup & Hahn, 2016). Many forms of technology have been implemented, however; the prevalent form of technology used is the dashboard



camera. Body-worn cameras (BWC) have been deployed throughout most law enforcement agencies most recently within the last five years. The increased number of video footage displaying deadly use-of-force incidents has caused significant outrage and questions, causing society to be less optimistic in the transparency and accountability measures of officers. This is primarily because law enforcement agencies have been apprehensive about releasing the footage. Typically, once the footage is released there are many redacted sections of the video. Civilian recordings have increased tremendously throughout the nation providing moments leading up to deadly force incidents but not capturing the entire situation, leading to societal prosecution. Nonetheless, technology and social media have become a conduit for many components of law enforcement reform initiatives (Stalcup & Hahn, 2016).

Capturing fatal encounters between officers and civilians is not mandated for law enforcement agencies. Alang (2018) notes that context is imperative, where it is systematically essential to document the number of civilians that reside in an area or attend an event to capture the data on injuries and homicides caused by the use-of-force incidents with officers. Videos of fatal encounters between civilians and officers provide compelling evidence were many public officials were frustrated to find out that a definitive number of these accounts could not be readily determined (O'Leary, 2016). Some experts have stated cameras are the caused for the attacks against officers, where officers have implemented a "tit-for-tat approach" as a form of natural justice (Ariel, 2016, p.10). Violent assaults on officers have been captured nationally averaging 163 per year, which has declined gradually over the last five years (Stalcup & Hahn, 2016). Many

non-governmental data forums were initiated by activists to capture the deaths of a civilian as a result of the increase deadly use-of-force footage. Reports indicate that a total of 1,000 to 2,000 fatal incidents have occurred between officers and civilians, where the civilian died (Stalcup & Hahn, 2016). Additionally, due to the ongoing crisis of officer-involved shooting (OIS), it was determined that the FBI, actually tracked OIS but this data was not mandated and only provided voluntarily from 18,000 agencies, a small sample of law enforcement agencies throughout the United States (O'Leary, 2016).

The need for BWC has proven to be a necessity to understand what occurs during encounters between civilians and officers. Officers have begun to use BWC to counteract claims of misconduct or as evidence against a subject (Newell, 2018, p.15). There has been a 50% decreased in use-of-force incidents and 88% decrease in complaints (Culhane, Boman, & Schweitzer, 2016). Whether a civilian, BWC or dashboard captures footage, the argument that technology should be implemented to ensure officer compliance and to provide visual evidence regarding the Fourth Amendment regulation still holds to be evident (Culhane, Boman, & Schweitzer, 2016). The safety for officers and the public have increased since the implementation of cameras (Culhane, Boman, & Schweitzer, 2016). BWC has been instrumental in improving evidence collection and recollection of events and minimizing errors in reports (Jennings, Lynch, & Fridell, 2015). Furthermore, they have identified ways to improve officer encounters with civilians and identify practices or policies that an officer needs to improve on (Jennings, Lynch, & Fridell, 2015).

The lack of information provided by law enforcement agencies on use-of-force incidents has been an ongoing concern where citizens place a lot of emphasis on gaining a better understanding of what actually occurred during an incident from dashboard/body-worn cameras and or footage captured by bystanders (Harden, 2017). Officers prefer not to be recorded and are growing increasingly wary about being recorded despite constitutional protections (Culhane, Boman, & Schweitzer, 2016). Video footage holds to be evidentiary and any policies or practices that attempt to alter the right of citizens recording or officers tampering with devices is problematic (Nguyen, 2018).

Shooting such as LaQuan McDonald, Daniel Shaver, Michael Brown, Walter Scott, and Philando Castillo reinforce the need for the path forward in the national movement to have BWC for every officer. Culhane, Boman, and Schweitzer, (2016) research confirm that there is a small amount of effectiveness surrounding the BWC implementation. Nonetheless, footage has revealed factual events that identify adverse police conduct implying lack of integrity for law enforcement and promoting concerns surrounding officer use-of-force procedures (Culhane, Boman, & Schweitzer, 2016). There have been a number of cases where civilians have pursued lawsuits due to aggressive officer behavior resulting in the injury of the civilian due to video footage (Culhane, Boman, & Schweitzer, 2016).

Despite increased transparency and safety for both civilians and officers with the use of BWC, cameras have triggered an adverse effect on police work (Culhane, Boman, & Schweitzer, 2016). Schneider (2017) notes BWC taunts law enforcement agency legitimacy due to footage released on social media where most officers believe the

footage provides anecdotal evidence. Officers have increased anxiety as they know they will be scrutinized for every move and decision they make as their actions are subject to be filmed by the dashboard, body-worn cameras or civilian cameras (Culhane, Boman, & Schweitzer, 2016).

### **Social Media**

Society support and trust are increased when they believe that procedures are fair and just where social media has been a factor to help society to determine their position (Grimmelikhuijsen & Meijer, 2015). Research indicates that social media acts as a conduit spreading emotions, ideas, and information (Bejan, Hickman, Parkin, & Pozo, 2018). Video footage of fatal encounters between officers and civilians is often viewed as legitimate, stirring up debates, trial by social media and more importantly negative emotions. Social media is powerful in that it can access a mass of individuals all over the world in a matter of seconds. Additionally, social media has been the conduit, encouraging protest against injustices throughout communities. Research confirms that viewing fatal encounters between officers and civilians increases the propensity of emotional responses from the community and increases the risk of further violence (Bejan, et al., 2018).

Officer experiences are frequently played out on television which can frame the perception of law enforcement agencies. Understanding the new visibility on policing and the instrumental role social media plays in the process has evolved significantly over the years (Newell, 2018). Video footage of police brutality has increased the number of social media usage. Video footage of officers' encounters with civilians has been a game

changer, making it possible for citizens' encounters to be witnessed first hand without alterations. Social media has been large a proponent for sharing police and civilian encounters. Controversial footage has shape society's opinion on use-of-force practices (Bovin, Genderon, Faubert, & Poulin, 2017) Mainstream media and social media are platforms that further divided the notions into law enforcement procedures on varying components such as racial concerns, use-of-force , and political ideology (Wade, 2017). Social media offers law enforcement agencies the opportunity to highlight positive initiatives they implement, however social media often highlights the mistakes and failures of law enforcement practices (Grimmelikhuijsen & Meijer, 2015).

Law enforcement agencies have used social media as a tool for policing. Social media has been identified as one of the simple and less deadly ways to identify persons of interest (Levinson-Waldman, 2018). The availability of social media and the options to view information about individuals have proven to be overwhelmingly helpful for officers to combat crimes committed and prevent anticipated crimes. Officers' ability to use social media as a tool to monitor and gather information has brought forth concerns regarding the First, Fourth and Fourteenth Amendments (Levinson-Waldman, 2018). The debate consistently arises as to the legitimacy of these practices as the First Amendment provides the right to free speech, the Fourth provides the right to a reasonable expectation of privacy and warrants for unreasonable searches and seizures, and the Fourteenth Amendment reinforces the guarantee of the basic rights of citizens. Courts have concluded that speaking or any actions in public have no objective for privacy (Nguyen, 2018). Some experts believe that increased footage can influence

solidarity between law enforcement agencies and society as it stands to be information sharing and can educate others on policing practices (Nguyen, 2018). However, this continues to be an uphill battle and controversial debate as many have questioned whether privacy should be acknowledged when information is shared via a public platform.

Officer and civilian footage of encounters have been instrumental in use-of-force beginning in 1991 to the present day (Culhane, Boman, & Schweitzer, 2016). While six of seven federal courts agree that the First Amendment grants civilians the right to record officers, the decision is still at large and the further discussions or efforts to rule on the source, nature, the scope of the constitutional right to record has not moved beyond initial discussions (Wasserman, 2018). However, civilian recordings have proven to be essential for providing evidence of officers' actions in deadly use-of-force incidents. Social media does not have a narrowed or biased way in providing footage where officers have the discretion to record or not record an encounter.

Social media platforms have played a critical role in providing targeted messaging for the world and have strengthened the legitimacy of many industries. More often than not, society has deemed officer behavior as unconstitutional and unjustified after viewing deadly use-of-force incidents footage on social media. However, judicial ramifications have deemed officers' actions within legal guidelines according to the Fourth Amendment. There are many quantitative studies on the impact of BWC and community relations. However, more qualitative research is needed to understand the social conditions and outcomes of how the footage impacts communities (Schneider, 2017).

Social media continues to be the front runner in communicating events to society. This is inclusive of events, deadly use-of-force incidents and worldwide events, often provided by a civilian recording. However, it is imperative to be cognizant of the real world impact of social movements even though the First Amendment guarantees the freedom of speech, where social media is included. (Bejan, et al., 2018). Lack of verifiable corroboration of events, imbalance of authority and perception of an officer and civilian encounters have been diminished as a result of camera footage. File sharing on social media has provided tangible and comprehensive documentation on officers' behavior and served as proprietary evidence in court proceedings (Brown, 2016).

### **Community Relations**

Research overwhelmingly confirms that law enforcement agencies are ineffective without the support of the community (Crow, Synder, Crichlow & Smykla, 2017). Community residents consider procedural justice when identifying with law enforcement agencies. Officers' use of procedural justice has been identified as a positive factor in community relations (Silver, et al., 2017). Procedural justice refers to the attitude towards the judicial system which stems from associated experiences, interactions with legal officials and perceived fairness of the judicial process (Crow, et. al., 2017). There are four components of procedural justice: (1) how respectfully officers treat individuals, (2) the extent of participation in police led initiatives (3) officers fair and impartial decision-making and (4) officers demonstration of trustworthiness (Silver, et al., 2017).

Biased practices and shortsighted policies have caused some communities to feel over-policed (Glaser & Charbonneau, 2018). Research indicates communication errors

during a civilian encounter decrease the trust in officers and makes it difficult to develop a rapport in the future (Oostinga, Giebels, & Taylor, 2018). The image and trust for officers are overwhelmingly challenging in that residents are hesitant to participate and or continue efforts to assist officers in any of their cases. It is imperative to reflect on the current landscape of how troubled police-civilian relations' stand (Marcus, 2016).

Community policing programs should be aimed to align with procedural justice components, as it stands to increased participation from communities (Jonathan-Zamir, Mastrofski & Moyal, 2015). Due to the participation of civilians, video footage has brought forth many levels of police misconduct, exposing police killings, and brutality against unarmed suspects (Marcus, 2016).

### **Community Policing**

Policing is perceived as a concept of governing through crime, which poses as a detriment to society (Berg & Shearing, 2018). Research suggests governing through harm require less detrimental practices where society stands to be more receptive (Berg & Shearing, 2018). The primary goal of all law enforcement entities is to reduce crime where the public is in complete compliance with rules and regulations. An important factor of policing and instrumental in law enforcement legitimacy is public trust and confidence, which influences a reduction in crime (Tyler, Goff, & MacCoun, 2015). Officers are essential in creating an atmosphere within communities that are reassuring, safe and inviting (Tyler, Goff, & MacCoun, 2015). Community relations are enhanced when officers and residents share a sense of efficacy, this encourages others to join in on addressing community issues (Tyler, Goff, & MacCoun, 2015). When social connections



are developed and individuals feel that they been treated fairly by officers, they believe they share the same goal, resulting in becoming more inclined to self regulate (Tyler, Goff, & MacCoun, 2015). These are identified as “relational bonds”.

Community policing gives greater autonomy to officers as opposed to traditional policy practices (Kearns, 2017). Community Oriented Policing (COP) or Community Policing Programs (CPP) has three components: (1) problem solving, (2) citizen involvement and (3) organizational transformation (Tillyer, 2018). COP’s and CPP’s were developed as an approach to familiarize officers and residents with one another, where they can aid each other in keeping the community safe. CPP’s and COP’s help to shape policies, increase community partnerships and promote trust between officers and residents (McCandless, 2018).

COP has significantly developed within the last thirty years where programs such as citizens' patrol and neighborhood watches were developed (Sereni-Massinger and Wood, 2016). It is important to note that officer buy-in for community policing is essential to the success of the program practices (Kearns, 2017). Officers are often assigned to communities for a long period of time where they are able to foster a relationship with residents. Research indicates that most officers do not perceive community residents in a low-income area as partners towards social regulation (Nalla, Mesko & Modic, 2016). However, negative perceptions are diminished through informal conversations and the formal initiative's with resident and business owners, which result in fostering positive relations and cooperation in keeping the community safe (Sereni-Massinger and Wood, 2016). COP's and CPP's have significantly increased relations

between residents and officers. However, push back often arises because CPO's and CPP's are often viewed as public relations platforms and an opportunity for officers to justify action in uses of force cases (McCandless, 2018).

Most agencies have adopted COP's and CPP's, however, what is outlined in theory is not necessarily what is practiced. COP's and CPP's have become more prevalent as tensions have arisen with the circulation of footage of deadly use-of-force incidents. COP's and CPP's have a difficult role in gaining the ear of residents, yet, they play an integral role in community relations. COP'S and CPP's act as a quick fix for law enforcement agencies to engage with the community in attempts to mitigate retaliation and educate residents on law enforcement procedures. COP's and CPP's have ventured into schools to educate students on best practices when interacting with officers, knowing their rights, and addressing any misconceptions but more importantly to begin developing a relationship with the youth (McCandless, 2018).

Continuing to provide community-policing programs will prove to further enhance community relations. Just as law enforcement policies have influenced less lethal force, use of police dogs, high-speed pursuits and police behavior; a policy that reinforces community policing programs can essentially aid in crime reduction (Shjarback, & White, 2016). COP's and CPP's help to promote transparency, accountability, and legitimacy as this is an opportunity to interact with residents daily. Crowl (2017) states that through information sharing and collaborative partnerships law enforcement agencies have come to identify problems within in community, improve the lives of citizens at a quicker rate and keeping the trust of the residents.

Any single incident, deadly or not, can trigger varying components of civil unrest, alienate communities' members and can have an adverse impact on police-community relations. "Fear" as a deadly use-of-force justifications often leads to severe as a long-term consequence regarding community participation (Shjarback, & White, 2016). Law enforcement members are essentially social workers regardless of the capacity they work in. They often address a range of societal problems that have manifested in crime and disorder. (Shjarback, & White, 2016). Community policing done well enhances a sense of community and increased public safety (Glaser & Charbonneau, 2018).

### **De-escalation**

De-escalation includes any crisis where officers aid subjects in gaining control or reducing the crisis to a manageable and safe state (Oliva, Morgan and Compton, 2010). De-escalation is defined as minimizing danger and tension that can have an adverse effect on the safety of public and officers or interferes with the duties of law enforcement. Officers are encouraged to make every effort to de-escalate a situation where the use-of-force continuum procedures does not guide them to do so (Lind, 2015). De-escalation techniques are geared to enable officers to implement effective interventions when responding to a situation, resulting in no injuries sustained to the officer or civilian (Olivia, Morgan and Compton, 2010). De-escalation and crisis intervention are used interchangeably. De-escalation tactics are implemented in lieu of deadly force tactics. Officers are instructed to remove any disruptions, civilians or equipment, so they can implement specific actions to de-escalate a situation.

De-escalation training consists of effective communication, active listening skills, asking open-ended questions and avoiding behaviors that provoke the subject (Oliva, Morgan and Compton, 2010). Officers' ability to make decisions is instrumental when implementing the use-of-force continuum. Decision-making leads an officer to implement de-escalation practices or to implement the use-of-force continuum procedures. Three things have been identified as influencing officers decision to implement use-of-force : (1) opportunities where officers and subjects come together in time and space, (2) conditions of the social environment that officers work in, and (3) aspects of law enforcement agencies that “employ officers” (Shjarback, & White, 2016).

De-escalation training has expanded to multi-disciplinary de-escalation training which includes pre-contact threat assessments, officer safety, psychophysiology and tactical communication (Griffith, 2017). Multi-disciplinary de-escalation techniques foster quick methods where officers adapt to rapidly evolving encounters and combat any resistance that is presented (Griffith, 2017). Multi-disciplinary de-escalation training aids officers during encounters with subjects who present with mental health concerns. The public overwhelmingly supports increased mental health crisis training for officers. Research indicates that the public believes training officers on the best practices when responding to a mental health crisis will aid them in being reflective the best practices when interacting with communities (Thompson & Kahn, 2018). Crisis intervention and de-escalating practices have evolved in the last decade. Officers have become the "gatekeepers" to mental health services (Saligari & Evans, 2015).

The death of individuals with mental health concerns has been increasing over the years, where law enforcement agencies needed to provide tools for officers to address incidents. Crisis intervention tools focus on tactics and techniques to implement when an individual is in midst of a crisis (Garrett & Stoughton, 2017). These techniques are multi-dimensional where officers are able to communicate effectively with individuals who are emotionally distressed due to a mental health condition or personal life tragedy (Garrett & Stoughton, 2017).

Multi-disciplinary de-escalation training, like other law enforcement training, includes role-playing, scenario testing, and written an explanation to ensure information was received and retained (Griffith, 2017). Equipping officers with the proper tools to make critical decisions that address societal crisis's and emergencies are paramount in the law enforcement. Furthermore, implementing de-escalation techniques help to reduce the number of lawsuits and injuries sustained to officers and the public. It is important to note de-escalation techniques are only effective when sufficient time is allotted. De-escalating techniques can be achieved when officers are trained to relate effectively to diverse communities (Sereni-Massinger and Wood, 2016).

De-escalating includes critical thinking and interpersonal skills, which will aid officers in improving their decision-making skills and eliminate biases, and assumptions regarding diverse communities (Sereni-Massinger and Wood, 2016). There is no question that all eyes are on officers encounters with civilians' as it relates to accountability and ending egregious patterns of police misconduct, increased police killings, and brutality against unarmed suspects where officer indictments are rare (Marcus, 2016). This

attention heightens tensions between frontline officers and communities. De-escalations techniques serve as the vehicle to use less deadly force; wherein the concept of "action v. reaction", allows the officer to formalize a plan to respond to the subject or threat (Lee, 2018).

### **Cultural Competence**

Change is inevitable. "Change in law enforcement agencies occurs at a slow rate where it can take decades before a shift is apparent" (Wanebo, 2018, p.990). Law enforcement training should include topics that encourage officers to question biases and assumptions where they can learn to self-regulate and prepare to respond to incidents accordingly (Bawden, Rowe & Sereni-Massinger, 2015). Despite ethnic backgrounds, most individuals expect their background to significantly impact their work experiences, this too applies to officers (Todak, Huff & James, 2018). When officers understand how to learn and interact with various cultures, fewer judgments and assumptions are developed resulting in mitigating incidents (Sereni-Massinger & Wood, 2016). Danso (2018) defines cultural competence behaviors, attitudes and policies by which individuals respond effectively to people of all ethnicities, religions, immigration status, races, cultures, languages, spiritual traditions, and classes. Cultural competence originated with social work. Theorist introduced culturally competent practices in 1989. Cultural competence recognizes, preserves, values, and affirms the dignity of differences (Danso, 2018). Law enforcement agencies benefit from promulgating departmental model policies that foster independent policymaking process in order to enhance cultural competency initiatives for members of service (Eagly & Swartz, 2018).

Multiculturalism is rapidly increasing societal changes where law enforcement and social work agencies are the first lines of service that experience the need to adapt as they are the problem solvers and liaisons in the community (Sereni-Massinger and Wood, 2016). Critical thinking is essential to cultural competency, this allows an individual to evaluate, ask questions and address situations that provide just and fair results (Sereni-Massinger and Wood, 2016). CPP's and COP's have been developed to mitigate crime but more importantly to increase positive relations between officers and residents (Sereni-Massinger and Wood, 2016). Research indicates when law enforcement agencies invest in cultural competency training for officers it helps to resolve conflicts, prevent crime, fosters a positive relationship between residents and officers and most importantly prepares officers to effectively serve their community (Sereni-Massinger and Wood, 2016). The public is demanding continuous diversity and cultural competency training in order to combat implicit and explicit racial biases (Hall, Hall & Perry, 2016). Research indicates continuous training provides a positive and immediate impact on cognitive behaviors (Hall, Hall & Perry, 2016).

### **Decision-Making**

Officer decision-making is a global concern; it has claimed many front pages of newspapers and more importantly implicated many wrongdoings on the part of law enforcement agencies (Brown & Daus, 2015). Many research studies have centered on race as a significant determinant for the disproportionate number of minorities in a deadly encounter with officers (Mears, Craig, Stewart, & Warren, 2017). Humans are naturally impaired by fear. It is a physiological response is often referred to as "fight-or-flight"

(Andersen & Gustafsbeg, 2016). Officers have often stated that anger is a key emotional factor that encourages how they respond to incidents and or implement force (Brown & Daus, 2015). However, law enforcement training is designed to offset this response (Hope, 2016). Intuitions have been identified as influencers on the decision-making, often with anger was high (Brown & Daus, 2015). Persuasive uncertainty and ambiguity in officer decision-making have perpetuated low rates of contraband and or weapons when searching a suspicious subject (Glaser & Charbonneau, 2018). Researchers have studied use-of-force during incidents between officer and civilians in order to understand how they become deadly use-of-force incidents (Mears et. al., 2017).

Brown and Daus (2015) outlined the decision-making as a dual process: "(a) thinking is automatic, principally unconscious and effortless in the process, and (b) thinking is controlled, largely conscious and effortful processing" (p.294). Decreasing officer discretion has influenced less use-of-force incidents (Terrill & Paoline, 2017). Decision-making training such as "International Performance Resilience and Efficiency Programs" (iPrep) are designed to reduce threats and perceptions while systematically increasing situation and cognitive challenges", which will allow individuals to capitalize on their natural motor skills and response to the incident as trained (Andersen & Gustafsbeg, 2016, p.4). Training that encompasses this dynamic approach focuses on psychological threats, perceptions and improve physiological control (Andersen & Gustafsbeg, 2016). iPrep training is still pending amongst most law enforcement agencies (Andersen & Gustafsbeg, 2016). Officers respond to evolving incidents frequently. They are required to implement action within a matter of seconds. Their decision-making



process is essential to the outcome of the incident. Officer responses depend on a variety of contextual factors and identified operational mandates (Hope, 2016). The nature of officer response and reliability of accounts are all associated with the decision-making process (Hope, 2016)

Research has further indicated that naturally, humans are predisposed to relying on cognitive shortcuts when making rapid decisions (Mears et. al., 2017). Cognitive shortcuts refer to “thinking on your feet”. However, thinking “slowly” often allows for better assessment, however, officers make a decision in a split second. Predispositions can influence and contribute to the amount of force implemented (Mears et. al., 2017). Additionally, a triggering factor is the “context which action takes place” is, environments can act as a cue for a response (Noppe, 2016, p.605). For example, unintentional firearm discharges can stem from a startle reaction, which is a total body response and or loss of muscle balance, which can be remedied via skilled-based training (O’Neill, O’Neill & Lewinski, 2018).

Training often does not include the impact of emotional factors when reviewing the best practices for decision-making. In turn, this does not adequately prepare officers to simulate conditions accurately as they would be in the field (Hope, 2016). Unintentional discharge (UD) can be a result of a training loophole. Trainers often prepare officers to have their index finger on the trigger however, it is advantageous for “index training” to be practiced in varying environments such as low/moderate/ high stress, dynamic and or static (O’Neill, Hartman, O’Neill & Lewinski, 2018)

### **Officer-Civilian Encounters: Race-Ethnicity**

Practices such as, dogs, fire hoses, stop and frisk, “pretext” stops, and racial asymmetry surveillance laws that were implemented as a result of President Nixon’s “War of Drugs” serve as evidence of discriminatory and racial influenced practices (Smith, 2016). Despite ongoing deadly use-of-force incidents and a long list of policing practices that been unwavering and reflected in the influx of minorities in the criminal system and minority communities. Michael Brown's death on August 9, 2014, provided more tangible insight into the world about the depth of unjust actions minorities communities face with police officers. Research confirms that race plays a significant role in law enforcement involved incidents. Historically, studies indicate that minorities are at a greater risk to be harmed during an encounter with an officer (Edwards, Esposito, & Lee, 2018). 2,285 deaths resulted from firearm discharge from an officer in 2016 (Buehler, 2017). Hispanic and African American men were killed 1.7 and 2.8 times higher than Caucasian males (Buehler, 2017).

Law enforcement violence against African-Americans has been a continuous cycle since the 1800s. However, individuals that do not identify as Caucasian have also shared distasteful and deadly encounters with officers. 80% of deadly use-of-force for incidents consist of African Americas, where 10% include Latinos and disproportionately 9% of incidents account for Caucasians (Rudovsky, 2017). The perception and actuality of no progress being made have been discussed nationally and internationally where statics support this notion (Nascimento, 2017). An ongoing problem consists where minorities overwhelmingly are in deadly use-of-force incidents leading to an

overwhelmingly high instance of the high-profile shooting of African Americans (Rudovsky, 2017). The increased frequency of deadly use-of-force incidents involving non-Caucasian individuals has led to an ongoing national debate on race, community relations and policing in America. Present day policing mimics the role of patrollers in the 1800s, who were paid to monitor slaves while they worked (Alang, 2018). While all encounters do not end in deadly force, many video-documented incidents of excessive use-of-force have furthered efforts on police reform (Rudovsky, 2017).

“Social distance is perpetuated by racial asymmetry causing stereotypes regarding the relationship between race and crime” (Hendrix, et. al, 2018, p.64). Surveillance, “implicit bias” and stop and frisk practices have served as evidence to the large racial disparities regarding judiciary actions. Implicit bias identifies unconscious attitudes or perceptions that alter an individuals understanding of others (Rudovsky, 2017). This assessment is an instrumental factor in how officers respond to an incident. Research indicates that law enforcement agencies that are underrepresented with minorities often institute more surveillance of minority communities. The racial asymmetry between law enforcement and communities is one of the factors that encourage officers to increase surveillance in minority communities (Hendrix, Taniguchi, Strom, Barrick, & Johnson, 2018). This proves to be a disconnect as surveillance is used as a form of social control where it is applied differently to minority groups and increases the perception that minorities are prone to criminal behavior (Hendrix, et. al, 2018).

Hall, Hall, and Perry (2016) state that "racial bias begins during the early youth stage, where detrimental stereotypes are formed" (p.176). African Americans are

identified as subhuman in American society where they are treated harshly in the workplace and day-to-day livings. Footage of deadly encounters with officers serves as evidence that minorities' lives are devalued to the lives of Caucasians. Minorities are viewed as criminals and often regarded as such during encounters with police officers. “Fearing for my life” or “I was just doing my job” has caused a surge in discomfort amongst African American communities as officers often say that after a deadly use-of-force incident has occurred. Communities feel that officers are not held accountable for their actions and that more diversity training, accountability, and transparency initiatives need to be implemented (Hall, Hall, & Perry, 2016).

Black Lives Matter is an organization that was birthed in response to increased anger at the judicial system regarding the shootings of unarmed black men. A majority of African American communities believe that officers disregard and or see no value in their lives. Increased deadly use-of-force incidents with African Americans has been identified as the “New Jim Crow”. The criminal justice system views African American as the subordinate caste, unable to find work and not allowed to vote (Cummings, 2018, p.487). The “New Jim Crow”, was coined by Michelle Alexzander. The criminalization of African Americans poses huge health concerns. While there are many health disparities that contribute to death (i.e. heart conditions, obesity, high blood pressure, diabetes) in the African American community, deadly use-of-force incidents with police officers increases poor mental and physical health trajectories throughout the minority communities (Gilbert & Ray, 2015).

Officer shootings are legalized when deemed reasonable and within the following constraints: (1) deters escape of an individual who committed a felony or fleeing with a deadly weapon and or (2) when defending oneself or a third party from a treat (Duran, 2016). African American communities' throughout the United States have advocated for increased legitimacy, law enforcement, and judicial reform, and have asked for outside counsel in order to get a fair hearing regarding deadly use-of-force incidents (Wolley, 2018). Law enforcement agencies have special moral obligations to the communities they serve. Law enforcement is tasked to protect citizens' right to life, bodily integrity and property (Monaghan, 2017). When officers violate their obligation they do so something morally worse than a citizen committing a crime (Monaghan, 2017). Continuous deadly use-of-force incidents of unarmed African Americans will only increase the loss of legitimacy of law enforcement agencies, increased negative tensions between officers and communities and trust in the judiciary process (Wolley, 2018).

### **Emotions as a Determinant for a Justified Deadly Use-of-force**

#### **Fear**

Webster dictionary defines fear as "a distressing emotion aroused by impending danger, evil, and or pain. This is whether the threat is real, perceived or imagined. This is also the feeling or condition of being afraid." Fear is further defined as an unpleasant and often-strong emotion caused by expectation, awareness of danger and or concern about what may happen (Webster, 2018). Fear is a complicated emotion as it has an unlimited number of objects or factors that ignite the emotion. Fear is classified as a negative response as it is the sense of hopelessness or inferiority and an urge to get away and or

protect oneself or others from a threat (Nelson, 2016). Reactions to fear are not calculated or expected but continue to be the focal point in research to identify the interrelated effects as it relates to personal and cultural understandings (Nelson, 2016). Fear impacts lifestyles, attitudes, and choices individuals make. Lack of indictments and increased brutality have become one of the most contemporary pedagogies of fear, where African American men believe interactions with officers will always lead to death (Nelson, 2016). Previous studies have explored fear based on psychological and behavioral measures with there were strong correlations with fear as it relates sublimity. Hur, Gerger, Leder, & McManus (2018) study fear based on enjoyment of negative emotions. Facial Electromyography (fEMG) and skin conductance (SCR) have been used to measure subtle emotional experiences and arousals. Wachtel (2018) identifies fear has difficult to measure as psychologists often focus on what is the underlying source of the problem as opposed to examining the behaviors presented based on fear or of the presented concern of an individual.

Officers have protective characteristics that are contributing factors in containing a situation. However, this also heightens fear, which can be an influence on how to implement procedures (Crowl & Battin, 2017). When fear is heightened it encourages individuals to respond in a defensive manner. Studies have identified that fearful individuals are more likely to see authority figures as positive factors (Crowl & Battin, 2017). This places a strain on policing procedures throughout society and encourages a sense of overall lack of trust (Crowl & Battin, 2017). While police visibility can aid in

decreasing fear in communities, changes in policies would be more impactful in addressing societal concerns on deadly use-of-force incidents (Crowl & Battin, 2017).

### **Fight-or-Flight**

The acute stress response is more commonly known as "fight-or-flight". Fight-or-flight refers to the physiological reaction in response to something physically or mentally terrifying. Hormones are released when triggered by this response preparing the body to deal with or run away from the threat. Walter Cannon, American psychologist coined the description of the "fight-or-flight" response in the 1920s. Canon identified the chain of rapidly occurring reactions that help to mobilize the reaction to mitigate threatening circumstances (Cherry, 2018).

When a fight-or-flight response is triggered, the sympathetic nervous system is activated due to the immediate release of hormones, followed by the adrenal glands stimulating and releasing catecholamine, inclusive of noradrenaline and adrenaline. This response results in increased blood pressure, heart rate, and or breathing rate, pale/flushed skin, dilated pupils, and body tremors. It may take 20 to 60 minutes for the body and mind to return to the pre-arousal state (Cherry, 2018). A fight-or-flight response occurs as a result of a psychological and or physiological threat or in the face of imminent danger. For example, psychological threats can be preparing for an important meeting or interview and an imminent threat can be, being chased by an armed subject or growling dog.

Fight-or-flight plays a crucial role in how individuals deal with stress or danger in any environment (Cherry, 2018). Fight-or-flight responses can be triggered by real,

perceived and or imagined threats (Cherry, 2018). Fight-or-flight is an automatic response, however, the response is not always accurate (Cherry, 2018). Fight-or-flight responses prepare individuals to perform under pressure. Additionally, this response aids when coping with traumatic events, fostering individuals to perform better under stress and to survive the danger presented (Cherry, 2018).

### **Situational Awareness**

Situational awareness helps officers to identify risk factors and allows them to respond appropriately to minimize the threat (Anderson, 2018). Mica Endsley (1988) defines “situational awareness” as the perception of “the elements in the environment within a volume of time and space, the comprehension of their meaning, and the projection of their status in the near future” (p.35). Endsley aligns situational awareness with the decision-making process. Endsley identifies three phases and components on situational in three different levels.

Situation awareness level 1 highlights the perception of the elements in the environment, where key elements or "events" are identified and used to define the situation. In this level, key elements of the situation are identified and stored for subsequent processing (Endsley, 1988). Situation awareness level 2 highlights the comprehension of the present situation, where events from level 1 events are placed into a comprehensive holistic pattern, or tactical situation. In this level, the current status of the present situation is defined operationally, supporting rapid decision-making and actions (Endsley, 1988). Situation awareness level 3 highlights the projection of future



events, where the predictions evolve into tactical solutions for the situation in the future; here is where short-term planning and option evaluation take place (Endsley, 1988).

Officers are human, where they can respond to stressful situations frantically. However, based on their knowledge, experience, and training they are able to develop a sense of preparedness for best practices to implement in the field. Officers are trained to identify situations according to Jeff Coopers' "Color Code" (PoliceOne, 2017). There are four color codes, white, yellow, orange and red. "White" is often identified as a safe environment where everything in the environment is completely relaxed (PoliceOne, 2017). "Yellow" is where the officer is in a relaxed mood but alert to their surrounds, it is suggested that officers be in the yellow stage on and off duty (PoliceOne, 2017). "Orange" is where an officer has identified a subject or object that poses a threat and the officer prepares to respond accordingly (PoliceOne, 2017). "Red" is where an officer has substantiated the threatening subject or object where the subject or object has become a target (PoliceOne, 2017).

Situational awareness training aids officers to identify risk factors, understand human responses, identify levels of aggression and reinforces policy and procedures. Two factors when identifying risks in situational awareness are the subject situation and environment. Each of these risk factors can influence the level of a threat at varying stages of the encounter. A subject risk factor includes the physical, mental and emotional status of those involved in the situation (i.e. the level of intoxication, attitude, stress level, etc.) (Anderson, 2018). Environmental risk factors include jurisdictions, equipment, and familiarity with the physical environment (Anderson, 2018). Stress levels are closely

related to situational risk factors. The potential threat level influences human response (Anderson, 2018). Understanding human responses factors include unintentional blindness, cognizant responses, and emotional reactions. Emotional reactions are unplanned responses to a threat (Anderson, 2018). Cognizant responses are trained to respond to a threat. Unintentional blindness is where the individual identifies and respond accordingly to a situation that has been compromised (Anderson, 2018). Identifying the level of aggression focuses on the nonverbal and verbal indicators of the subject and surrounding environment (Anderson, 2018). Situational awareness training reinforces best practices and the appropriate policies and procedures that are outlined by the department and legislative measures.

### **Publicized Deadly Use-of-Force Shootings**

Officers have to make critical decisions in a split second, where they have to focus on the safety of the public and themselves at the same time. Undoubtedly, the role of an officer has significantly changed over the decades. The current nature of incidents between officers and civilians has caused outrage within the communities and a cry for police reform. Social media has been instrumental in furthering communication, images and video footage of deadly encounters with officers that have caused many to question the integrity and procedures of law enforcement agencies. However, within the last 5 years, there have been some controversial shootings that have shaken society. The following cases serve as an example where fear interfered with the decision-making skills where the use-of-force continuum policy/matrix was not implemented and resulted in deadly use-of-force.

### **The Shooting of Phillando Castillo**

As a part of a traffic stop on July 6, 2016, Philando Castile was shot seven times and died as a result of his injuries. Castile was stopped because he was thought to fit the description of an individual identified in a recent robbery (Bosman and Smith, 2017). Castile was in the car with two passengers, Diamond Reynolds, and her four-year-old daughter. Castile was sitting on the passenger side of the vehicle. Officer Jeronimo Yanez asked Castile for his "license and registration", in the process of providing the requested items; Castile simultaneously revealed that he had his firearm on him and a license to carry. Officer Yanez simultaneously instructed Castile not pull it out, where Castile explained that he was not pulling the firearm out. Within a matter of seconds, Officer Yanez fired seven shots. Reynolds began to record the incident moments after the shots were fired. The dashboard camera corroborated the order of events, which was released on June 20, 2016, four days after the jury rendered a not guilty verdict. Reynolds' live stream gained national and international reactions causing outrage. Four months after Castile's death charges were brought up against Officer Yanez on November 16, 2016. Officer Yanez consistently stated he "feared for his life". Officer Yanez was acquitted of all charges but was fired from the City Saint Anthony police department on June 16, 2017 (Smith, 2017).

### **The Shooting of Daniel Shaver**

Daniel Shaver was slaughtered in the hallway of La Quinta Inn & Suites hotel during a business trip for his Texas-based pest control company on January 18, 2016, by Officer Phillip Brailsford (Gagliano, 2017). It is believed that Shaver and some

acquaintances were having drinks where he played with his rifle and used birds as targets outside his hotel window. These actions prompted officers to respond. While Shaver was subdued on the floor, and in compliance with the officers' demands, Shaver placed his hands behind his back as instructed. However, his compliant actions incited Officer Brailsford. Shaver was shot multiple times while he was kneeling on the floor and sobbing for his life. BWC captured the incident, edited footage was viewed by the jury. Officer Brailsford stated he was "terrified for the safety of others who were in the hallway" (Ortiz, 2017). Officer Phillip Brailsford was acquitted of all charges on December 7, 2017.

### **The Shooting of LaQuan McDonald**

Laquan McDonald was shot sixteen times by Officer Jason Van Dyke on October 20, 2014. McDonald died as a result of his injuries. McDonald, 17 years old was walking down a dimly lit street where he carried a knife and punctured a tire. Unbeknownst to him, he was being trailed by Chicago Police Department. Officers trailed behind him due to his perceived erratic behavior. Initially, police reports alluded to McDonald advancing towards the officers and him being aggressive. However, medical reports, dashboard cameras, and surveillance video would later prove that McDonald did not attempt to flee which did not corroborate the order of events as officers originally stated. The death of McDonald caused intense outrage where many protests were sparked and the resignation of the officers involved and Mayor was demanded. Officer VanDyke consistently stated he "feared for his life". It is important to note that other officers on the scene did not shoot or withdraw their weapons. Female Officer Dora Fontaine arrived on the scene

moments before the shooting, she never withdrew her weapon and confirmed McDonald never charged towards officers. On October 5, 2018, Officer Van Dyke was found guilty of second-degree murder and sixteen counts of aggravated battery with a firearm (Crepeau, St. Clair and Meisner, 2018).

### **Summary**

The nature of policing work has overwhelmingly changed over the years. Historically, relationships between community members and officers have been antagonistic. In varying instances, community members have served as collaborative partners in helping to mitigate crime within the neighborhood. The increased usage of social media has become instrumental in providing instantaneous access to individuals nationally and internationally, where events and incidents are captured and shared daily. Society is often unaware of the protocols of officers, however, social media has promoted trial by media. Systematic failures in the justice system are revealed after a "sentinel event". A sentinel event is "when an individual reoffends immediately after release from prison, an encounter that becomes violent with wrongful arrest or conviction of an innocent individual, in-custody death, unreasonable delays in providing forensic evidence or violating an individual's right to a speedy trial" (Aguirre, 2018, p.1062). Mistakes occur, it is inevitable but it is the duty of judiciary representatives to adopt recurring sentinel event reviews in order to be transparent and accountable to society.

Cognitive factors shape emotional which predict actions. Cultural competence and de-escalation training have been implemented throughout law enforcement agencies training have been identified to address multicultural expansion throughout communities

yet, there continues to be a rise in deadly use-of-force with civilians and officers.

Tensions between communities and officers have since heightened due to officers describing “fearing” for their lives as a justification for deadly use-of-force. Officers receive extensive training on when and how to use force, but the use-of-force continuum procedures does not mention how cognitive labels and emotions play a role when responding to an incident.

Reactions such as protests, resignations and silent vigils have overwhelmingly become the response to unjust actions or behaviors of officers’. Literature currently does not identify any emotion as a determinant for justified deadly use-of-force. However, the increasing number of not guilty verdicts continue to cause an outcry regarding public safety and officer accountability and behavior. Literature reviews deadly use-of-force as it relates to constitutional ramification but broadly addresses the implementation of use-of-force and defers to state and local law enforcement agencies to properly address officer behavior. However, law enforcement agencies are encouraged to implement strict policies or guidelines to aid officers in implementing de-escalating procedures when dealing with the public. Furthermore, literature does not identify “fear” or any emotion as a determinant to implement deadly use-of-force. This study identifies additional steps that can be added to the use-of-force continuum procedures to address for “fear” when officers are responding to an incident.

## Chapter 3: Research Method

### **Introduction**

The purpose of this qualitative phenomenological study was to explore the impact fear plays when officers implement use-of-force continuum practices during encounters with civilians. A controversial officer involved shooting resurfaced at the forefront of America's media beginning in 2014 with the shooting of Michael Brown in Ferguson (Nascimento, 2017). The role of an officer is consistently evolving and is instrumental in every community where training is essential to safety. Officers receive tactical targeted training to aid them in resolving varying threatening and non-threatening incidents. Training is geared towards intervention measures as well as resolving issues, yet fear has not been identified and/or factored into simulations. Furthermore, fear nor any other emotion has been identified as one of the topics addressed in standard law enforcement training. Police training academies focus on de-escalation, cultural competency, use-of-force continuum procedures, tactical skills, mental health awareness, opioid saving mechanisms, and daily patrol tactics and techniques, among a slew of additional mediation and survival training (PoliceOne, 2017).

The recent public shooting of unarmed civilians has gained national attention, primarily because of the use of social media and the frequency of the law enforcement member using fear as a justification for shooting unarmed civilians. Officers have identified that fear was the determining factor for their actions. In three of many shootings of unarmed civilians, such as Daniel Shaver, LaQuan McDonald, and Philando Castile, all officers charged in the case stated they feared for their lives or the lives of

others. Researchers have identified “fight-or-flight” as a response that occurs when encountering any situation (Cherry, 2018). “Fight-or-flight” plays a crucial role in how individuals deal with stress, emotion or danger in any environment (Cherry, 2018). However, it is important to highlight that fear is an emotion can be provoked by a threat that is imagined, perceived, or real. Current literature does not address fear and the impact it has on decision-making processes as it relates to police officers.

In this chapter, I discuss the research design and methodology applied to this study. I further describe the research design rationale, the role of the researcher, sample size, population, issues of trustworthiness, method of data collection, data management, method of analysis, limitations, and ethical procedures. The research question guiding this study was as follows: How does fear influence officer decision-making process in relation to the use-of-force continuum practices? The goal of this research study was to analyze the role fear plays during officer and civilian encounters as it relates to fear to invalidating use-of-force continuum procedures learned in police training academies.

### **Research Design and Rationale**

Relations between officers and community residents play a vital role in communities, where residents look to police officers for guidance and safety and officers look to the community for cooperation and support. The perception of policing is crucial in this study, as community residents have been impacted in a negative fashion with the spike in shootings of unarmed civilians. In this research, I explored how fear invalidates use-of-force continuum procedures learned in police training academies to implement during an encounter with civilians. There is an abundance of literature identifying the



“fight-or-flight” response as a natural response to defending oneself from a threat (Cherry, 2018). However, the literature has not addressed fear as an emotion, as a contributing factor for officers to implement procedures that differ from what was taught during targeted tactical police training. This presented a significant gap in the literature and sufficiently justified this research.

A qualitative method and phenomenological design were identified for this research as they were best suited to obtain the depth of lived experiences of police officers. Qualitative methods are inductive explorations of lived experiences, which offers a holistic analysis where varying sources result in a rich explanation of individuals’ lived experience (Nassaji, 2015). Phenomenological designs help to clearly understand individuals’ experiences and perceptions and are geared towards exploring why individuals respond, feel, or interact with a phenomenon and highlight individuals’ perceptions of the phenomenon in their own words (Burkholder, 2016). The guiding research question for this study was as follows: How does fear influence the officer decision-making process in relation to the use-of-force continuum practices? Phenomenological research studies have proven to be invaluable in practice-oriented sectors, such as social work and law enforcement.

### **Role of the Researcher**

I explored academic literature related to police officer use-of-force continuum practices and decision-making processes. The purpose of reviewing the academic literature was to explore theories and ideas centered on officer decision-making processes as they relate to experiencing fear during an encounter with a civilian, armed or unarmed.

Phenomenological researchers are tasked with obtaining, organizing, and analyzing perceptions of an individual's phenomenon, lived experience (Burkholder, 2016). Participants should be looked at as coresearchers as opposed to subjects (Burkholder, 2016). Phenomenological researchers are encouraged to be objective and not subjective as they are given a glimpse into the phenomenon of individuals where their role is to embody actions and behaviors that are associated with trust and respect (Karagiozis, 2018). Burkholder (2016) stated that a phenomenological researcher's role is imperative, particularly during the interview, where the researcher should be aware of his or her facial expressions and body language in order to not present any implicit biases towards the participant. I collected, transcribed, stored, and coded all data received from the interviews using my MAC computer and Microsoft WORD. Colaizzi's (1978) descriptive phenomenological method used to validate participant responses.

I did not hold any personal or professional relationships with the police officers who participated in the study. There were no conscious biases or ethical issues in this study. I am a person who identifies as an African American woman and have observed the increased deaths of unarmed civilians where I've been exposed at the same rate as the society. I am versed with varying social media sites where I have observed second-hand encounters of police officers shooting unarmed civilians during varying encounters. However, I too am a member of law enforcement. I am employed with a law enforcement agency, Department of Correction, in the capacity as a civilian. I work closely with uniformed officers in every capacity where I am privy to use-of-force protocol and procedures in Correction. As I result, I later discuss the steps taken to implement epoché.

## **Methodology**

In this qualitative phenomenological study, I explored the depth of individuals' perceptions where I did not generalize the findings. I focused on understanding how law enforcement agencies can improve their use-of-force continuum practices as they relate to identifying solutions for addressing fear as a factor that invalidates previous tactics learned. Burkholder (2016) defined a phenomenon as something that is finite and definable as opposed to something being unclear or nebulous. Phenomenological studies aim to identify and understand human factors associated with and/or involved in an experience. The role of officers has evolved since its inception. Diving into the lived experiences of law enforcement officers highlights how fear has impacted decision-making skills during encounters with civilians.

### **Participant Selection Logic**

The targeted population for this study was active police officers, specifically officers who worked for the police department. Criteria to participate in this research were that participants must be active with the police department within the City of New York with a minimum of three years of experience as a police officer where they interfaced with civilians daily. Recruitment was done via social media, specifically Facebook, Instagram, and LinkedIn. Interested participants replied via messenger respective of the social media site they viewed the posting on, responding with their email addresses to receive further information about the study. After I received the participants' email address, I sent them the consent form electronically. After receiving "consent" via email, I shared the interview questions via email and confirmed their

availability to be interviewed. Participants were encouraged to review questions prior to the interview. Varying dates and times were provided to meet the varying work schedules, as the participants did not work traditional hours.

The targeted population this study was police officers within the New York Police Department who are active police officers. Participants were selected using snowball sampling. Snowball sampling is where information is obtained from the following information source that will be sampled (van Rijnsoever, 2017). In order for this inductive qualitative study to be deemed credible and dependable, a sample size of eight will result in saturation (van Rijnsoever, 2017; Burkholder, 2016). Most qualitative studies sample size achieves saturation when using between five and fifteen participants (Burkholder, 2016). Astroth (2018) describes the importance of saturation as the details and non-superficial understanding of a phenomenon, where no new themes or perspectives are determined.

Data was be collected after eight people responded to the social media post and met the criteria. Participants were notified prior to the interview that they are participating voluntarily, where they could stop the interview at any time or no longer participate during any time of the study. Interviews lasted no longer than ninety minutes. At the conclusion of the interview, participants were debriefed, asked if they had any clarifying questions, needed further information and were thanked for their participation. In order to ensure the transcription and identified themes are accurate; transcripts were completed within 48 hours of the interview and Colaizzi's (1978) descriptive phenomenological method, was used to keep the responses true.

## **Instrumentation**

The instrument for data collection for this qualitative phenomenological study was a semi-structured open-ended interview questions that was conducted over the telephone. An interview protocol sheet was developed and used to ensure all participants were asked the same questions. An eleven item scale questionnaire and demographic background section was included to aid the researcher in gaining a deeper understanding of how fear impacts decision-making skills learned in police training academies.

Interviews were recorded manually and stored digitally. Participants' were given a designated code to maintain their confidentiality. The data responded to the interview protocol was centered on the guiding research question for this study: How does fear influence officer decision-making process in relation to the use-of-force continuum practices? Data collection was rooted in bracketing. Bracketing is where the researcher reframes from imposing any biases that may influence a participant's answer (Burkholder, 2016). Phenomenological interviews are centered on the plausibility of experience as opposed to the actuality of it (Cypress, 2018).

Interviews took place via telephone, where participants and I were in comfortable separate environments conducive for private conversations. Participants called in from a natural environment, allowing them to express themselves freely (Cypress, 2018). Interview questions were geared towards provoking descriptive responses related to living experiences without inquiry into casual explanations or interpretive generalizations (Cypress, 2018). Participants' responses were transcribed manually; this is one of the

most crucial parts of an interview (Moser & Korstjens, 2018). Participant responses were coded into themes in order to describe their phenomena's. The codes have an *emic* focus. Burkholder (2016) describes *emic* as presenting the perspectives of the participants as opposed to the researchers' perspective, where participants' voices are heard and defined.

Saturation was achieved during the initial recruitment. I used social media outlets in order to recruit participants. Continuous iterative process and InVivo coding was used leading me to identify four emergent themes. The primary goal of conducting interviews was to understand the meaning of the participants' responses (Moser & Korstjens, 2018).

Interviews began with an opening statement, which highlighted what to expect, important contact numbers if at any time participants feel uncomfortable, and where they were asked to reconfirm their consent of the interview. Demographic information was asked prior to proceeding with the eleven scale-targeted questions. After the interview was completed, participants were informed that they would have the opportunity to review the transcript for accuracy followed by thanking them for participating.

### **Issues of Trustworthiness**

Exploration of conformability, dependability, transferability, and credibility were avenues implemented to ensure quality qualitative studies. These avenues were enhanced through multi-method strategies, prolonged fieldwork, member checking, and implementing verbatim responses from participants (Ngozwana, 2018). Data was obtained using a MAC computer. Participants were provided an opportunity to review their responses for accuracy. Triangulation is done to ensure the validity of data collected and presented. The truthfulness of data collected is referred to as credibility. Credibility

will be achieved by presenting respondents statements verbatim, where participants will have the opportunity to member check their responses (Cypress, 2018). Data was in the form of manual transcripts in order to provide transparency.

### **Ethical Procedures**

Ethics are imperative in any research study. Informed consent, confidentiality, and anonymity served as part of the ethical procedures that were applied in this qualitative phenomenological study. Ethics are centered on morally inspired practices that avoid any harm to participants that may occur during a study (Ngozwana, 2018). The research is validated as it is in alignment with reliability, trustworthiness, reliability, and validity. Data was obtained and reviewed for authenticity. Rigorous data collection, management, and analysis was applied to this study.

### **Summary**

Law enforcement agencies have a standardized use-of-force continuum practices that all police officers must implement when interacting with civilians. The use-of-force continuum policy/matrix outlines the appropriate ways to respond to a subject's actions and preserve the lives of all involved. Identifying triggers that encourage police officers to react outside of learned skills is essential to fostering better community relations and policing practices are imperative. Various training have been developed to prepare police officers for varying incidents. However, the interjection of fear was stated by officers in recent publicized deadly use-of-force incidents, leading to the cause for the death of civilians. This has overwhelmingly become a societal concern. Societal trust and safety are key for law enforcement agencies to be successful in their roles. Situational

awareness is instrumental in the training foundation for all police officers. Identifying one of the core factors that have been shared as a trigger for many deaths of unarmed civilians have potential to be more impactful in developing strategies for targeted trainings that will decrease the number of fatalities amongst civilians.

Chapter 3 discussed the foundation for conducting a qualitative phenomenological study. Information was provided about the process of how interviews will be conducted, participant selection logic, instrumentation, rationale, role of the researcher, methodology, data analysis, trustworthiness ethical procedures and details surrounding the research design. Chapter 4 discusses the setting of the interviews, participant demographics, data collection and analysis, evidence of trustworthiness, and the results of the study.



## Chapter 4: Results

### Introduction

The purpose of this qualitative phenomenological study was to explore the impact fear plays when officers implement use-of-force continuum practices during encounters with civilians. The phenomenon of interest was fear, which is often identified as a justification for fatal outcomes despite the use-of-force continuum procedures outlined. Social media viewings are provoking communities to question the actions of police officers and fear statements when footage contradicts the official report (Bejan et al., 2018). Little to no convictions of deadly use-of-force incidents with nonresistant civilians and the legality of fear as a justification for deadly use-of-force incidents has increasingly sparked outrage throughout society.

The research question for this study was as follows: How does fear influence officer decision-making process in relation to the use-of-force continuum practices? Three interview questions were directly aligned to specifically answer the research question for this study. Each question was open-ended, providing the participants with the flexibility to answers as they saw fit. The demographics of the participants were as follows: seven men and two women. All participants were minority members; this could be due to the recruitment process. I used my social media outlets (Facebook, Instagram, and LinkedIn) to recruit participants. As a woman of color, many of my followers are considered to be in a minority group. Two nonminority respondents agreed to participate but were unavailable due to unforeseen circumstances. The demographics of participants are further displayed in a taxonomy table (see Table 1). The results of the interview are

outlined in four themes. Two questions were discussed in great depth to further outline the experienced impact of police officer fear during use-of-force incidents.

Chapter 4 provides a description of my study as I review the setting, demographics, data collection and analysis, evidence of trustworthiness, and results of the analysis to answer the research question. Table 1 displays the demographics of the nine participants. The demographics of the study include gender, race, education level, number of years with the police department, and number of times involved in a use-of-force.

Table 1

*Demographics (N = 9)*

Participant	Gender	Race	Education level	Years w/ Police Dept.	# of times involved in a use-of-force
1	Male	African American	College Graduate	8	10
2	Male	Puerto Rican	High School Graduate	25	Unknown
3	Male	Caribbean-African American	College Graduate	18.5	20
4	Female	Puerto Rican	High School Graduate	7	5
5	Male	African American	College Graduate	15	10
6	Male	African American-Descendant of the Middle Passage	College Graduate	22	Unknown
7	Female	African American	High School Graduate	32	Unknown
8	Male	African American	College Graduate	7	15
9	Male	Haitian-African American	College Graduate	4	40

### **Setting**

Once IRB approval was obtained (approval #03-15-19-0674698), I began recruiting on social media platforms (LinkedIn, Facebook, and Instagram). Interviews took place between March 28, 2019 through April 12, 2019, via telephone, where participants and I were in comfortable separate environments conducive for private conversations. Due to the participants' profession, all interviews were prescheduled to accommodate for their work schedule once it was determined that they were eligible for the study.

Fourteen police officers expressed interest in the social media recruitment post to be a part of this research. I screened all interested police officers to determine if they met the criteria: active police officers with the NYPD for more than three years in civilian facing patrol units. There were three who did not meet the criteria, they were not included in the study. There were two who were not able to continue their participation in the study due to unforeseen circumstances, they were not included in the study. Nine police officers met the criteria and participated in the research. The nine police officers who volunteered consisted of seven males and two females. Four police officers identified their ethnicity as African American, two as Puerto Rican, one as a descendant of the Middle Passage, one as Caribbean-African American, and one as Haitian-African American. Two police officers held high school diplomas, six had a college degree, and one completed graduate coursework. Police officers' years of experience with the NYPD ranged between four and thirty-two years. The number of use-of-force incidents the police officers were involved in ranged between unknown and forty.

### **Data Collection**

All data were collected via a phone interview, which included six demographic inquiries and eleven interview questions. All interviews lasted between forty-five and ninety minutes. I developed the interview questions and served as the instrument for data collection and interpretation. There were nine participants in this study. Each participant was patient as I noted their responses and asked if they needed to repeat their responses. I obtained the lived experiences and perceptions by capturing the police officers views on (a) the definition of use of force , (b) use-of-force continuum procedures (c) emotions experienced during a use-of-force , (d) the impact of publicized use-of-force incidents (e) news and social media postings influence, and (f) decisions made based on fear or emotion.

All participants received a consent form via email. The consent form included language surrounding the background of the study, procedures of the study, nature of the study, risks and benefits, privacy, participants' rights, and the study approval number. Once the participants replied with the words "I consent" and agreed to participate in the study, I emailed the participants to identify their availability. The interview questions were attached to ensure the participants were comfortable with the content of the questions. The interviews were conducted via telephone. The calls were not recorded. I recorded the responses manually. Colaizzi's (1978) descriptive phenomenological method was used to ensure the accuracy of participant responses. There were no variations in the data collection plan explained in Chapter 3 and/or unusual circumstances in the data collected from this study.

### **Data Analysis**

Nine interview responses were manually entered into a Microsoft Office Word document. Data are reflected in themes and in a word cloud. Data were analyzed using Colaizzi's (1978) descriptive phenomenological method, a rigorous analysis inclusive of seven steps that sustain the description of participant responses that are validated by the participant, keeping the responses true. Colaizzi's (1978) descriptive phenomenological method offers a rigorous and robust analysis of lived experiences, in turn offering credible and reliable results. Continuous iterative process and InVivo coding were used to identify emergent themes and patterns.

The process of the data analysis included (a) implementing Colaizzi's (1978) descriptive phenomenological method, (b) examining each police officer's response, (c) validating each police officer's response (d) coding each police officer's response, (e) organizing responses into themes, (f) confirming themes were applicable, and (g) developing a description of the lived experiences and perceptions of police officers. Themes were identified using a continuous iterative process. The emergent themes were (a) wall of blue (b) being brave not invincible, (c) policing has evolved for the worse, and (d) body-worn cameras are a great tool. Each theme is discussed in depth in the results section.

### **Evidence of Trustworthiness**

Colaizzi's (1978) descriptive phenomenological method provided a rigorous and robust analysis of police officers' lived experiences, reinforcing credible results. This study represents transferability for police officers for the possibility of similar studies to

be conducted. The results of this study may not be reliable, despite using the same population, as the responses were based on the perceptions and lived experiences as police officers. Credibility was established by identifying patterns and themes from the participants' responses.

Phenomenological studies require capturing the lived experiences of others. This study was centered on use-of-force incidents, one of the most trending topics on social media and news platforms. I am a civilian employee in a law enforcement agency, Department of Correction, where I do not interface with inmates daily, but I am privy to the protocols and procedures regarding use-of-force. As a researcher, a human being, and being equipped with past knowledge of publicized deadly use-of-force incidents, the task of removing biases was important to present the findings accurately (see Butler, 2016). I took the following steps to implement epoché. Husserl (1983) defined epoché as suspension of judgment. I removed myself from all social media accounts and websites associated with law enforcement updates and use-of-force incidents. Once I reached saturation, I stopped recruiting on social media. Additionally, I temporarily closed my social media accounts in order to not view any deadly use-of-force incidents, and I refrained from watching local and national news channels until my analysis was completed.

All participants were asked the same eleven questions where themes were identified during the coding process. Credibility is strengthened when triangulation is implemented (Patton, 2015). Triangulation is achieved by validating data from more than two sources (Patton, 2015). Social media was used to recruit participants to offer diverse

experiences of the identified phenomenon. This study has been written in a clear and concise manner reinforcing the conformability of the study.

### **Results**

This study examined how fear influences police officer decision-making process in relation to the use-of-force continuum practices. Schachter-Singers' two-factor theory of emotion (1962) identifies physiological cues as underlying emotions, where cognitive cues explain internal reactions and cognitive factors determine how the arousal state is labeled in order to assign an emotion to the situation (Schachter & Singer, 1962). Schachter- Singers' two-factor theory of emotion have provided partial confirmation as police officers identified experiencing "increased heart rate", "sweating", "adrenaline pumping", "heart racing", "mind racing" and "loss of breath", but they did not identify these physiological cues as underlying emotions that determined their actions. Body-worn cameras had more of a significant impact on their decision-making skills.

All participants shared as much detail as they were comfortable providing about their lived experiences as police officers and how fear or any emotion impact their decision-making skills. Each participant shared the same theme: (a) wall of blue (b) brave not invincible (c) policing has evolved for the worst and (d) body-worn cameras are a great tool.

Table 2 displays the themes of the study. The themes of the study are displayed as the number and percentages of occurrences.

Table 2

*Themes of the Study*

Themes	Number of occurrences ( $N =$ 9)	Occurrences (%)
Wall of blue	9	100%
Being brave not invincible	9	100%
Policing has evolved for the worse	9	100%
Body-worn cameras are a great tool	9	100%

**Theme 1: Wall of Blue**

All police officers attributed the “wall of blue” concept (see Table 2). Wall of blue is a silent rule amongst police officers where they vow to not report one another’s misconduct and support each other no matter the cost on and off the job. Wall of blue represents the solidarity and relentless support of fellow officers. During the interview, police officers made the statements below which led to the development of this theme.

- “You are constantly told to be safe, keep your partner safe and get back to your family safe.”
- “I would rather be tried by 12 than carried by 6.”
- “It’s like they constantly say- do what you must to get home safely.”



- “At every roll call, they tell you ... protect yourself and your partner at all times.”
- “Protect your job and the jobs of fellow officers.”
- “You are not guaranteed to come home safe or in one piece- you always worry about your family because they sacrifice too.”
- “When you are in bad, negative and rough conditions with everyone you encounter- you begin to have the perception that all civilian are negative. It is hard to accept people as good if they do not wear "the uniform". Most police officers only hang with other police officers because you can trust them and they are good.”

## **Theme 2: Being Brave Not Invincible**

All police officers identified civilians as expecting them to not be human (see Table 2). Police officers images have been developed by many social media viewings and unfortunate personal negative encounters where they are not often expected to be human, leading the overall perception of police officers as not caring. During the interview, police officers made the statements below which led to the development of this theme.

- “We are human. We feel too. We have natural reactions; we have to keep cool, be patient, be compassionate and assess everything before acting in a matter of seconds.”
- “We do not have superhero capes under the uniform. Respect goes both ways.”
- “There should be respect for self, community and the environment.”

- “Unfortunately, there are some cops who get hooked into a superhero ego.”
- “Some police officers take the job “only to solve crimes” and return to their homes which is not in the community they police.”
- “The job claims your humanity. We don’t want to hurt civilians.”
- “As a cop, you must be compassionate. You can retire from the job but civilians never forget. You must always be respectful.”
- There will never be enough training but the department is moving towards increasing training. Overall, the job is about treating people with respect. You MUST win the community’s trust.”
- “All situations are NOT force. Police officers are not trying to be disrespectful we are doing what is outlined in the guidelines.”
- “When someone spits on you ... you have a natural action to respond, often with negative physical action. The same applies police officer with or without the uniform.”

### **Theme 3: Policing Has Evolved for the Worse**

All police officers identified policing practices to be good in theory but not realistic in practice (see Table 2). The role of the police has evolved to meet the growing needs of society, the community and as a result of judicial rulings. This can be viewed as an “us vs. them” idea but this further captures a larger need for external and internal stakeholders to develop additional tools and opportunities for officers’ to adjust to new requirements and oversight regulations. During the interview, police officers made the statements below which led to the development of this theme.

- “The job has changed. If you don’t follow the procedure to the letter- they will make an example out of you.”
- “Good policing doesn’t make the news. Not all cops are bad, but one bad apple ruins it for all of us!”
- “The job is a lot harder now because police officers are scrutinized more. “All cops are the same” is often a response after an incident is posted on social media.”
- “Different policies are put in place and communities are apprehensive when police officers respond to an incident. They (communities) don’t want you there and they (communities) become hostile.”
- “It is all about numbers and ensuring the ADA (Assistant District Attorney) has what they need.”

#### **Theme 4: Body-Worn Cameras Are a Great Tool**

All police officers identified body-worn cameras as great tools during daily patrols and during incidents (see Table 2). Body-worn cameras have increased police officer awareness of their language, and what their actions “can appear” to be. Body-worn cameras foster police officers to consider the consequences of the actions. During the interview, police officers made the statements below which led to the development of this theme.

- “Cameras foster you to make the correct decision and follow the patrol guideline so that you are not crucified.”

- “Cameras have been great, particularly with the increase of Emotionally Disturbed People (EDP) incidents. It tells the entire story.”
- “Cameras are everywhere, they provide exactly what occurred. BWC has changed policing but helps police officers.”
- “Initially, I was hesitant to wear a BWC but once I realized it shows the entire picture and how civilians act, I was sold!”
- “BWC make you more aware. Cameras have determined job security. It makes you make different decisions.”
- “BWC made me as an officer feel more protected. I know if something went wrong, someone would post it on social media.”
- “BWC force you to do the right thing because it can appear to the untrained eye that the police officers’ action was incorrect but it is really within departmental guidelines.”
- “BWC have saved jobs. Cameras often tell exactly what occurred. NYPD pushed for cameras to prove the correct actions of police officers. Many cases don’t make social media when police action was correct.”

Questions five and nine are discussed in greater depth as they speak directly to emotions and decision-making during a use-of-force. Figure 1 displays a word cloud offering a visual response of the word frequency from police officers regarding Question 5, what emotions, if any, have you experienced during civilian encounters that resulted in a use-of-force? The word cloud reveals that many emotions are experienced during use-



Gustafsbeg, 2016). The police officers response confirm that fight-or-flight, a physiological response commonly of fear, plays a role in how they are impacted when responding to stressful or dangerous situations (Cherry, 2018).

### **Summary**

Emergent themes of this study were (a) wall of blue (b) brave not invincible (c) policing has evolved for the worst and (d) body-worn cameras are a great tool. Emotions (fear) and body-worn cameras were found to be the root cause of use-of-force incident outcomes. However, once familiarity with the job was solidified- fear existed but did not heavily impact police officer actions. Police officers are trained to respond to the unexpected and the unknown. The wall of blue mindset appears to have a significant impact on how police officers place themselves, partners and families first. This finding confirms Ishoy and Dabney (2018) research on law enforcement discretionary decision-making to the tight organizational cultures that influence norms and common worldviews amongst officers. This contradicts the NYPD's mission and specifically, their value pledge. According to the NYPD website, NYPD's values state having a partnership with the community, protecting lives and property while neutrally enforcing the law, preventing crime, upholding a high standard of integrity and respecting the lives of all citizens with civility. There is no mention of the wall of blue concept which is centered on the sole well-being and safety of officers. Consistently, police officers stated the "fear of the unknown" as an emotion that is experienced during a use-of-force. These findings are significant. These findings support implications for change discussed in Chapter 5.

Chapter 4 provided an in-depth description of my study inclusive of the setting, demographics, data collection and analysis, evidence of trustworthiness, results of the analysis and answers the research question. In Chapter 5, I discuss an interpretation of the findings, limitation of the study, recommendations, implication social change, and future research recommendations.

## Chapter 5: Discussions, Conclusions, and Recommendations

### **Introduction**

The purpose of this qualitative phenomenological study was to explore the impact fear plays when officers implement use-of-force continuum practices during encounters with civilians. The phenomenon of interest is fear, which is often identified as a justification for fatal outcomes despite the use-of-force continuum procedures outlined. Social media viewings are fostering communities to question the actions of police officers and fear statements when video footage offers another scenario (Bejan et al., 2018). Little to no convictions of police officers in deadly use-of-force incidents and the legality of fear are increasingly sparking outrage throughout society. The intent of this study was to examine the lived experiences of police officers and how fear or any emotion impacts the decision-making skills during use-of-force incidents.

The literature review addressed the use-of-force procedures, law enforcement history, factors, and culture, Schacter and Singers's (1962) two-factor theory of emotion, constitutional factors, judicial rulings, technology, social media, community relations, three publicized shootings, and fear as a determinant for justified deadly use-of-force. Literature is vast in identifying the fight-or-flight response as a natural response to defending oneself from a threat. However, literature has not addressed fear as a contributing factor for officers to implement procedures that differ from what was taught during targeted tactical law enforcement training. Officers' decision-making discretion is undeveloped theoretically, where this study helped fill the gap in examining how fear plays a role in implementing use-of-force continuum practices during an incident.



Social media platforms were used to recruit research participants, specifically LinkedIn, Facebook, and Instagram. Nine of fourteen police officers who indicated interest met the criteria and participated in the research. Interviews took place between March 28, 2019 through April 12, 2019, via telephone, where participants and I were in comfortable separate environments conducive for private conversations. The telephone interview included six demographic inquiries and eleven interview questions and lasted between forty-five and ninety minutes. I developed the interview questions and served as the instrument for data collection and interpretation. Data were analyzed using Colaizzi's (1978) descriptive phenomenological method, a rigorous analysis inclusive of seven steps that sustain the description of participant responses that were validated by the participant, keeping the responses true. Continuous iterative process and InVivo coding were used to identify four emergent themes.

### **Interpretation of Findings**

I examined the lived experiences of nine police officers and how fear impacts their decision-making skills during use-of-force incidents. All police officers who participated in the study were active officers and held more than three years of service in civilian facing units with the NYPD. Schachter and Singers's (1962) two-factor theory of emotion was used as the conceptual framework for this study. The two-factor theory of emotion suggests that people foster beliefs about their capabilities to produce designated levels of performance that influence their actions (Schachter & Singer, 1962). Fight-or-flight characteristics were experienced during use-of-force incidents by all police officers who participated in the study. Police officers identified increased heart rate, sweating,

adrenaline pumping, heart racing, mind racing, and loss of breath. This confirms research that has identified humans as being naturally impaired by fear (Andersen & Gustafsbeg, 2016). The police officers' interview responses confirmed that fight-or-flight, a physiological response commonly of fear, play a role in how they are impacted when responding to stressful or dangerous situations (see Cherry, 2018). Nine out of nine police officers defined use-of-force differently and did not clearly articulate the departmental use-of-force continuum procedures. This identified a gap in understanding whether training clearly conveyed what a use-of-force is and what the proper use-of-force continuum procedures are. This is a strong factor that contributes to increased deadly use-of-force outcomes.

There were four emergent themes of this study: (a) wall of blue, (b) being brave not invincible, (c) policing has evolved for the worse, and (d) body-worn cameras are a great tool. Nine out of nine police officers attributed the wall of blue concept to use-of-force incident outcomes. Nine out of nine police officers identified civilians as expecting them not to be human. Nine out of nine police officers identified policing practices to be good in theory but not realistic in practice. Nine out of nine police officers identified body-worn cameras as great tools during daily patrols and during incidents. Fear was identified as the cause of police officer action but stemming from the personality, number of years on the job, and ego of the officer. Interviews responses revealed that body-worn cameras appear to have a more significant impact on decision-making skills amongst police officers.

Theme one, the wall of blue code, is associated with traditional police culture. In this study, I confirmed that to date this code continues to influence the day-to-day role of a police officer. In the literature review, street justice was discussed. Street justice can be identified in the form of accidentally banging the head of a subject or tightening the cuff to impede circulation (Marenin, 2016). While law enforcement administrators have been known to not acknowledge or punish officers for street justice, the second theme, being brave not invincible, contradicts the idea that police officers do not have compassion for civilians (Marenin, 2016). Officers are essential in creating an atmosphere within communities that is reassuring, safe, and inviting. In this study, I found that positive police action does not often get recognized. Participants in this study believed that lack of positive recognition contributes to the third theme, policing has evolved for the worse. The need for BWC has been essential in providing a clear picture of what occurs during encounters between civilians and officers. Officers have had success in counteracting claims of misconduct or as evidence against a subject due to the BWC footage (Newell, 2018). These findings confirmed theme four, body-worn cameras are a great tool.

In the literature review, I identified fear to have a significant impact on attitudes and decision-making amongst individuals in general. I determined that fear was not a strong contributing factor in the decision-making process amongst these police officers. However, I discovered that body-worn cameras were a strong contributing factor in an officer's decision-making process in relation to the use-of-force continuum practices. Furthermore, body-worn cameras force police officers to consider the consequences of their actions and persuaded their actions during a use-of-force incident.

### **Limitations of the Study**

A number of limitations were identified in this study. First, recruiting on social media platforms was difficult as I learned most officers in any jurisdiction do not have media accounts and are hesitant to identify themselves as a police officer. Second, I am a civilian employee in a law enforcement agency, Department of Correction, where I do not interface with inmates daily, but I am privy to the protocols and procedures regarding use-of-force. I took the following steps to implement epoché: I removed myself from all social media accounts and websites associated with law enforcement updates and use-of-force incidents. I temporarily closed my social media accounts in order to not view any deadly use-of-force incidents, and I refrained from watching local and national news channels until my analysis was completed. Third, the interview questions were emailed prior to the interviews to ensure police officers were comfortable with the content of the questions. Third, interviews were conducted via telephone. I have no control to determine if police officers fully disclosed truthful answers and I have never been a police officer, therefore it is a possibility that a hidden agenda could have been present on behalf of the police officers. The calls were not recorded. I recorded the responses manually. Colaizzi's (1978) descriptive phenomenological method was used to ensure the accuracy of participant responses.

### **Recommendations**

This study identifies several recommendations for further research. Communities throughout the United States continue to advocate for increased legitimacy, law enforcement, and judicial reform as a direct result of deadly use-of-force incidents

(Wolley, 2018). Crowl and Battin (2017) identify police visibility as a factor in decreasing tension between police officers and communities; however, changes in departmental policies and police accountability would be more impactful in addressing societal concerns on deadly use-of-force incidents. These recommendations do not exceed study boundaries. Study recommendations are as follows:

- Recommendation 1: Conduct a mixed methods study with police officers and administrators comparing the number of use-of-force incidents prior to body-worn camera implementation and after body-worn camera implementation. Qualitative questions should be centered on what actions changed due to the presence of the body-worn camera.
- Recommendation 2: Replicate this study in the same fashion with police officers in both rural and city areas to compare the responses of fear as a factor in the decision-making skills to identify additional contributing factors of use-of-force outcomes with a focus on gender, ethnicity, and rank of the police officers.
- Recommendation 3: Conduct a qualitative study exploring current and former prosecutors lived experience regarding Constitutional reform as it related to police offer accountability and use-of-force incidents.
- Recommendation 4: Conduct a mixed methods study on police academy training efforts in areas were deadly use-of-force incidents have increased in the last ten years and in areas where deadly use-of-force incidents have seen a decrease in the last ten years. Qualitative questions should include an

emphasis on defining what a use-of-force is and what the use-of-force continuum procedures are.

- Recommendation 5: Conduct a mixed methods study comparing communities' perception of police culture and police officers perception of police culture.

Fear was identified as a cause of police action; however, it was centered on the personality, years on the job and ego of the officer. This study further revealed body-worn cameras as the leading factor of police officer actions and the outcome of use-of-force incidents. Despite the presence of body-worn camera deadly use-of-force incidents are still at an all-time high with police officer justification as “fear” for their actions. This study was significant in obtaining the lived experience of police officers; further research should focus on the role education, age, race, gender, training, police culture, location of a neighborhood impact use-of-force incident outcomes, law enforcement perception on judicial reform and further exploration of police officer emotions and use-of-force outcomes.

### **Implications**

This study has implications for social change. By exploring the impact fear plays when officers implement use-of-force continuum practices during encounters with civilians; this study revealed body-worn cameras as the current leading factor of police officer actions and the outcome of use-of-force incidents. These findings offer a sense of understanding with significant impact on fostering positive police officer and community relations and decreased deadly use-of-force incidents. This study provided an increased level of understanding of the lived experience of a police officer resulting in a platform to

redesign departmental training curriculums to include ways to manage fight-or-flight responses when responding to an incident. Additionally, a comprehensive discussion can begin to address all factors related to the use-of-force incidents deadly outcomes and a plan of action to decrease deadly incidents. This study further contributes to the United Nations sixteenth sustainable development goal of peace, justice, and strong institutions. These implications do not exceed study boundaries.

### **Conclusion**

The purpose of this qualitative phenomenological study was to explore the impact fear plays when officers implement use-of-force continuum practices during encounters with civilians. Each police officer provides great insight of their lived experiences, while they may differ from the experiences of other police officers, each perception brought us closer to identifying tangible efforts to decrease deadly use-of-force outcomes. This study determined that body-worn cameras are the leading factors of police officer actions and the outcome of use-of-force incidents. This study contributes to the evidence surrounding police behavior, as to what directly influences officers' decision-making processes (Bonner, 2015).

Use-of-force continuum practices are in place to mitigate harm to both civilians and officers and to de-escalate the situation, but deadly use-of-force numbers continues to increase. Activist such as Shaun King, Edwin Raymond (police officer) and Angela Rye consistently focus on bringing awareness to police officer action or lack of accountability and serve as a major platform for advocacy in varying communities. Fear was not a strong contributing factor amongst this population. This is contradictory to what has been

stated amongst police officers in the publicized deadly use-of-force incidents throughout the nation fostering my recommendation to replicate this study in the same fashion with varying ethnic backgrounds amongst police officers' participants. This research indicates body-worn cameras as a strong contributing factor of police actions. As increased deadly use-of-force incidents are being captured nationwide between communities and police officers with the presence of body-worn camera the outcome for civilians continue to be overwhelmingly fatal.

Increased training efforts to clearly convey what a use-of-force is and what the proper use-of-force continuum procedures needs to be addressed, as this is a factor that contributes to increased deadly use-of-force outcomes. Nine of nine participants were not able to clearly define use-of-force. It appears that there is a necessity for the training academy to revise their current curriculum to include use-of-force definitions where police officers can have a uniform understanding of use-of-force. There is no question that policing has evolved. This study provides an additional platform where factors of the change needed have been identified in turn fostering the goal of peace, justice, and strong institutions, the United Nations sixteenth sustainable development goal.

Philando Castile. Daniel Shaver. Laquan McDonald. The death of any human should never be in vain. Lives lost should serve a staple of what could have been done differently? These men are not here today because of the "fear" of an officer despite the presence of a body-worn camera. Police officers are human beings, husbands, wives, fathers, and mothers. Their jobs are dangerous and public serving where there are things that often unsettle and frighten them. It is important that additional platforms to aid them



in their jobs are explored. How do you measure the distance of reasonable fear? What is the (root) cause of ones fear? What about insurmountable fear of not receiving justice for the loss of a loved one? Whose fear is justifiable? Until we answer these questions, research must continue as justice, humanity and lives are on the line.

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## Appendix A: Interview Questions

Demographics:

- Male or Female:
- Ethnicity:
- Level of Education:
- Number of years with the Police Department:
- Rank:
- Number of times involved in a use-of-force (UoF):

Interview Questions:

- 1) Describe how you define a use-of-force (UoF)?
- 2) What are the UoF continuum procedures?
- 3) When was the last time you completed UoF training?
- 4) Describe a time where you were in a situation when it was necessary to use more force that allowed by department policy?
  - a. What was the outcome?
  - b. Was the action justified by the department?

- 5) What emotions would you associate with a use-of-force incident?
  
- 6) What emotions, if any have you experienced during civilian encounters that resulted in a use-of-force?
  
- 7) Have publicized UoF incidents impacted the way you respond during a UoF?
  
- 8) How does the news and or social media (e. g., Facebook, Instagram, and Twitter) impact your perceptions and experience regarding use-of-force?
  
- 9) How often have you made a decision based upon fear or any emotion and not implement actions as outlined the policy?
  - a. What was the outcome?
  - b. Was the action justified by the department?
  
- 10) Have you ever been recorded during an encounter with a civilian?
  - a. Did this experience influence your decision-making process?
  - b. What emotions did you experience during the encounter and after the encounter?
  
- 11) Did this encounter become a UoF incident?

- a. If yes, what were the emotions you experienced and the outcome of the incident?
- b. Was the action justified by the department?