WHAT IS POLICE USE OF FORCE?
The means of compelling compliance or overcoming resistance to an officer’s command(s) in order to protect life or property or to take a person into custody.

Types of force include:

- Verbal
- Physical
- Chemical
  - Impact
  - Electronic
  - Firearm

WHY DO POLICE USE FORCE?

- Establish control in a situation
- Protect others or self
- Make an arrest
DEATHS FROM POLICE USE OF FORCE ARE RARE

In 2008, there were an estimated 67 MILLION face-to-face encounters between citizens and police nationwide.

Translates to more than 1 MILLION face-to-face contacts with police each week.

Deaths resulting from police use of force occurred in 1 out of every 67,000 contacts, according to sources cited by the Washington Post.

ABOUT 0.0015% OF ALL FACE-TO-FACE CONTACTS

WHEN IS THE AMOUNT OF FORCE USED BY POLICE CONSIDERED LAWFUL OR JUSTIFIED?

When a local prosecutor, judge, or jury determines that the amount of force used in a situation was "objectively reasonable" under the Fourth Amendment to compel compliance.

Reasonableness is judged by what a reasonable officer would do on the scene in context of:

TRAINING  EXPERIENCE  CIRCUMSTANCES ENCOUNTERED

"Reasonable" force
Constitutionally permissible

"Unreasonable" force
Violation of the Fourth Amendment

Just because an officer can use force in a situation does not mean he or she should.
When is police use of force excessive or “unreasonable”? Officer uses “greater force than was reasonably necessary” to compel compliance.

WHAT FACTORS ARE CONSIDERED IN DETERMINING THE "REASONABLENESS" OF ALL FORCE USED BY THE POLICE?

- Severity of crime at issue
- Does subject pose an immediate threat to the officer or others?
- Is the subject resisting arrest or attempting to flee?
- Mental health of subject
- Availability of less-lethal options
- Objective facts of the incident

WHAT’S NOT CONSIDERED IN DETERMINING REASONABLENESS?

- Facts unknown to police at the time of incident
- An officer’s intent or motivation
HOW IS A POLICE USE-OF-FORCE INCIDENT INVESTIGATED?

If use of force did not result in serious injury or death:

1. Documented in report
2. Supervisory review
3. Potential for civil lawsuit brought by non-government plaintiff

- If ruled justified / "reasonable":
  - Retraining
  - Policy changes
  - Disciplinary actions

- If ruled not justified / "unreasonable":
  - Possible criminal charges
  - Disciplinary actions

If use of force resulted in serious injury or death:

1. Internal Investigation
2. Criminal Investigation (Internal and/or external)

- Did officer(s) comply with policies?
  - Disciplinary / corrective action, if needed
  - Address policy/training, if needed

- If determined justified or "reasonable":
  - No further action

- If determined not justified or "unreasonable":
  - Criminal filing and then Trial
  - No filing if "beyond reasonable doubt" standard cannot be met

Potential for civil lawsuit brought by non-government plaintiff

Possible Civil Rights investigation

Potential for civil lawsuit brought by non-government plaintiff

- U.S. Department of Justice
  - Federal prosecution or
  - State Investigation Authority*

- State Investigative Authority*
  - State prosecution or
  - No further action

- If determination of "reasonable" cannot be met:
  - No further action

*Usually a state/local prosecutor

Disclaimer: The full nature and complexity of police use of force cannot be fully conveyed in any single illustration. Use-of-force investigations vary by state and jurisdiction, so this infographic should be viewed as a general reflection of police use of force and use-of-force investigations.

For sources see: bit.ly/use-of-force © 2016 Police Foundation