

Center For POLICING EQUITY

Improving Use of Force Policy

Community Toolkit

A Community Up product from the Center for Policing Equity

In the United States, Black people are disproportionately subject to use of force by police and are over three times more likely than White people to be killed in such interactions. Disparities in police use of force are influenced by many factors, including individual racism as well as departmental policies. Departmental data and policies are two important ways that communities can better understand and change disparities in their department's use of force. Police departments that track their use of force data in a detailed, standardized fashion can illuminate the patterns that reveal the need for change. And departmental policies that include certain requirements of officers are shown to limit when officers use force. This toolkit provides communities with the information necessary to advocate for their police departments to better track, define, and ultimately reduce unnecessary and disparate use of force.



Tracking Use of Force

Law enforcement agencies track "force" in many different ways. In fact, there's no national standard requiring departments to track when force was used. Even when departments record force, they might not distinguish between drawing, displaying, or using a firearm or taser—which prevents communities from having an accurate, complete picture of officers' behavior. Some departments don't even report basic demographic information, like race or gender, about the person who an officer used force against. In fact, report protocols may be so inconsistent that definitions of "force" vary *within the department*.

Requiring complete, detailed data about use of force is critical to reducing harm against Black communities—and policed communities generally—because it can motivate action by people with power to reduce disparities. Relatedly, standardized data is more analyzable; it allows researchers, activists, law enforcement, and lawmakers to uncover trends and highlight inequities while also identifying individual or department-specific disparities with confidence. Black communities have long known the problems endemic to police use of force, but getting good policies on the books requires good data. When we can quantify the problem, we can better advocate for the solution, which is why improving use of force policy begins with good data and systems for monitoring them.

All use of force should be recorded by police departments. This means that officers should report every instance in which an officer uses their body or an object (including drawing or pointing a firearm or taser) in an encounter with a member of the public or in a way that could cause pain, injury, or death. These reports should include, at minimum:

- The racial group, age, and gender of the person who police used force against
- The location of the use of force incident
- The reason for the contact that came before the incident (such as a vehicle stop or 911 call)
- The types of force used
- Whether de-escalation was used, whether the officer encountered any resistance, and if so, the nature/type of resistance encountered
- The outcome(s) of the incident (whether the person was arrested, injured, hospitalized, or died)

Finally, law enforcement agencies must publish their use of force policies and any changes made to it. If changes in practice or policy are followed by changes in how force is used, and upon who it is used, we can begin to see how those changes are impacting policing equity in the community.



Use of Force Policies

A comprehensive use of force policy is built of several major components, including:

Definitions. A use of force policy should have a definition section that clearly lays out the meanings of the words and phrases used within the policy. This is important to data collection (for example, clearly defining what constitutes "force," as described above) and to communities' and police departments' understanding of how the policy functions (for example, what counts as "reasonable" force).

Minimum force necessary. Use of force should be limited to the minimum amount necessary to make an arrest or protect the officer or others.

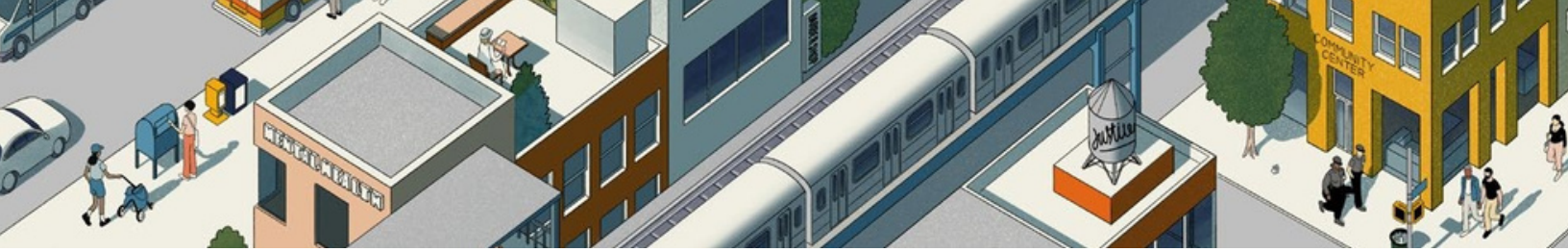
Additional guidance on deadly or lethal force. These sections should state that deadly force is a last resort, and is only authorized when other reasonable alternatives have been exhausted or would clearly be ineffective at preventing an immediate threat of death or serious bodily injury.

Prohibited types of force. This should include, at minimum: neck restraints, chokeholds, and other forms of restraint that impair breathing or blood flow; warning shots; and firing at or from moving vehicles.

Requirements for officers to use de-escalation tactics before using force. Officers should also be required to promptly intervene if they see another officer using excessive force and provide or call emergency services for anyone needing medical attention in their care. These requirements should avoid vague language (such as providing medical attention "if feasible") and emphasize the value of human life. De-escalation policies should specify that officers have to consider whether a person's non-compliance might be the result of a disability, medical issue, mental health problem, or language barrier.

Transparency, clarity, and consistency. The use of force data and policies should be publicly accessible to the community, avoid unnecessary legal jargon, and be consistent with itself, other departmental policies, and reporting forms to avoid contradictions in interpretation or enforcement.

You can learn more about how police departments can improve their use of force policies here.



Reducing Use of Force

An effective use of force policy is one way to reduce inequities in the policing of our communities; another is reducing the footprint of police itself. Police are trained to seek compliance through force, and have been made the default responders to issues that ultimately require other systems of care. For example, communities should advocate for alternative first response programs by which trained professionals—such as social workers and medical first responders— respond to mental health crises rather than police. These teams have been shown to be able to meet the needs of people in crisis, and rarely need to involve police. The presence of police officers in schools similarly has resulted in hundreds of documented instances of use of force against children, among other harms. Communities who are removing police from schools and implementing public health approaches to safety are seeing greatly reduced calls to police and arrests of students. Finally, police officers making routine traffic stops too often use force, including deadly force. Communities can advocate that their police departments end low-level, non-safety related stops, which too often are used as a pretext for racially profiling Black drivers, or erect civilian enforcement programs to deal with traffic issues that don't pose immediate risks to public safety. Overall, the best way to reduce use of force is to reduce situations in which police are unnecessarily addressing situations that call for a different response.

What To Do Next

Learn more about use of force. The more we know, the better equipped we are to enact change. Start with this set of guidelines that provides a comprehensive overview of what makes a strong use of force policy and this report on the complexity of measuring, and the disparities within, the national landscape of use of force.

Start a use of force advisory or working group. Advisory and working groups bring together concerned community members to collaboratively develop recommendations for police and elected leaders that reflect community needs. Learn more about how we supported working groups in St. Louis to affect change and how you can start a community advisory board in your own community.

Contact Us

For more information about CPE's work and to get involved, please contact us at: **community@policingequity.org**