Law Enforcement Reform

Katie Marqueling

Dr. Gee

POS 421C

Northern Arizona University

April 14th, 2022

Law Enforcement Reform

Introduction

(Warning: the introduction consists of a very vivid description of the murdering of a young black man by law enforcement. It is disturbing but is impactful to this essay as it accurately portrays the misuse of force by law enforcement today and why the public is fighting for law enforcement use-of-force policy reform).

Jamarion Robinson was a black twenty-six-year-old student athlete in Atlanta, Georgia, who suffered from schizophrenia. On the humid summer day of August 5th, 2016, he was relaxing with his girlfriend at her home. Shortly after, a U.S. Marshals Taskforce and the Atlanta Police Department raided the house without a correct warrant and fired well over ninety rounds into Robinsons body. A flash bang grenade was then thrown on top of his body, burning and tearing his skin. He was stood over and shot three more times, handcuffed, then dragged down a flight of stairs to the living room. He laid in his girlfriends living room for over eight hours, alive for a partial of the time, with no medical attention. Robinson died from 76 bullet wounds put there by law enforcement (Orecchio-Egresitz, 2021). Robinson had bullet wounds consistent with someone who threw their hand up in a defensive position. Law enforcement was looking for Robinson as he three warrants out for his arrest on two accounts of Aggravated Assault to Atlanta Police Law Enforcement Offices, and one account of Attempted Arson (*U.S. Marshals Report of Investigation of Jamarion Robinson Shooting)*. Five years later on October 27th, 2021, the two officers who killed Robinson were formally charged with felony murder, aggravated assault, burglary, making false statements, and violation of oath by a public officer (Press, 2021).

This devastating unlawful and fatal uses of force by police offices against a civilian is too common of an occurrence. Fatal uses of force used by law enforcement officers against civilians

have led to civilian initiated law enforcement reforms. This in turn will lead to stricter use-of-force policy, which will change the world through strengthened police-community trust relations. Thus, broadly speaking, this paper is concerned with law enforcement reform, and more narrowly its concern stricter law enforcement use-of-force in the United States.

Working from the thesis, the hypothesis dictates that the consistent number of fatal uses of force by law enforcement officers from 2013-2020, especially in minority communities in the United States, have led to an increased number of law enforcement reforms innated by civilians from 2020 to 2022 in the United States. This has resulted in the bill H.R.1280 - George Floyd Justice in Policing Act of 2020 being passed by the house in 2021. The hypothesis will be tested by three variables. The first variable, X, is quantitative and will examine in the number of fatal uses of force by law enforcement offices from 2013 to 2020. The second variable, Y, is also quantitative and will examine the number of law enforcement reforms initiated by civilians in the United State in 2020. The third and final variable, Z, is qualitative and will analyze the bill H.R.1280 - George Floyd Justice in Policing Act of 2020 that was passed by the house in March 2021.

How will this change the world? The United States justice system is depended on law enforcement officers. If civilians in a democratic state are able to have their voice hear on law enforcement use-of-force policy and in turn the reform of said policy, the United States would then hold a law enforcement model that is shaped by the people. This will lead to strengthened police-community relations through transparency as civilians are more understanding of their rights and they have taken part in what forms of force a law enforcement official may use. This could then lead to safter and more justified uses-of-force.

From this point, the paper will review scholarly sources in the areas relevant to law enforcement reform, use-of-force, and strict use-of-force policies.

Literature Review

As mentioned earlier, this paper deals broadly with law enforcement reform, with a narrower focus on stricter law enforcement use-of-force police in the United States.

Law Enforcement Reform

History

The first form of policing in the United States was "Slave Patrol" whose duties were to (1) to catch and return fugitive slaves to their owners; (2) to maintain a type of discipline for slave-workers who were subject to summary justice, outside of the law, if they disobeyed any plantation laws; and (3) to offer a form of organized fear to dissuade slave revolts (Potter, 2013). Potter argued that this is quite different than what we see in modern day policing but took quite a long time to reform. He stated that during the American Revolution was the first major reform to centralized municipal police departments. Following the Civil War, all major cities had municipal police forces, but still heavily enforces Jim Crow laws. Potter argued that since then, police departments have taken a very reactive approach to reform. Once an incident happens that was deemed as politically incorrect, policy is changed. Thus, many political influences have shaped the modern development of bureaucratic poling intuitions.

James Fyfe (1988) supported Potters argument that the history of reform of law enforcement is due to being reactive to society. While he specifically researched the reform of police deadly force, he found that protest took place following law enforcement caused fatalities. The protestors spoke in hopes of research on lethal force, and implementation of force police reform.

He found that statistically police have been reactive to request for reform following an event that becomes a public issue.

Barriers

As the general public becomes more discontent with the current law enforcement model and they seek for reform, there are a few barriers in the way. The first is that law enforcement is shifting towards a community policing role which included stricter use of force. Stephen Mastrofski, R. Worden, and J Snipes (1995) argued that community policing created the expectation that officers will be more selective in making arrest. This leads to law enforcement decisions being influenced by extralegal consideration and less by legal ones. They conducted an experiment in Richmond Virginia in the mid 1990's that found that law enforcement officers that supported community policing made much more selective arrest that did not align with traditional views of policing. These officers lacked to follow polices and laws that were put into place put their departments and the United States justice system. This led to officers who are fluid about policy, which in turn makes future changes to it difficult to implement. This mentality can create a culture that relies on the officer's judgement being more ethical and "correct" than the instructions provided by scientific backed policy writers. Thus, they argued that the direction that law enforcement is reforming to is in fact placing more power in the hands of officers and is a barrier for future law enforcement reform.

Another barrier for law enforcement reform is stated by Bruce Terris (1967). Terris argued that police departments are becoming spread too thin. That because of increased demands from minority groups, regular physical and verbal abuse by police officers against residents, and other police activities on the streets, community-police relationships have deteriorated, and it is then impossible to enhance police-community trust relations in minority communities and

thereby boost the police's capacity to minimize violent crime. Thus, Terris argued that recent changes in police agencies to make them more professional have often hurt police-minority relations, and the reforms that have been implemented to repair these ties have been ineffective. Significant improvements in police-minority relations will necessitate a significant shift in both the police and the public's perceptions of what police work entails. Or in other words, the diversity of human problems that law enforcement officers have to deal with will be a barrier to effective reform.

The last general barrier that is described in scholarly literature is that political power is lost when law enforcement agencies are democratically responsive. Yanilda González (2022) argued that institutional reforms often lead to substantive issues and social demands that motivated reform in the first place, generating concerns about democratic responsiveness. In the case of law enforcement reform, González notes that these agencies have to much power as they can veto advocates high-risk structural and oversight reforms by instead adopting low-risk operational and marginal reforms, and therefore not address violence and corruption reform. Or, in other words, law enforcements own political power can be a barrier to effective reform as they are able to work around democratic societal demands.

Civilian Initiated Reform

Scholars have been analyzing civilian initiated law enforcement reform. Both Ronald Weitzer (2002) in *Incidents of police misconduct and public opinion* and Vanessa Williamson, Kris-Stella Trump, and Katherine Levine Einstein (2018) in *Black Lives Matter: Evidence that Police Caused Deaths Predict Protest Activity* argued that police facilities will lead to civilian initiated reform.

Weitzer started his discussion in the early 2000's where he analyzed that highly publicized incidents of law enforcement misconduct have a negative impact not just on the victims of the crimes of the excessive and unwarranted use-of-force, but also on the publics opinions of the agencies involved and the law enforcement community as a whole. Weitzer analyzed the impact of several well-publicized incidents of alleged police misconduct in Los Angeles and New York City over a long period of time, including LAPD's Rampart Division scandals from 1998 to 2000 and the killings of Amadou Diallo and Patrick Dorismond in New York City. The study looked at how people felt about law enforcement before and after each event, as well as the similarities and differences between Whites, African Americans, and Hispanics. The trends showed that negative attitudes increased toward not only to LAPD and NYPD, but also the United States law enforcement community. He also found that the more that a misconduct event was publicized, the greater of an impact that that event has on the public's opinions. Furthermore, citizens' sentiments regarding preventive measures to lessen the frequency of future acts of misbehavior are used to debate policy implications. This has in turn lead to heightened and more in-depth discussion by the public of law enforcement policy reform. Furthermore, that agencies will then draw on citizens' attitudes toward them and their desire for reform resulting in agency police reform.

Williamson et, al, (2018) argued that law enforcement caused fatalities, especially towards black civilians, predict protest activity and law enforcement reform. They found that since 2013 (since the murdering of Trayvon Martin) protests opposing police violence against Black people have occurred across a number of American cities under the banner of "Black Lives Matter." The coordination and centralization of these protest have drawn attention to the deaths of Black people at the hands of police, as well as the broader issues of police violence and

over-policing, and other persistent racial disparities in economic, social, and political power. Thus, the Black Lives Matter organization, compromising people from all economic, ethnic, and social backgrounds, have advocated for a wide range of policy changes, including body cameras, independent special prosecutors, increased transparency in policing, and have established themselves as a powerful political force, attracting attention from all sides of the political spectrum at both the local and national levels.

Use-of-Force

History

Use-of-force has always been an aspect of policing, dating all the way back to "Slave patrols." Geoffrey Alpert and John MacDonald (2001) argued that while use-of-force is deeply rooted in history, it is not until the last few years that law enforcement use-of-force has become a major public policy concern and topic of study. Use-of-force history is lacking as it was something that was not tracked and when documentation began, officers were able to complete their own forms. While documentation was filed, it was found that supervisors of law enforcement agencies did not oversee these actions and it did not affect their officers' use-of-force. As reform of policy has happened agencies that now require supervisors and other staff to complete use-of-force forms have lower rates of force than agencies that still allow officers to complete their own forms.

Frank Edwards, Hedwid Lee, and Michael Esposito (2019), found that the history of use-of-force is deeply racist. Initially, all police uses-of-force were against people of color. Over the years this has slowly decreased. There are still significant differences in races as it applies to police using force, and more importantly lethal force. These scholars stated that at this point in time racist use-of-force is more of a mental health issue than a policy issue.

Policy

While scholarly literature is far and few on current use-of-force policies, Tom McEwen (1997) did an analysis on ninety-six law enforcement use-of-force police in 1997 that was diverse enough to make general arguments towards most United States law enforcement agencies. He concluded that departments who strive for use-of-force policy that includes the use of less-than-lethal uses-of-force tended to lack an all-encompassing policy. Thus, most use-of-force policy in the United States lacked information on one or more of the following topics: policy purpose, definitions of lethal and less-than-lethal force, provisions for authorized and unauthorized weapons, training requirements, avoiding excessive force, medical aid, and report requirements. Finally, McEwen concluded with stating that current policy is inconclusive with recommendations on how to improve.

William Terrill and Eugene A. Paoline III (2018) did a more recent study in 2017 and found that more restrictive lethal force policies result in a reduction in the number of police shootings and that officers working within the most restrictive policy framework use less force. In other words, more restrictive force rules reduce the number of incidences of police shootings and racial disparities. Thus, police operating under the most restricted policy framework used force less frequently than officers operating under more liberal policy frameworks. As a result, they argued that police administrators who want to limit coercion should think about the impact a more restricted regulation would have on such behavior.

Reforms

Scholars have been keeping a close track on law enforcement agencies who have chose to reform their use-of-force policy. This portion of the literature review will analyze three departments: Philadelphia Police Department, Los Angeles Police Department, and Cincinnati

Police Department, in what their reform consisted of, and if it has been more efficient than prior to reform policy.

The first department, Philadelphia, was studied by Michael White (2001). White used interrupted time series analysis (ARIMA) to examine the impact of two changes in the police departments use-of-force police in monthly increments over the course of two decades. The findings support previous deadly force research that suggests use-of-force policy can be an effective means of controlling deadly force discretion, but the Philadelphia experience shows that formal policy can be overshadowed by the chief's personal philosophies and policies, and that its impact is limited to elective encounters.

The next department, Los Angeles, was studied by Lou Cannon (1999), and he analyzed the use-of-force policy reform following the murdering of Rodney King. He found that office negligence, the publication of the event, and the riots that followed was the push for LAPD to reform. Cannon noted that unlike other departments that focused on use- use-of-force policy reformed, he found that there was an even larger change in leadership for LAPM following this event. Furthermore, while many times the policy is as efficient as it can be, leaderships opinions can have a larger impact. Thus, the political fallout following the event, and the change of attitude towards force was the largest impact to LAPDs reform.

The last department, Cincinnati, was studied by Elliot Schatmeier (2013). Schatmeier argues that Cincinnati's police departments successful use-of-force policy reform was closely corelated to their emphasis on democratic extermination rather then power from the federal government (Department of Justice). Thus, incorporating a flexible and goal-oriented approach led to a successful revised form of use-of-force policy that was accepted by the people. This in

turn meant that citizens were more compliant and law enforcement had smoother interactions as less force was needed.

Problems

Use-of-force is an extremely sensitive and highly debated topic. William Terrill (2007) argued that before deciding whether or not police force is justified, one must first measure and analyze the amount to which force is used proportionally and progressively used. Thus, there is not a one size fits all approach to use-of-force as there are multiple affecting variables.

Tom Tyler (2020) also argued that the problem with use-of-force is that the legal debates about how to effectively govern police use-of-force reform have been centered by the legal criteria by which officers are held accountable for their acts (Graham v. Connor). Tyler argues that this type of reform is problematic and instead it needs to focus on the structure of policing rather than the legislation. This argument included collaboration with exiting social welfare and non-policing agencies and/or diversify and specialize law enforcement officers' skill sets, resulting in less "jack of trade officers."

Race

Robert Brown (2020) analyzed the development of police in America across time, with an emphasis on race. He found that over time, racial prejudice has held strong roots in American policing, and that improvements in policing and American culture have not changed the negative experiences of Blacks who have delt with law enforcement. Furthermore, when all circumstantial aspects are equal, Blacks still continue to face more excessive uses-of-force and fatalities than people of other races.

Eugene A. Paoline III, Jacinta M. Gau, and William Terrill (2018) also discussed the relationship between race and law enforcement use-of-force but broke the boundaries by

focusing on the race of law enforcement officers. They argue that the reoccurring conflicts between police and Black civilians has prompted civilians to requests for more Black officers as they assume that they will be less racially bias. They conducted a study that analyzed the impacts of officer and suspect race in predicting police use-of-force and suspect resistance, based on previous research and deference exchange theory. They found that white cops were shown to be more forceful toward Black suspects, whereas Black officers' use-of-force was unaffected by suspect race.

Alternatively, Binder and Scharf (1982), found that the high fatality rate of blacks in police shootings appears to be due mostly to community characteristic, such as location (inner city crime), poverty, lack of access to education, rather than a police inclination to treat blacks and whites differently purely because of race.

Strict Use-of-Force Policy (George Floyd bill)

In light of modern use-of-force issues, the public, political activists, scholars, and others have been advocating for reform that focuses on strict use-of-force policies. The strictest and most successful bill proposed to date is the bill H.R.1280 - George Floyd Justice in Policing Act of 2020. The bill includes prosecuting officers that use lethal force, no qualified immunity, anti-race profiling training, limit militarization, ectara. Scholars have began examining what this bill would do to modern day policing. There arguments are as follows.

Trevor Gardner and Esam Al-Shareffi (2022) take the narrowest approach and focus on a stricter use -of-force police that regulates law enforcement police holds. Their conclusions of their investigation were that while many jurisdictions have laws against police chokeholds, the strength of those laws should not be assumed. The type of chokehold prohibited ("air choke" and/or carotid choke"), the degree of the chokehold restriction, an officer's "duty to intervene"

when observing improper police application of the chokehold, and the type of sanction attached to a chokehold policy violation are all factors that influence police chokehold policies. They concluded with arguing the most problematic issue from restricting the use of choke holds will be what the officer chooses to use instead. This may lead to an increase in firearm use which is more lethal.

Rau et al. (2020) in *State Regulation of Policing: POST Commissions and Police Accountability*, noted that Peace Officer Standards and Training (POST) is a certification that every law enforcement officer must obtain by their state before they go sworn. The authors of this article argued that there is so much potential to make POST certification more in-depth and harder to obtain. This would then lead to better trained and more selective officers. Thus, legislative reform of the POST certification process could help to regulate poling to protect communities from police abuse and misconduct.

Lastly, both Marissa Eastwood and Michael Fulton (2021) take a look at what defunding the police means and its affects. Eastwood focused her argument that rather than defunding the police, the police should reform to limit police force and place that money to police ran social programs. Furthering this argument, Fulton argued that reform towards stricter uses-of-force will lead to a cheaper police department. This is due to the fact that less people will have negative police interactions and lead to less need for other justice programs (detention as an example). Thus, stricter uses-of-force will free up money for law enforcement agencies to reallocate funds and will in turn lead to less force needed in the future.

Conclusion

Scholars have been talking about the broad topic of law enforcement reform, and the narrow topic of stricter law enforcement use-of-force police in the United States, for decades. The next portion of this essay will try to support some of their arguments with a case study.

Case Study

It is hypothesized that the consistent number of fatal uses of force by police officers from 2013-2020 in the United States, has led to an increased number of law enforcement reforms innated by civilians from 2020 and on in the United States. This has result in the bill H.R.1280 - George Floyd Justice in Policing Act of 2020 being passed by the house in 2021. This hypothesis can be explored by examining several variables. First this paper will track the number of fatal uses of force by law enforcement offices from 2013 to 2020. Secondly it will tally and examine the number of law enforcement reforms initiated by civilians in the United State in 2020 on later. Finally, it will analyze the bill H.R.1280 - George Floyd Justice in Policing Act of 2020 that was passed by the house in March 2021.

Context

Brief History of Policing

The origins of modern-day police can be tracked back to "Slave Patrols" whose mission was to use excessive uses-of-force to control and produce desired slave behavior. During the reconstruction following the Civil War, militia-style groups were empowered to control and deny access to equal rights to freed slaves and eventually created the Jim Crow laws (*The origins of modern day policing*).

The era of policing that followed used force for political gain. This situation exacerbated during the Prohibition and led to the Hoover administration analyzing the effectiveness of law enforcement (Waxman, 2019). As the twentieth century proceeded, more initiatives for police

professionalism were launched. As a result, more than half a century after Kennedy's 1963 statement, America's remarkably youthful police force is still being improved and modernized.

Context of George Floyd Killing

George Floyd was a forty-six year old man that was killed on May 25th, 2020, in Minneapolis. Officer Chauvin of Minneapolis Police Department arrested Floyd for suspicious use of a counterfeit $20 bill. Floyd was handcuffed and pinned to the ground under the knee of Officer Chauvin. Floyd's death was ruled by the county medical examiner a death by homicide cause by a combination of the officer's use-of-force, the presence of fentanyl and methamphetamine in Floyd's system, and underling health conditions (The New York Times, 2020).

Officer Chauvin was found guilty of second-degree murder, third-degree murder and second-degree manslaughter, and the officers who were on the call and failed to intervene, (Officer Lane, Officer Thao, and Officer Kueng) were charged with civil rights violations by failure to uphold the Constitution by failure to intervene and provide medical attention (Sullivan, 2022).

A bystander video of the arrest quickly went viral. The disturbing video led to large protests against police brutality and systemic racism in not only Minneapolis but nationwide.

2020 Black Lives Matter Protest

The 2020 Black Lives Matter protest that followed George Floyds death, was a part of the Black Lives Matter Foundation that began in 2013. The foundation's mission is to "eradicate white supremacy and build local power to intervene in violence inflicted on Black communities by the state and vigilantes. By combating and countering acts of violence, creating space for

Black imagination and innovation, and centering Black joy, we are winning immediate improvements in our lives" (*About - black lives matter*).

The 2020 Black Lives Matter protest was the largest civil rights movement since the 1960s. The movement peaked on June 6th when half a million people turned out in nearly 550 places across the United States. Overall, it is found that about 15 million to 26 million people in the United States have participated in a demonstration over the death of George Floyd and similar cases that followed (Buchanan et al., 2020). Not only have these protests been diverse geographically but also in age, race, education level, and income group of participants. For many individuals this was the first form of activism that they have ever been a part of. Thus, the 2020 Black Lives Matter protest was one of the most involved and inclusive partisan debates in the history of the United States.

Police Use-of-Force Definition

Police use-of-force is described as the "amount of effort required by police to compel compliance by an unwilling subject" (*Law enforcement use-of-force policy*). Good and effective use-of-force policy and training will help keep officers and citizens safe and should help build community trust relations. The *Police Use of Force Project* furthers these definitions by stating that there are "common-sense" limits on use-of-force such as: de-escalation, limiting use of choking and strangulation, per intervention, banning shooting from vehicles, force continuum, verbal warnings, and documentation of force.

Geography

After the death of George Floyd, the world was quick to push for reform, but it took quite a while for a structured political agenda to form. Now a handful of cities will be voting on police perform ballot measures that could change law enforcement force policy. Six cities have taken

police reform straight to the voters. These cities include Los Angeles, Portland, Philadelphia, Akron, King County, and San Francisco (Arrieta-Kenna, 2020). While these are not the only six cities where please form is happening or on the ballot their most notable for their scale and boldness. It is also shown that areas who have had presence of Black Lives Matter protests before the murdering of George Floyd, are more likely to reform quickly. This tends to include larger cities, with more political diversity (Subramanian & Arzy, 2021).

Demographics

As police violence in the United States has gathered attention from civilians, is apparent that demographics affect an individual's risk for violence. Research shows that that while a majority of total victims of police violence are white, police violence disproportionately affects people of color. A 2020 Harvard study found that from 2013 to 2017 black people were on average three times more likely to be killed by police than white people (Dunn, 2020). This makes police violence the leading cause of death for young black men in the United States. Furthermore, this is not included fatal police violence that was left unreported. The Lancet (2020) found that over the last 40 years, dozens of thousands of accounts of black Americans fatalities lacked to be reported. This increases the statistics to black Americans 3.5 times more likely to die from police violence than white Americans.

While it is assumed that fatal police shootings most often occur in cities, a Harvard police study found that proportional rates of shootings were just as high in suburban areas. This being said it is found that black people killed by police was highest in predominantly white neighborhoods (Dunn, 2020).

Another demographic that leads to higher rates of police violence is gun ownership. The journal of urban health found that fatal shootings were 40% more likely to happen in areas of high gun ownership.

Lastly, Robert Benincasa (2020), found that there were significant demographics in who might receive conclusion and settlements after police brutality. This argument depends on if that event was reported in the media (white victims have notoriously been more covered), thus more will be concluded. In other words, the more favorable of demographics a victim has, the more likely their case will be covered by media, which will lead to more reform and better communication between the community and law enforcement.
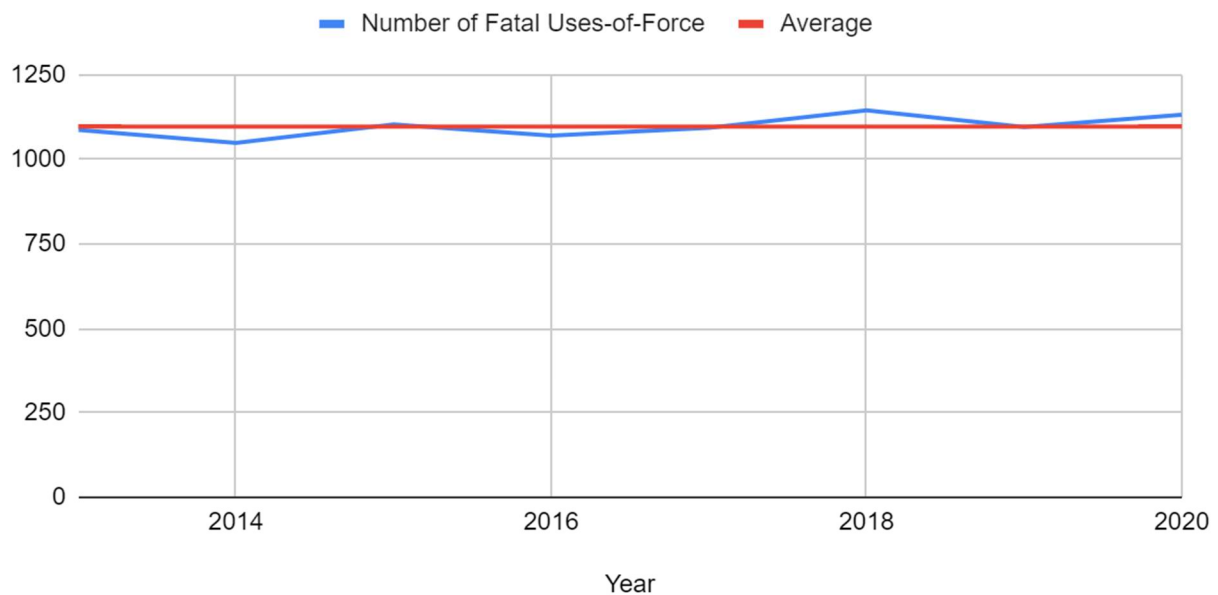
Political System

While policy makers across the country are proposing changes to how the police operate, this process has been extremely slow. As police reform usually happens on a local level the sheer number of new state bills, have slowed down the process of new policy. This has resulted in the bundling of multiple bills that are along the same topic and passing them as one bill, For faster results (Li & Lodhi, 2020).

Federal bills on the other hand, are more difficult to get past as they require bipartisan support. As Democrats are seeking to end qualified immunity for officers, create a national police misconduct registry, and require all federal state and local law enforcements to submit reports about complaints and discipline, Republicans, and police unions, have been quite dissatisfied and slowed down reform. Thus, there is still tremendous progress needed to be made to get federal bills passed (Sullivan, 2021).

Variable X

Variable X is the consistent number of fatal uses-of-force by police officers in the United States from 2013 to 2020. The information from the graph below was provided by mappingpoliceviolence.org. It can be seen that from the creation of the Black Lives Matter foundation and movement in 2013, there has been no change in the number of fatal uses-of-force by police officers in the United States.

2013 to 2020 Number of Fatal Uses-of-Force by Police Officers in the United States

This data is important and interesting that the use of force hasn't changed much from 2013 to 2020 do the fact that this was the most prevalent time for law enforcement reform prior to the killing of George Floyd.

Mappingpoliceviolence.org also laid out the data for police killings per 1 million people in the United States from 2013 to 2020. While it was found that black people are 2.9 times more likely to be killed by police than white people in the United states (62 people per million), they are not the most affected minority group. Whites make up 22 per one million people in the

United States while Pacific Islander makes up for 87 people, Native Americans 37, Hispanic 29, and Asians 7 people per one million. Or, in other words, 90% of individuals killed by law enforcement have a minority race.

Variable Y

Variable Y refers to the number of law enforcement reforms initiated by civilians in the United States in 2020 to 2022. According to the Legislative Responses for Policing-State Bill Tracking Database, there were two hundred and thirty seven new bills introduced by citizen to reform use-of-force policy in 2020. There was then an all time high of proposed use-of-force bills in 2021 with four hundred and twenty four. Currently 2022 has one hundred and ten bills which places them on track to continued increase.

Variable Z

The final variable, Z, is the bill H.R.1280 - George Floyd Justice in Policing Act of 2020 being passed by the house in March 2021. Congress.gov describes that this bill is to addresses a wide range of policies and issues regarding policing practices and law enforcement accountability. It increases accountability for law enforcement misconduct, restricts the use of certain policing practices, enhances transparency and data collection, and establishes best practices and training requirements. It also lowers the criminal intent standard to convict a law enforcement officer for misconduct in a federal prosecution, limits qualified immunity as a defense, limits the unnecessary use of force and restricts the use of no-knock warrants, chokeholds, and carotid holds. Finally, it creates the National Police Misconduct Registry.

This bill was sponsored by Karen Bass of the California Democratic Party (also she was the chair of the Congressional Black Caucus). The bill has primarily been supported down party lines with Democrats in favor of passing the bill and Republicans against it.

Summary of Data

The data from variable X found that the number of police use-of-force cause fatalities have stayed consistent from 2013 to 2020. The data from the Y variable shows that there was an increased in civilian initiated police reform since 2020 and on. Lastly, the Z variable shows that the comprehensive George Floyd Justice in Policing Act of 2020 being passed by the house shows successful efforts of stricter use-of-force policy.

<div align="center">

Argument

</div>

Relation of Case Study to Hypothesis and Thesis

The hypothesis of that the consistent number of fatal uses of force by law enforcement officers from 2013-2020, especially in minority communities in the United States, have led to an increased number of law enforcement reforms innated by civilians from 2020 in the United States, which has resulted in the bill H.R.1280 - George Floyd Justice in Policing Act of 2020 being passed by the house in 2020, was accurately depicted by the data found in the case study. This is shown as the number of fatal uses-of-force had not increased or decreased from 2013-2022, while the number of civilian initiated reform has increased. This lack of a decrease in fatal uses-of-force has led to a strict use-of-force policy.

With today's negative political climate stance towards law enforcement, the hypothesis's findings are predictable. This relates to and supports the thesis of fatal uses of force used by law enforcement officers against civilians have led to civilian initiated law enforcement reforms. This in turn will lead to stricter use-of-force policy, which will change the world through strengthened police-community trust relations. The lack of change in reform of the high levels of use-of-force by law enforcement officers in the United States that are fatal after the Black Lives Movement was founded in 2013 to the highly publicized death of George Floyd, has led to the

civilian distress. This distress in turn has led to an increase in civilian initiated law enforcement reforms that can be counted since. Theses efforts of civilian initiated reforms has created the push and passing of house, the George Floyd Justice in Policing Act of 2020, a very comprehensive stricter use-of-force policy.

The future implications of these findings are that if there is not a decrease in fatal uses-of-force, or the amount stays the same, there will be a continued increase in the amount of civilian initiated reform. This may eventually lead to even stricter use-of-force policy than the practices in bill H.R.1280. According to the Y variable, there will also be future democratic arguments of law enforcement force as time goes on. This in lead less tolerance for law enforcement mistakes.

Relation of Thesis and Findings to Scholarly Literature

The first aspect of the thesis is that there have been fatal uses of force used by law enforcement officers against civilians. This is easily supported by scholarly literature. For starters, the history of policing is riddled with fatal uses-of-force. As Potter (2013) described, policing started as Slave Patrol ands job was to reprimand slaves. Over time, policing has been reactive and fixes to become more politicly correct as misconduct is pointed out (Fyfe, 1988). This is especially evident in the history of use-of-force. In *Risk of being killed by police use of force in the United States by age, race–ethnicity, and sex,* staggering numbers a discussed to show how it is highly likely that individuals are killed by law enforcement use-of-force in the United States.

The next aspect of the thesis is the fatal uses of force by law firm shipment offers against civilians in the United States has led to civilian initiated law enforcement reform. This is backed in scholarly literature such as *Evidence that police-caused deaths predict protest activity: Perspectives on Politics*. This article discussed that there is proof that social movements for law

enforcement reform happen after police involved fatalities. Specifically, Weitzer (2002) discussed that the greater publicized a fatality is the more likely society will push for reform.

The last variable in the thesis is that civilian initiated law enforcement reform will lead to stricter use of force policy. This is supported in almost all relevant scholarly literature. Examples by White (2001), Manning (2000), and Schatmeier (2012) all show that when there was civilian discontent with current use of force policies of policing in their areas, the reform that followed always lead to stricter use of force policy. While these areas direct use of force policy was not the main focus, and rather community policing efforts, they were a byproduct of the reform.

Barriers of the history of policing and problems with use of force policy in scholarly literature show that reform since the beginning of policing in the United States to the modern day policing world have always taken a more community based approach. This leads to police officers working as social workers to combat human problems rather than using force (Terris). Furthermore, as time has gone on and police have become more democratically responsive their political power has been lost reducing the amount of force that society tolerates. Thus scholarly articles such as Eastwood and Fulton argue that regulations to use of force I needed in today's society.

Further Questions

A further question further question that arose while conducting my literature review and case study is how far will use-of-force policy get minimized overtime? As media becomes more present in our modern society, the rate at which fatal or even misuses of force by law enforcement become even more publicized. This should result in a society that is less tolerating a force and will seek for more reform. does this eventual reform to a stricter use of force policy

eventually eradicate force? When is the stopping point? What does a law enforcement look like if there is no allowed force?

My next question that arose while I was conducting my literature review and case study is how important acceptance of new policy from law enforcement leadership is critical to its success. As White (2001) pointed out in his analysis of Philadelphia, policy many times fails because leadership's opinion gets in the way and the policy is not correctly executed. Thus, will the stricter policy be accepted by leadership?

What would I do differently?

If I were to redo this paper, I would do the case study differently. I felt like I used a lot of quantitative data, that just states plain facts and doesn't necessarily connect the variables. If I were able to expand the case study, it may have resulted in being more accurate and provided a better description of police use of force policy throughout the history of policing. and this in turn would provide a better prediction of the future. I also think I would of expanded or changed my Z variable. I chose something that was so recent that there was little scholarly literature and public opinion on it.

How will change the world?

Law enforcement use-of-force policy reforms that were created by civilians, when passed will lead to a law enforcement model that is shaped by the people. This will lead to strengthened police-community relations through transparency as civilians are more understanding of their rights and they have taken part in what forms of force a law enforcement official may use. Thus, civilians will be less reactive to law enforcement and in turn law enforcement will have an easier time making arrest. These arrests may have less charges because it will reduce things such as aggravated assault to law enforcement or disrupting an arrest. As these charges are taken quite

seriously with harsh punishment, the reduction on these arrests will free up jails and prisons which directly correlate to tax dollars.

Conclusion

This paper has challenged the thesis that fatal uses-of-force used by law enforcement officers against civilians have led to civilian initiated law enforcement reforms. This in turn will lead to stricter use-of-force policy, which will change the world through strengthened police-community trust relations

It is widely accepted that law enforcement reform is on the rise and needs to happen. Scholars have been seeing the change in what force by law enforcement is accepted over the years, and the publics discontent with the force that is portrayed in the media.

While case study showed that the consistent number of fatal uses of force by law enforcement officers from 2013-2020, especially in minority communities in the United States, have led to an increased number of law enforcement reforms innated by civilians from 2020 in the United States, which has resulted in the bill H.R.1280 - George Floyd Justice in Policing Act of 2020 being passed by the house in 2021, there are still some limitations. This includes but is not limited to only one source of data, lack of measurement in the rise of social media, and law enforcements opinion on stricture use-of-force policy.

Implementing stricter use-of-force reform will not be an easy task, but as shown in the literature this task is imperative to protective lives. Hopefully, when theses policies are put into place, we will see less cases like Jamarion Robinsons.

References

About - black lives matter. (n.d.). Retrieved April 5, 2022, from

   https://blacklivesmatter.com/about/

Alpert, G. P., & MacDonald, J. M. (2001). Police use of force: An analysis of organizational

   characteristics. *Justice Quarterly*, *18*(2), 393–409.

   https://doi.org/10.1080/07418820100094951

Arrieta-Kenna. (2020, October 15). *6 places where police reform is going straight to the voters*.

   POLITICO. Retrieved April 5, 2022, from

   https://www.politico.com/news/magazine/2020/10/15/police-reform-ballot-initiatives-

   2020-420614

Benincasa, R. (2020, September 9). *Political divisions drive police brutality lawsuit settlements.*

   NPR. Retrieved April 5, 2022, from https://www.npr.org/2020/09/09/910676192/political-

   divisions-drive-police-brutality-cases

Brown, R. A. (2020, February 26). *Policing in American history: Du Bois Review: Social science*

   research on race. Cambridge Core. Retrieved March 22, 2022, from

   https://www.cambridge.org/core/journals/du-bois-review-social-science-research-on-

   race/article/policing-in-american-history/250B5E41A8B73B08D63577CDDC4CE792

Binder, A., & Scharf, P. (1982). Deadly force in law enforcement. *Crime & Delinquency*, *28*(1),

   1-23.

Buchanan, L., Bui, Q., & Patel, J. K. (2020, July 3). *Black lives matter may be the largest*

   movement in U.S. history. The New York Times. Retrieved April 5, 2022, from

   https://www.nytimes.com/interactive/2020/07/03/us/george-floyd-protests-crowd-size.html

Dunn, L. (2020, August 25). *Who is most at risk for police violence?* KERA News. Retrieved

    April 5, 2022, from https://www.keranews.org/2020-08-06/who-is-most-at-risk-for-police-

    violence

Eastwood, M. (2021). The Future of Policing.

Edwards, F., Lee, H., & Esposito, M. (2019). Risk of being killed by police use of force in the

    United States by age, race–ethnicity, and sex. *Proceedings of the National Academy of*

    Sciences, *116*(34), 16793-16798.

Fulton, M. J. (2021). Funding of Local Police Departments. *Perspectives on Critical Issues*, 238.

Fyfe, J. J. (1988). Police use of deadly force: Research and reform. *Justice quarterly*, *5*(2), 165-

    205.

Gardner, T. G., & Al-Shareffi, E. (2022). Regulating Police Chokeholds.

González, Y. M. (2022, March 14). *Reforming to avoid reform: Strategic policy substitution and*

    the Reform Gap in Policing: Perspectives on Politics. Cambridge Core. Retrieved March

    22, 2022, from https://www.cambridge.org/core/journals/perspectives-on-

    politics/article/abs/reforming-to-avoid-reform-strategic-policy-substitution-and-the-reform-

    gap-in-policing/3F4CEBB557CAB700AB2EA8CF0B2B6542

H.R.1280 - 117th Congress (2021-2022): George Floyd ... Congress.gov. (n.d.). Retrieved

    February 22, 2022, from https://www.congress.gov/bill/117th-congress/house-bill/1280

Law enforcement use-of-force policy. PowerDMS. (n.d.). Retrieved February 22, 2022, from

    https://www.powerdms.com/policy-learning-center/law-enforcement-use-of-force-

    policy#:~:text=Simply%20put%2C%20use%2Dof%2D,compliance%20by%20an%20un

    willing%20subject.%E2%80%9D

Legislative Responses for Policing-State Bill Tracking Database. NCSL. (n.d.). Retrieved

February 22, 2022, from https://www.ncsl.org/research/civil-and-criminal-justice/legislative-responses-for-policing.aspx

Li, W., & Lodhi, H. (2020, June 18). *Which states are taking on police reform after George Floyd?* The Marshall Project. Retrieved April 5, 2022, from https://www.themarshallproject.org/2020/06/18/which-states-are-taking-on-police-reform-after-george-floyd

Manning. (2000). Lou Cannon, "Official Negligence: How Rodney King and the Riots Changed Los Angeles and the LAPD." *Criminal Justice Ethics.*, *19*(1). https://doi.org/info:doi/

Mastrofski, S. D., Worden, R. E., & Snipes, J. B. (1995). Law enforcement in a time of community policing. *Criminology*, *33*(4), 539-563.

McEwen, T. (1997). Policies on less-than-lethal force in law enforcement agencies. *Policing: An International Journal of Police Strategies & Management*.

Orecchio-Egresitz, H. (2021, January 28). *4 years after police shot Jamarion Robinson more than 50 times in an Atlanta suburb, his mother is still waiting for answers*. Insider. Retrieved April 11, 2022, from https://www.insider.com/jamarion-robinson-killed-by-police-atlanta-2020-11

Peddie, M. (2020, June 29). *FISHKIND conversations: The Economics of Police Reform*. 90.7 WMFE. Retrieved April 5, 2022, from https://www.wmfe.org/fishkind-conversations-the-economics-of-police-reform/157945

Paoline III, E. A., Gau, J. M., & Terrill, W. (2018). Race and the police use of force encounter in the United States. *The British Journal of Criminology*, *58*(1), 54-74.

Police use of force project. Police Use of Force Project. (n.d.). Retrieved March 3, 2022, from http://useofforceproject.org/

Potter, G. (2013). *The history of policing in the United States*. EKU School of Justice Studies.

Press, T. A. (2021, October 27). *2 officers are indicted in the death of man who was shot 76 times*. NPR. Retrieved April 11, 2022, from https://www.npr.org/2021/10/27/1049591413/2-officers-are-indicted-in-the-death-of-man-who-was-shot-76-times

Rau, H., Buchanan, K. S., Dixon, M. L., & Goff, P. A. (2020). State Regulation of Policing: POST Commmissions and Police Accountability. *UC Irvine L. Rev.*, *11*, 1349.

Research and resources. Mapping Police Violence. (n.d.). Retrieved February 22, 2022, from https://mappingpoliceviolence.org/resources

Schatmeier, E. H. (2012). Reforming police use-of-force practices: A case study of the Cincinnati police department. *Colum. JL & Soc. Probs.*, *46*, 539.

Subramanian, R., & Arzy, L. (2021, May 21). *State policing reforms since George Floyd's murder*. Brennan Center for Justice. Retrieved April 5, 2022, from https://www.brennancenter.org/our-work/research-reports/state-policing-reforms-george-floyds-murder

Sullivan, B. (2022, February 25). *Three ex-Minneapolis police officers guilty of violating George Floyd's civil rights*. NPR. Retrieved April 5, 2022, from https://www.npr.org/2022/02/24/1082643767/george-floyd-civil-rights-trial

Sullivan, B. (2021, April 27). *With slow progress on federal level, police reform remains patchwork across U.S.* NPR. Retrieved April 5, 2022, from https://www.npr.org/2021/04/27/990580272/with-slow-progress-on-federal-level-police-reform-remains-patchwork-acrhttps://www.npr.org/2021/04/27/990580272/with-slow-progress-on-federal-level-police-reform-remains-patchwork-across-u-soss-u-s

The Lancet: More than half of police killings in USA are unreported and Black Americans are

    most likely to experience fatal police violence. Institute for Health Metrics and Evaluation.

    (2021, September 30). Retrieved April 5, 2022, from https://www.healthdata.org/news-

    release/lancet-more-half-police-killings-usa-are-unreported-and-black-americans-are-most-

    likely

The New York Times. (2020, September 8). *How George Floyd died, and what happened next*.

    The New York Times. Retrieved April 5, 2022, from

    https://www.nytimes.com/article/george-floyd.html

The origins of modern day policing. NAACP. (2021, December 3). Retrieved April 5, 2022, from

    https://naacp.org/find-resources/history-explained/origins-modern-day-policing

Terrill, W. (2007, February 17). *Police use of force: A transactional approach*. Taylor & Francis.

    Retrieved March 22, 2022, from

    https://www.tandfonline.com/doi/full/10.1080/0741882042000333663

Terrill, W., & Paoline, E. A. (2016). Police use of less lethal force: Does administrative policy

    matter? *Justice Quarterly*, *34*(2), 193–216.

    https://doi.org/10.1080/07418825.2016.1147593

Terris, B. J. (1967, November 1). *The role of the police - bruce J. terris, 1967*. Retrieved March

    22, 2022, from

    https://journals.sagepub.com/doi/abs/10.1177/000271626737400106?related-

    urls=yesp374%2F1%2F58

Turner, N. (2020, August 21). *How comprehensive police reform can make Americans safer and*

    save money. USA Today. Retrieved April 5, 2022, from

https://www.usatoday.com/story/opinion/hiddencommonground/2020/08/21/how-police-reform-can-better-protect-americans-save-tax-dollars-column/5615085002/

Tyler, T. (2020). Beyond the Law: An Agenda for Policing Reform.

U.S. marshals report of investigation of jamarion robinson shooting. The Marshall Project. (n.d.). Retrieved April 11, 2022, from https://www.themarshallproject.org/documents/6534292-US-Marshal-Report-on-Jamarion-Robinson-Shooting

Waxman, O. B. (2019, March 6). *The history of police in America and the first force*. Time. Retrieved April 5, 2022, from https://time.com/4779112/police-history-origins/

Weitzer, R. (2002). Incidents of police misconduct and public opinion. *Journal of criminal justice*, *30*(5), 397-408.

White, M. D. (2001). Controlling police decisions to use deadly force: Reexamining the importance of administrative policy. *Crime & Delinquency*, *47*(1), 131–151. https://doi.org/10.1177/0011128701047001006

Williamson, V., Trump, K.-S., & Einstein, K. L. (2018, May 16). *Black lives matter: Evidence that police-caused deaths predict protest activity: Perspectives on Politics*. Cambridge Core. Retrieved March 22, 2022, from https://www.cambridge.org/core/journals/perspectives-on-politics/article/black-lives-matter-evidence-that-policecaused-deaths-predict-protest-activity/BFA2E74F4BCB25C3C222807E8B1111D4