

Free research paper on law enforcement's use of non-lethal force

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Abstract

This paper looks at the nonlethal and less-than-lethal options of force for law enforcement officers. The weapons explored include pepper spray, tasers, and impact projectiles. Also discussed are new inventions that will become available soon. For instance, a thermal gun, an electromagnetic gadget that causes the person to have an epileptic fit, and a variety of nets are currently in progress. This paper discusses a key concern with the use of these weapons: one of safety. Each weapon has its advantages and disadvantages of use. A foremost concern is the overuse of these weapons on children, pregnant women, and the elderly. Included in the discussion are reports from the American Civil Liberties Union (ACLU) of Massachusetts and the United States (U. S.) Department of Justice on safety and policy concerns of these nonlethal weapons. The ACLU in particular determined the necessary policy improvements and types of training needed in order to make the use of these weapons as safe as intended.

Keywords: nonlethal force weapons, less-than-lethal force weapons, non-deadly force

The violent acts of criminals affect police officers on a daily, sometimes hourly, basis. These officers have to make quick choices on the use of force to protect both citizens and themselves. However, the use of deadly force is continuing to go down as more and more non-lethal or less-than-lethal methods are being offered and used by various police forces. Although, it has been shown that the number of deadly force instances will continue to lower as these new mechanisms are used, there are advantages and disadvantages to the use of limited force. There are also concerns about this

use, requiring the development of necessary policies and training guidelines.

There are numerous types of non-lethal force weaponry that do prevent the occurrence of deaths; however, they are not without fault. Some highly utilized items by police officers include pepper spray, tasers (CEDs), and impact projectiles like rubber bullets.

One of the most frequently used items used to subdue a criminal is pepper spray. Pepper spray became commonly used by the FBI and police in the late 1980s and is derived from the extract of a cayenne pepper plant. Although exposure causes irritation to the eyes, skin and lungs, it is safer to use than other types of chemical weapons like tear gas. However, if the suspect has asthma or other respiratory problems, its use can lead to death (American Civil Liberties Union [ACLU], n. d., p. 3).

Tasers, also known as stun guns, is another weapon used to restrain criminals. This device can be operated from 25 feet away and causes electroshock currents to run through a suspect's body, quickly paralyzing him or her. Nevertheless, as further discussed below, the use of tasers are starting to decline due to the rise in deaths throughout the country.

Other types of weapons used to subdue criminals are impact projectiles, including rubber bullets. Projectiles, shot from gun-like mechanisms at a slower pace than a regular gun, incapacitate the suspects by blunt force trauma, usually with some pain along with bruising (ACLU, n. d., p. 4). These projectiles include rubber bullets, bean bag rounds, pepper spray balls, and wooden slugs. Again, deaths and injuries occasionally have resulted from such impact.

In addition, through the involvement of the military, innovative non-deadly force mechanisms are currently being created. For instance, Oak Ridge National Laboratory in Tennessee is working on a thermal gun that will raise the body temperature of a suspect to between 105 and 107 degrees (Hausman, n. d.). Furthermore, an electromagnetic gadget that causes the person to have an epileptic fit is being tested and a variety of nets are also in the works.

There are plenty of important uses for both current less-than-deadly force mechanisms and inventions in the process of being created and tested. However, the advantages of less gun violence still allows for the disadvantages of causing death in certain situations. In actuality, the fatality numbers are a bit high. First, looking once more at pepper spray, one North Carolina study showed that it caused at least 63 deaths (U. S. Department of Justice [DOJ], 2003, pp. 7-8). However, this same study concluded that only two of the deaths were caused by the combination of asthma and the use of pepper spray. The other deaths reportedly had other causes, for example drug use (DOJ, p. 8).

Secondly, tasers have also had problems with causing deaths to the point where they are being discontinued in its use.

Since 2001, over 100 people have died in the United States after being stunned with a Taser. As a result, police departments nationwide – notably Chicago and the State of New Jersey – have suspended or delayed the use of Tasers citing safety concerns following fatal incidents. (ACLU, n. d., p. i).

However, many police agencies still believe in the safety and effectiveness of the weapons, stating they are crucial in emergencies.

Lastly, the benefits of using rubber bullets and other projectiles from a greater distance than other non-deadly weapons might be outweighed by numerous injuries and, in some cases, death. For instance, after the Red Sox won the World Series in 2004, a young woman was killed during the celebrations by a pepper spray ball that hit her in the eye. Additionally, there have been numerous lawsuits resulting from excessive use of force with these projectiles (ACLU, n. d., p. 13). Many of the cases involve police use during large demonstrations and protests.

Moreover, there are concerns that non-lethal weapons are over-used to the point of being tools of torture. In a 2005 article in the Boston Globe, Amnesty International accused the widespread use of tasers for 93 deaths and pervasive human rights abuses (Kahn, 2005). The group wants independent and across-the-board testing of tasers to take place before more and more police departments purchase the weapon. Evidence of this abuse exists in the fact that:

Police have directed Tasers at a 6-year-old boy in Florida, a 9-year-old girl in Arizona, a pregnant woman in Illinois, and a 71-year-old woman in Oregon who is blind in one eye. ‘ They are brainwashed into thinking they can use this weapon any time they want, and it can't possibly hurt anybody.’ (Kahn, 2005).

As a result of this over-use and abuse, police departments need more comprehensive policies on the use of non-lethal and less-than-lethal

weapons. Policies need to exist in order for officers to gain a better understanding of the appropriate use of these weapons. There should be clear policies relating to before, during and after its use. For example, policies should consist of the requirement of collecting evidence as soon as the weapon is used, including photographs taken after the occurrence and a comprehensive report needs to be completed, explaining in full detail what occurred (ACLU, n. d., pp. 33-34).

Furthermore, training is an essential element to the proper use of these weapons. The training itself should include the disadvantages of weapon use and explain ways to avoid its use in certain situations. For example, use on children, pregnant women, and the elderly should always be avoided. In addition, the appropriate use and the actual effects from its use should be a required element of the training.

In conclusion, non-lethal and less-than-lethal weapons have increased in production in order to save further lives and give police a better handle on unruly suspects. The intentions are good and the use is favorable over deadly force; however, lack of training and policies have caused misuse of these “ safe” weapons. Unexpected deaths occur more frequently than expected and although many of these deaths are blamed on other factors, many are not. These weapons should not continue to be used until law enforcement officers are given the proper training needed and guidelines are put into effect. That is the only way these weapons will become as safe as intended.

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