

Training for correctional officers to reduce excessive force numbers



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Introduction

Correctional facilities are responsible for the safety of its occupants. To maintain that status of safety, it is important for correctional officers to practice proper use of force in response to misconduct and other situations. Case law (City of Canton v. Harris, 1989) states departments are legally responsible for hiring and training officers who will act properly within the scope of the law (Ross, 2000; Alpert, 1989). Thus, agencies continually work to ensure they are taking every precaution possible to hire and train officers who will perform their duties well.

It is important to examine the training correctional officers receive to fully establish why excessive force in correctional facilities are prevalent.

Correctional Officers

Prison guards assume an immense job in penitentiaries, jails and other remedial facilities. Their duties include maintaining the security of the prisoners, facilities and officers. Prison guards supervise detainee activities, look for contraband and other illicit substances and items, report prisoner misconduct, and aid in rehabilitation and counseling of offenders. One of the primary duties of correctional officers are to keep up the safety of inmates and prevent and control disputes. In performing their daily duties, it is sometimes required to use force to maintain the order of the facility.

However, even though using force is accepted in the correctional system, it can be excessive.

Use of force in Correctional Facilities

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Utilization of force in context of law enforcement, might be characterized as the “measure of exertion required by police to force compliance by a reluctant subject”. Use of force is utilized to defeat physical obstruction by a subject, anticipate escape or control a subject for motivations behind a capture dependent on reasonable justification, confine or limit a subject amid an investigatory stop dependent on articulable sensible doubt, seize a danger of damage to the officer or others (self-protection or safeguard of others), and accomplish other real law authorization purposes when minor nearness and verbal directions fall flat.

There are two types of force; non-deadly and deadly force. Non-Deadly Force is force that is not likely to cause death or serious bodily harm. It is principally utilized by prison guards to shield themselves or another person from a third power utilizing unlawful power (non-lethal power). Types of non-deadly force options consist of conducted energy devices (tasers and stun guns), directed energy devices, chemical agents, (tear gas and stink bombs), distraction (bright lights laser dazzler and noise), vehicle stopping technology, barriers (nets, foams and physical barriers) and blunt force. The officer utilizing non-lethal power must have the capacity to verbalize the need for force to control as well as restrain the subject.

Deadly Force is force that is likely to cause death or serious bodily injury. This is utilized by officers to shield themselves or another person from death or bodily injuries or to prevent the commission of a unlawful offense. Deadly force should only be used when he or she sensibly believes the subject has a fatal weapon, the subject poses an immediate threat of physical violence to the officer or others, or there is probable cause to believe the suspected

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felon has committed a crime involving the infliction or threatened infliction of serious physical harm. Weapons that are utilized to emanate lethal power comprise of guns, blades, strikes to the head, patrol vehicle, hooking, wrestling, or combative techniques.

Excessive Force

It can be argued that there are many incentives and risks to using force in correctional facilities. Force might be utilized by law enforcement officers to prevent harm, provide protection, prevent chaos, reduce reoccurrence, provide personal safety and to de-escalate situations. Notwithstanding, despite the fact that utilizing power has its advantages, it ends up dangerous when it is utilized superfluously and more than needed. Excessive force is characterized by any power that is un-required, more than required, continued after the necessity for it has ended, intentionally applying it wrongfully, or visit utilization of power by specific officers, units, or departments, regardless of whether each case appears to be justifiable.

As indicated by *Hudson v. McMillian*, 112S. Ct. 995 (1992) the Supreme Court expressed that lower courts should consider a few variables to choose whether power can be viewed as over the top; the requirement for the utilization of any power, the measure of power really utilized, the degree of any wounds managed by the prisoner, the danger seen by the sensible remedial authority, and endeavors made to temper the utilization of power (Boston and Manville, 2010). The utilization of force in correctional facilities requires a Fourth Amendment audit under the standard of “objective reasonableness” set up in the *Graham* choice. The Court recognized

numerous elements for investigating cases of inordinate power. These factors underscore the ideology that the suspect dictates the degree of force that an officer applies, and officers should make sure to verbalize them while justifying their force decision making.

Moreover, it is essential for supervisory personnel to properly train officers in use-of-force decision-making and use-of-force procedures. There are all several reason as to why there is excessive force being used by correctional officers but it all boils down to training. Excessive force is being used in correctional facilities because there is a lack of proper training needed to attain the job. Issues arise when officers don't have much experience or weren't sufficiently trained in areas they should've been. With this lack of sufficient professionalization in correctional facilities, room for error is heightened.

Inadequate Training

Training is an important and vital aspect of being a correctional officer. There are three general forms of police training in the United States; basic training, field training, and in-service training (Morrison, 2006). Basic training is broadly required for recently contracted officers and comprises of training in the basic skills necessary to preform law enforcement tasks. Training incorporates firearms skills, self-defense, use of non-lethal weapons and criminal law. While training (topics, format and hours) (Stickle Justice Policy Journal, Spring 2016 Education and Use of Force 5) required vary from state to state the average number of classroom hours required for basic training in 2007 was 761 (Reaves, 2012). In many circumstances after completing basic

training officers are then required to successfully complete field training. Field training consists of assigning new officers to senior officers for additional on the job training. This training allows a new officer to gain important insight and experience in the application of knowledge learned in basic training. Finally, a few states require continued in-service training for officers to maintain certification. Of those agencies that require annual in-service training the average number of hours of required is 38 (LEMAS, 2007). It is important to note that despite the importance placed on training the rate, type, and format varies drastically across the United States (Langworthy, Hughes & Sanders, 1995).

Examinations of use of force incidents and the amount and type of training in correctional officer work have received limited empirical examination. Moreover, the research which has been completed has mixed results of the effect that police training has on use of force incidents. For example, Lee and Vaughn (2010) found more highly trained officers are able to control and resolve conflict with less force than their lesser trained peers. However, Lee, Jang, Yun, Lim and Tushaus (2010) found in-service training was a significant factor when examining levels of police force but basic training had a smaller affect. Unfortunately, the understudied relationships between basic training, in-service, and use of force have not been adequately studied to draw firm conclusions on its effects.

The pre-employment training of correctional officers in most states is modeled after law enforcement training and combines in-depth classroom-based instruction in corrections principles, concepts and procedures with

practical skills related to defensive tactics, subduing violent inmates and riot control.

According to 2015 studies, the median values of hours spent on firearm training is around 58 hours, defensive tactics is 49 hours, use of force scenario-based training is 24 hours, de-escalation is 8 hours, crisis intervention is 8 hours and communication is 10 hours. On average, more time is being spent on the use of firearms rather than skills to prevent having to use firearms such as defensive tactics and use of force simulation training. Correctional officer training programs in most states may last between several weeks or several months. Stickle (2016) performed a study to discover if advanced training correlates with a reduction of departmental use of force complaints. Increased field training revealed a strong association with the reduction of excessive force complaints.

To maintain the status of safety in correctional facilities it is important for correctional officers to be properly trained in the proper use of force in response to misconduct and other situations. Thus, agencies continually work to ensure they are taking every precaution possible to hire and train officers who will perform their duties well. Training is widely required for newly hired officers and consists of training in the basic skills necessary to perform law enforcement tasks. According to 2015 studies, more time is being spent on the use of firearms rather than skills to prevent having to use firearms such as defensive tactics and use of force simulation training.

According to prior studies (Stickle, 2016), it has been concluded that lack of time spent on training contributes to the issue of excessive force being used

correctionalfacilities because there is a lack of proper training provided to the trainees.

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