POLICE BRUTALITY: A LIFELONG LEARNING PROCESS

Earl C. Johns

Abstract

The issue of police brutality continues to be a major concern for both the public and the law enforcement profession. This research explores the possible, multiple causal factors involved in the lifelong learning process that might contribute to police brutality. A survey, based on various causal factors, was administered to municipal, county, and state law enforcement officers in Orange and Osceola Counties. Although findings did not substantiate the hypothesis that brutality is the result of a lifelong learning process, expanded research is needed in this area. Recommendations that might help resolve the issue of police brutality are presented.

Introduction

Violence in the form of police brutality, unwarranted use of force, and other forms of mistreatment of citizens is not uncommon in American history. Commentaries documenting the growth and development of this country testify to an unwarranted use of force throughout the ranks of policing. Law enforcement records dating back to the movement across the Mississippi to the West provide numerous examples of the "shoot first, ask questions later" or "do what ever is necessary" attitude of officers.

Later, during the early 1900's, the brutal and sadistic use of the nightstick was prevalent. The New York City Police Department was the history maker in this area. Even the magistrates commented on the number of citizens being brought through the courts with broken hands and bruised bodies as a result of the so called "need for force" in order to make the arrest. Many of these arrests were unnecessary and when the citizen complained, the charges were usually dropped. These comments, which were widespread, received little, if any, attention during this time. This problem has continued throughout the better part of the twentieth century.

Two occurrences eventually caused the issue of police brutality to surface. The first was the "criminal law revolution" started by the United States Supreme Court under the leadership of Chief Justice Earl Warren. The other was the findings of the Kerner Commission (1967), which was formerly known as the National Advisory Commission on Civil Disorders.

As a result of the Supreme Court and the Kerner Commission, a greater national focus was turned toward the issue of police violence and the use of force. Since that time, there have been numerous studies conducted concerning this issue. These studies were done predominantly by asking the officers in many major departments why they thought an officer had the right to "rough up" a person. The results were that almost half of the assaults occurred when citizens openly defied police authority (Westlty, 1949). Another third were said to be the result of encounters with drunks, homosexuals, and drug users. National attention has been focused more recently on allegations of police brutality in numerous large metropolitan cities across the country. The most often cited cities were New York, Houston, San Antonio and Los Angeles (Inciardi, 1990).

In the past, police brutality was considered to be a practice limited to only a few "bad apples" within the agencies. However, more recent occurrences seem to suggest that it is the result of norms shared throughout departments and that, unfortunately, it is a consequence of the police officer's role. Police officers are given the unrestricted right to use force in situations where their evaluation of the circumstances demand its use. Yet this ability has never been precisely defined or limited.

There are many factors which have been said to contribute to the existence of police brutality. One factor is the police "working personality." Its characteristics are: the feeling of constant pressure to perform, the authority over others, suspicion, hostility, insecurity, and cynicism (Inciardi, 1990).

Another factor is what is referred to as "The Watchman" (Wilson, 1975). Here, the officers feel that all they do is act as maintainers of order, ignoring minor problems such as misdemeanors, traffic infractions, the poor, and domestic disputes. When confronted with problems, they feel that they must act tough and follow the path of least resistance and render their form of curbside justice. Many officers are said to be poorly trained and some departments barely meet minimum standards for planning, research and community relations. The consequences of the watchman style tends to allow corruption, bad arrests and unnecessary police violence.

Police authority is essential to the officer's role of enforcing the law and keeping the peace. Persons who question or resist authority represent a challenge to the officer and the organization. These challenges are not taken lightly and the officer responds accordingly. If verbalizing doesn't work then he/she will resort to other means of force to gain compliance.

Some officers' views of social-value have an effect on the use of force. They feel that persons such as drunks, gang members, homosexuals, sex offenders, drug dealers and hardened criminals have no value to society
and thus deserve no protection. As a result, these people are treated differently than normal citizens. As a matter of fact, certain officers have even singled out these people as targets for abuse.

Another factor which is said to contribute to the use of force by police is that of decision making. The role of a police officer requires that quick decisions be made. Many of these decisions are based on fragmented information. As a result, the officers and departments tend to defend the use of force as a quick resolution to the problem.

There has been a lot of time and research devoted in an attempt to determine a cause for police brutality or the use of unnecessary force. Reasons and recommendations have been offered which may answer some of these questions and may help to decrease the use of force or brutality. Yet, there are still an increasing number of occurrences almost daily across this country.

One aspect which has not been researched is whether the process of an officer's lifelong learning has any influence on the use of unnecessary force or brutality. Can brutality be the result of an officer's past learning experiences? This research project was conducted in order to determine if, in fact, there is a correlation between what has been learned by an officer and what that officer does when confronted with a situation which requires the use of force.

Research Methodology

This project began with a literature review of various factors that might contribute to the learning process conducive for the development of police brutality. Broad areas of human and personality development were explored along with societal violence in television, movies, toys, and games. Additionally, the influence of academics and sports were examined. Police training and recruitment policies and approaches were reviewed along with the effects of job-related stress and fear. Media influences and public perception were also scrutinized for contribution to the lifelong learning process of police brutality.

The final process taken in the study was to apply the aforementioned concepts to a descriptive research method. Descriptive studies are a means of discovering new meanings, describing what exists, determining the frequency with which something occurs and/or categorizing information. In descriptive research, the researcher uses structured observations or questionnaires, or both, to describe the particular aspect being studied. This study utilized a questionnaire for these purposes.

The Instrument. A method to evaluate the feelings of sworn officers on the issues of the unnecessary use of force was needed. The questionnaire was developed by this writer after research had been done concerning the various subjects covered in this project (See Appendix A). The questionnaire consisted of 19 questions dealing with various topics related to the lifelong process of police brutality. Only one survey instrument was used in this research due basically to the time restraints.

The questions were formulated so as to allow those being surveyed to give their opinions and feelings without fear of being identified. The questionnaire was distributed to the officers at random. The instructions were to complete the questionnaire by choosing his/her particular choice to each question. The manner of returning the completed questionnaire was that of the officer.

The responses to the questions were evaluated based on opinions and some factual informal provided. The basic idea was to allow the officers to express their concepts or opinions on several issues related to violence, the news media, the court system, the use of force, recruitment, and in-service training.

The questions were structured to gain knowledge concerning the levels of experience of those responding. Categories were established to determine those various levels of experience. The idea was to see if the opinions would differ with experience levels.

The survey also dealt with attitudes about the criminal justice system.

The Sample. The questionnaire was given to 90 municipal, county, and state law enforcement officers in Orange and Osceola counties. Seventy-one responded to the survey for a 79% return rate. Due to time restraints, the scope was limited to these areas. If more time was available, the questionnaire would have been distributed over a wider area.

The ages of those officers varied from 19 to 50 years of age. Experience levels were also tabulated and it was found that 10 respondents had from 0-2 years experience, 15 had 3-5 years experience, 13 had from 6-8 years experience, 8 had 8-11 years and 25 had more than 12 years experience.

Conclusion

The hypothesis which was explored during this research was whether police brutality could be or was a function of a lifelong learning process. The learning process was to have begun at conception and continued throughout childhood, adolescence, young adulthood and until a profession of law enforcement was chosen. From that point the research focused on the process of choosing qualified applicants and the training which the new recruit officer received. Then, the focus turned to the various pressures which an officer faces and the reaction which occurs.

It could not be proven that brutality was a lifelong learning process. It did, however, give indications that various things which are learned can cause various reactions to occur within any individual, including a police officer. These reactions are a result of a learning process which begins at conception and continues throughout a person's life. These reactions are both learned and instinctive based on the perceptions at the time of occurrence. Thus, there could be the possibility that brutality is the result of these learned reactions to the various pressures put upon a person as well as police officers. Police officers are human beings just the same as every other person on this earth.

There were areas discussed which would or could be researched further which could possibly make a determination on the causes of brutality by police officers. The one which this writer feels would be appropriate would require a great deal of time and resources. The research would involve a thorough investigation into the life of every officer accused and proven to have brutalized a person. Only through this type of research and cooperation by those involved could a truer case be made.

Perhaps the great philosopher Aristotle summed the real focus of this research when he said:

It is a matter of real importance whether our early education confirms in us one set of habits or another. It would be nearer the truth to say that it makes a very great difference in deed, in fact all the difference in the world. (The Ethics of Aristotle, 1958)

As a result of the research, some recommendations have been found that might be utilized in maybe making a difference in solving the issue of police brutality.

Recommendations

Throughout this research, another focus of this writer has been to identify some recommendations that could possibly have some intervening effect on the potential for police brutality. The following recommendations are based on that assumption.

1. Violence on television was a major concern. The perception which has been presented to its viewers is that since it is the "good guys" who use violence to save the day, then acts of aggression or violence are quite justified if one's cause is just. To that end, the following recommendations are made:

A. Television producers need to think of ways to present things realistically. Conflict and excitement should be shown in nonviolent ways yet not be boring.

B. Parents should control, as much as possible, what their children watch and explain and discuss what they do watch. Some ways of doing this would be:

1. Suggest that childhood books are read and understood by the children.

2. Set reasonable limits to the time that a child is allowed to watch television.

3. Suggest that family-oriented programs are watched and that they are done so by the entire family.

4. Suggest that parents participate in hobbies and games with their children instead of watching television.

C. Educators can also assist with the viewing of television by:

1. Using curricula developed in the past on how to use television effectively (Singer & Singer, 1984).

2. Schools taking a lead in teaching that the violence portrayed on television is distorted, not as common as shown and that the consequences of crime are not shown.

3. That there are other ways of solving problems without using violence.

2. Public perception was a concern over issues related to brutality. Effective law enforcement requires community support. This support is fashioned by the departments through their interaction with the community. This being true, then the following are ways in which a law enforcement agency can become a "partner" with its community.

A. Develop civilian police academies. Show the public what and how the officers are trained and the related laws. Let them become involved in the training and ride with the officers to see the situation from both sides.

B. Develop public relations units. These units are constantly involved in various organizations and events promoting the department and getting it involved with the community.

C. Implement the School Resource Officer program. This allows for the children and community to see the officer as a human being, teacher and police officer.

D. Work toward a community oriented policing concept. Get the officer out of the car and talking to the community. Let the citizens know the officer and the officer to know them. Programs such as Neighborhood Watch and Radio Watch are excellent.

E. Implement programs which keep the public informed as to what is occurring within their community and department. The more informed they are, the more they are generally supportive.

F. Establish a Civilian Complaint Review Board. Allow selected citizens in the

community to be able to review complaints and to recommend actions that they feel would be appropriate. This way, they feel like they are part of the department and are involved "with" their department and not "against" the department.

3. Police training was also discussed as to its impact on violence. Departments should do the following to help alleviate the "war" and "battle" concept:

A. Change the image that instructors are portraying to the recruits that they are going into battle and fighting a war, that it will be "us against them."

B. Emphasize that the techniques being taught are strictly defensive in characteristic and not offensive.

4. The recruitment process has improved over the past several years, but can be further improved.

A. The background investigation is done with much detail but this is only true to some extent. Smaller departments do not have the resources necessary to complete detailed background investigations. The following recommendations are submitted:

1. Complete and detailed background investigations including good psychological exams and polygraph examinations should be done on a regional basis by training centers. A qualified pool of applicants could be developed and departments needing applicants could apply to the pool.
2. Guidelines should be developed by the Standards and Training Commission to govern this pool and the thoroughness of the backgrounds.
3. Applicants would have to submit their desires to those training centers and to the departments which they prefer as part of the process. The funding for the background investigations could come from an assessment fee paid for by the applicant.
4. Once an applicant was chosen by a department, then any additional testing would be done by that department. If the department does not hire the pool applicant then a reason would be returned to the training center and it would be up to the training center as to whether or not to retain the applicant in the pool.
5. If the training centers do not require the background investigation, then Criminal Justice Standards and Training Commission should establish mandated guidelines for the processing of applicants. Those currently in existence are very liberal and thus allow for unfit applicants to become police officers. This causes a lack of confidence in the profession by the public as a result of a few "bad eggs."

5. Fear and stress were other major concerns discussed in this research. As was found, the results of stress and fear can be disastrous problems for the officer as well as

the department.   Steps should be taken to identify and resolve these before they become problems. The following recommendations are made:

A. A true and honest discussion of fear and stress should be done. This allows those who are suffering to know that the department and their peers are concerned.

B. The recruitment process, as discussed previously, needs to be improved in order to identify existing and potential problems in these areas.

C. Training in identifying and addressing fear should be taught at the basic recruit level. Various scenarios should be developed which will cause fear to develop. As a result, the ability of the trainee to deal with stress and fear could be shown and addressed. If they cannot handle the stress and fear then they should be dismissed from the training.

D. Training should be given to the officers, supervisors and other departmental personnel of the effects of stress and fear and how to identify those effects. Ways to help alleviate or lessen their impact should be given.

E. The Field Training Officer (FTO) program should be aware of the potentials for fear and stress. The FTO should be able to identify and resolve these problems along with the assistance of the supervisors. These concerns or problems can be addressed on a "one-on-one" basis without hurting the officer's future. Should it continue then the officer should be dismissed.

F. Training should be given and reinforced throughout the officer's career on race and cultural awareness. Since the officer is dealing on a daily basis with various races and cultures, an understanding of these are necessary. The officers must understand and be able to deal effectively with all those which he will encounter.

6. Another area of concern was that of the news media. As has been shown, the news media has been a problem and will continue to be a problem for law enforcement. There are no well defined methods which can be used to lessen the impact that the news media has on law enforcement. The following are suggestions:

A. When dealing with the news media you must maintain control. Do not let the reporters intimidate you into saying something that is not true or off color. They like to make a story out of what they find rather than what they are given.

B. Sensationalism is prevalent with the media. The Rodney King incident is a prime example. Once it is done there is nothing that you can to downplay the printing. You will have to live with what was printed.

C. If you have negative press and that press is true, don't try to change what has occurred. The more you try to "downplay" the incident, the more the media will

dig to uncover something else. Show regret for what occurred and try to show how you have tried to negate any further incidents or what your
 policies and procedures are regarding the incident.

D. When replying to questions by the media, try to keep your responses short and simple. The more you say the more information you are giving for them to question.

E. Allow the media access to the people and officers behind the story. It is best for them to hear it from the actual participants and to get a feeling of human beings instead of your story.

The purpose of this research was to determine if there is a connection between what an officer had learned over his lifetime and what effect that had on police brutality or the use of unnecessary force. This could not be proven. However, this writer believes that there is possibly a connection since we are what we have seen, been taught or heard. If the background has been one of violence, then the possibility of violence exists.

Research should be continued into this area. Perhaps the best method would be to review and interview all officers involved in police brutality incidents to determine their background and see if there is any correlation between the two. This would include not only those terminated and prosecuted for incidents, but also those who have been cleared and are still in law enforcement.

Captain Johns has 23 years of law enforcement experience. He has served in every division within the Kissimmee Police Department. Earl has a Master of Science degree in Criminal Justice and also graduated from the FBI National Academy. Additionally, he is a graduate of the Charter Class, Senior Leadership Program at the Florida Criminal Justice Executive Institute.

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APPENDIX A

Questionnaire and Results

1. How many years of experience do you have in law enforcement?

0-2	14.1%
3-5	21.1%
6-8	18.3%
9-11	11.3%
12 and over	35.2%

2. Are you satisfied with the way the criminal justice system deals with person you have arrested?

Yes	12.7%
No	78.9%
No Opinion	8.5%
No Response	1.4%

3. Have you ever felt that arresting a person was useless and that he or she would "get off" on some technicality?

Yes	63.4%
No	31.0%
No Opinion	5.6%

4. Do those persons who you have arrested and are found guilty receive the appropriate punishment for the crime which they committed?

Always	1.4%
Sometimes	87.3%
Never	11.3%

5. Have you ever been frustrated at having to arrest the same person over and over again for the same crime?

Yes	78.9%
No	19.7%
No Opinion	1.4%

6. Are you satisfied with the sentencing guidelines as established by the State of Florida?

Yes	11.3%
No	81.7%
No Opinion	7.0%

7. Have you ever felt that the only way that a criminal would receive any punishment was for you to provide that punishment?

Always	2.8%
Sometimes	49.3%
Never	47.9%

8. Have you ever used more force than was necessary because the person being arrested was mouthing off, cursing, or degrading you as a law enforcement officer?

Sometimes	8.5%
Occasionally	21.1%
Never	70.4%

9. Have you ever been so frustrated with a person that you felt like taking action personally against that person?

Yes	53.5%
No	29.6%
Never	16.9%

10. Should a law enforcement officer be given the ability, within reason, to use more force than necessary to arrest a person who is resisting, cursing or degrading the officer?

Yes	25.4%
No	57.7%
Never	16.9%

11. Do you feel that your training in law enforcement is preparing you to do battle as in a war?

Yes	9.9%
No	78.9%
No Opinion	11.3%

12. Do you believe that all the violence being shown on the television, movies, etc. is causing others to become aggressive toward law enforcement?

Yes	74.6%
No	15.5%
No Opinion	9.9%

13. Have you ever felt more aggressive after watching a program or move containing violence?

Yes	29.6%
No	64.8%
Never	5.6%

14. Do you know of another officer who has acted out his aggressiveness and made some statement like "this is the way they did it in the cop show?"

Yes	19.7%
No	80.3%

15. Have you ever seen another law enforcement officer be overly rough with a person being arrested?

Yes	64.8%
No	31.0%
Never	2.8%

16. Do you believe that when an officer is under stress or fearful of a particular situation that he or she might use more force than was necessary when making an arrest?

Yes	73.2%
No	14.1%
No Opinion	11.3%
No Response	1.4%

17. Do you believe that the reports in the news media have caused the public to mistrust law enforcement?

Yes	93.0%
No	7.0%

18. Do you agree with the way in which law enforcement is being betrayed in the various television programs?

Yes	8.5%
No	80.3%
No Opinion	9.9%

19. Do you believe that aggression can be the result of what a person has seen, been told or taught over that person's life time?

Yes	83.1%
No	2.8%
No Opinion	12.7%
No Response	1.4%