



CAMPAIGN ZERO

SEPTEMBER 20, 2016

POLICE USE OF FORCE POLICY ANALYSIS

Photo by Jeenah Moon | www.jeenahmoon.com

Written by the Campaign Zero Planning Team: DeRay McKesson, Samuel Sinyangwe, Johnetta Elzie and Brittany Packnett.

Recognizing that systemic change can only be achieved through comprehensive action, Campaign Zero proposes ten categories of policy solutions to end police violence in America. Among these, the policies that govern how and when officers are allowed to use force against civilians requires immediate attention and intervention. The police killed [over 600 people](#) in America in the first seven months of 2016, enabled and protected by laws and policies that allow police to use force, both deadly and otherwise, with little to no accountability.

Police violence is distributed disproportionately, with black people being 3x more likely to be killed by police than their white counterparts. This violence, in practice, is justified by legal and administrative policies that govern how and when police can use force against civilians. In theory, police departments establish rules regarding the use of force, which include the expectation and power to discipline officers who fail to uphold the department's standards.

Instead, many police departments fail to establish common sense restrictions on police use of force – including deadly force – that would actually benefit the communities they are supposed to protect and serve. According to our findings, fundamentally changing use of force policies can dramatically reduce the number of people killed by police in America.

The first section of our report details our analysis, conducted in collaboration with legal scholars, lawyers, and activists from around the country. Our findings demonstrate that there are vast differences in the degree to which America's largest city police departments restrict officers from using force against civilians. Furthermore, none of these departments have adopted all of the policies identified in our analysis.

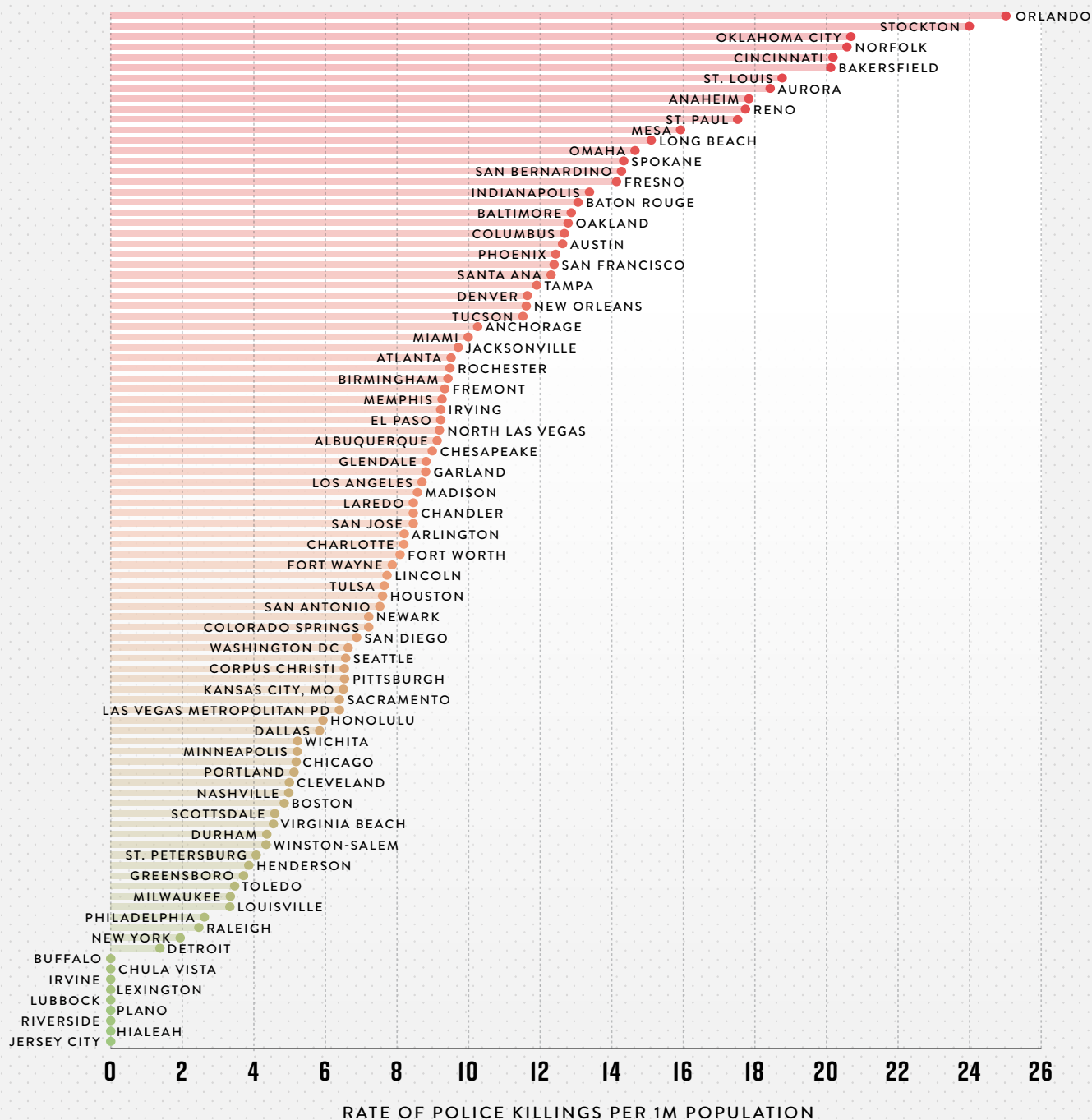
The second part of our report examines the relationship between police department use of force policies and the likelihood that those departments kill civilians. We discovered that police departments that implement more restrictions on police use of force kill significantly fewer civilians.

**“ONLY 9 OF THE 100 LARGEST AMERICAN CITIES’
POLICE DEPARTMENTS DID NOT KILL ANYONE IN
2015 OR 2016.”**

Figure 1.

RATES OF KILLINGS BY AMERICA'S LARGEST POLICE DEPARTMENTS

JAN 1, 2015 – JULY 15, 2016

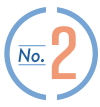


Source: The Guardian's 'The Counted' Database; US Census 2010 Population Data

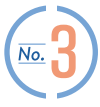
This review examines the use of force policies of 91 of America's 100 largest cities' police departments to identify the policies that establish restrictions on how and when police use force against civilians. Working with legal experts, advocates, and academics with an expertise in this area, eight major policies are identified that establish meaningful restrictions on police use of force – especially deadly force – against civilians.



REQUIRE OFFICERS TO DE-ESCALATE SITUATIONS, when possible, before using force.



USE A FORCE CONTINUUM OR MATRIX that define/limit the types of force and/or weapons that can be used to respond to specific types of resistance.



RESTRICT CHOKEHOLDS AND STRANGLEHOLDS (including carotid restraints) to situations where deadly force is authorized or prohibiting them altogether.



REQUIRE OFFICERS TO GIVE A VERBAL WARNING, when possible, before using deadly force.



PROHIBIT OFFICERS FROM SHOOTING AT PEOPLE IN MOVING VEHICLES unless the person poses a deadly threat by means other than the vehicle (for example, shooting at people from the vehicle).



REQUIRE OFFICERS TO EXHAUST ALL OTHER REASONABLE ALTERNATIVES before resorting to using deadly force.



REQUIRE OFFICERS TO INTERVENE to stop another officer from using excessive force.



REQUIRE COMPREHENSIVE REPORTING that includes both uses of force and threats of force (for example, reporting instances where an officer threatens a civilian with a firearm).

“THE AVERAGE POLICE DEPARTMENT REVIEWED HAD ADOPTED ONLY THREE OF THE EIGHT POLICIES IDENTIFIED AS PLACING CLEAR RESTRICTIONS ON POLICE USE OF FORCE. NO POLICE DEPARTMENT HAS IMPLEMENTED ALL EIGHT.”

NEW ORLEANS POLICE USE OF FORCE POLICY REQUIRES OFFICERS TO TRY TO DE-ESCALATE SITUATIONS BEFORE RESORTING TO FORCE

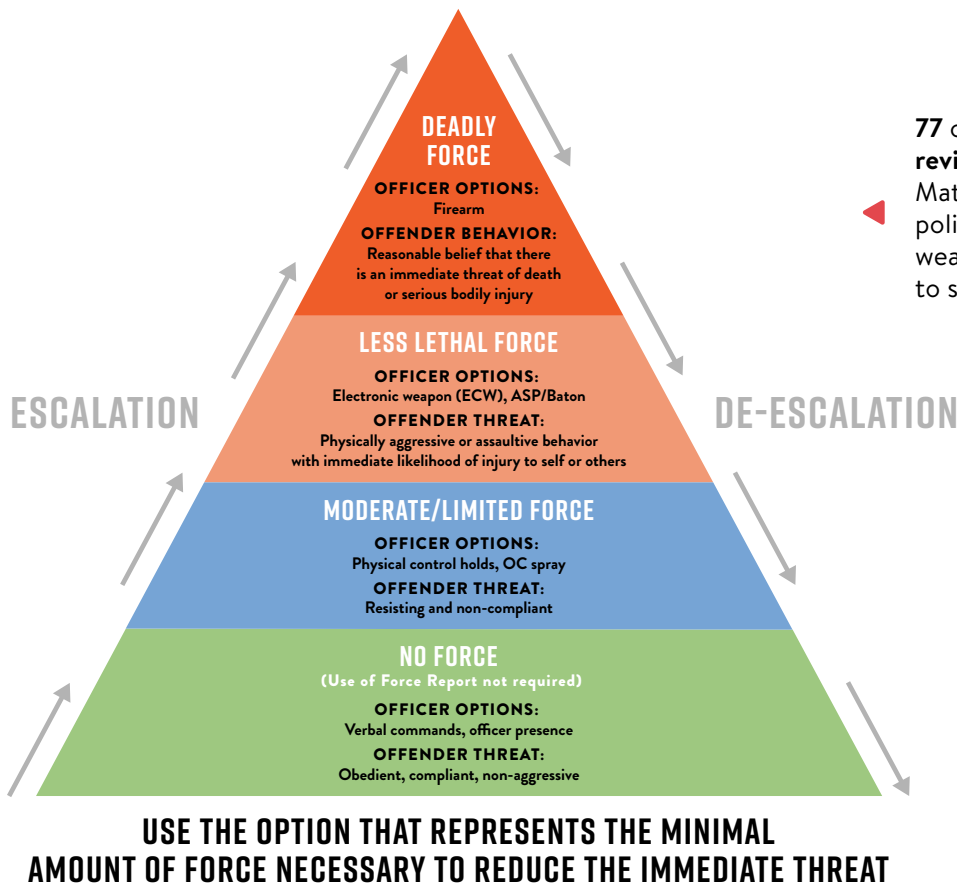
300.1 USE OF FORCE PRINCIPLES

- (a) Officers shall use advisements, warnings, and verbal persuasion, when possible, before resorting to force.
- (b) Force shall be de-escalated immediately as resistance decreases.
- (c) When feasible based on the circumstances, officers will use disengagement; area containment; surveillance; waiting out a subject; summoning reinforcements; and/or calling in specialized units, in order to reduce the need for force and increase officer and civilian safety.
- (d) Officers shall allow individuals time to submit to arrest before force is used wherever possible

Source: New Orleans Police Department Use of Force Policy, Section 300.1

USEOFFORCEPROJECT.ORG

Only 34 of the 91 police departments reviewed require officers to de-escalate situations, when possible, before using force.



77 of the 91 police departments reviewed have a Force Continuum or Matrix included in their use of force policy, defining the types of force/ weapons that can be used to respond to specific types of resistance.

“ONLY 34 OF THE 91 POLICE DEPARTMENTS REVIEWED REQUIRE OFFICERS TO DE-ESCALATE SITUATIONS, WHEN POSSIBLE, BEFORE USING FORCE.”

MIAMI POLICE USE OF FORCE POLICY PROHIBITS OFFICERS FROM USING *CHOKEHOLDS AND STRANGLEHOLDS*

21.4.1.20

Police Officers are prohibited from utilizing the Lateral Vascular Neck Restraint (LVNR), choke hold, neck hold, and/or any other restraint that restricts free movement of the neck or head.

Source: Miami Police Department Use of Force Policy, Section 21.4.1.20

USEOFFORCEPROJECT.ORG

21 of the 91 police departments reviewed explicitly prohibit chokeholds and strangleholds (including carotid restraints) or limit these tactics to situations where deadly force is authorized.

DC POLICE USE OF FORCE POLICY REQUIRES OFFICERS TO *ISSUE A WARNING*, WHEN POSSIBLE, BEFORE USING DEADLY FORCE

IV.C.

When feasible, members shall identify themselves as a police officer and issue a warning before discharging a firearm.

Source: DC Metropolitan Police Department Use of Force Policy, Section IV.C.

USEOFFORCEPROJECT.ORG

56 of the 91 police departments reviewed require officers to give a verbal warning, when possible, before using deadly force.

NEW ORLEANS POLICE USE OF FORCE POLICY RESTRICTS OFFICERS FROM SHOOTING AT OR FROM MOVING VEHICLES

300.5.1 SHOOTING AT OR FROM MOVING VEHICLES

Officers shall not discharge a firearm from a moving vehicle or at a moving vehicle unless the occupants of the vehicle are using deadly force, other than the vehicle itself, against the officer or another person, and such action is necessary for self-defense or to protect the other person; shall not intentionally place themselves in the path of, or reach inside, a moving vehicle; and, where possible, shall attempt to move out of the path of a moving vehicle before discharging their weapon. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

Source: New Orleans Police Department Use of Force Policy, Section IV.C

USEOFFORCEPROJECT.ORG

19 of the 91 police departments reviewed prohibit officers from shooting at people in moving vehicles unless the person poses a deadly threat by means other than the vehicle (for example, shooting at people from the vehicle).

“ONLY 21 OF THE 91 POLICE DEPARTMENTS REVIEWED EXPLICITLY PROHIBIT OFFICERS FROM USING CHOKEHOLDS AND STRANGLEHOLDS AGAINST CIVILIANS.”

NEWARK POLICE USE OF FORCE POLICY REQUIRES OFFICERS *EXHAUST ALL OTHER MEANS* BEFORE USING DEADLY FORCE

II.

Police officers shall use firearms with a high degree of restraint. Officers' use of firearms, therefore, shall never be considered routine and is permissible only in defense of life or to prevent serious bodily injury to the officer or others - and then only after all alternative means have been exhausted.

Source: Newark Police Department Use of Force Policy, Section II

USEOFFORCEPROJECT.ORG

31 of the 91 police departments reviewed require officers to exhaust all other reasonable alternatives before resorting to using deadly force.

NEW ORLEANS POLICE USE OF FORCE POLICY REQUIRES OFFICERS *TO INTERVENE AND STOP* ANOTHER OFFICER USING EXCESSIVE FORCE

300.3 DUTY TO INTERCEDE AND REPORT

Any officer present and observing another officer using force that is clearly beyond what is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. Any officer who observes another employee use any use of force incident shall promptly report these observations to a supervisor, and officers observing a level 2, 3 or 4 use of force shall write a Force Statement before the end of the shift, which shall be included in the Use of Force Report.

Source: New Orleans Police Department Use of Force Policy, Section 300.3

USEOFFORCEPROJECT.ORG

30 of the 91 police departments reviewed require officers to intervene to stop another officer from using excessive force.

WICHITA POLICE USE OF FORCE POLICY *REQUIRES OFFICERS TO REPORT WHEN THEY* THREATEN CIVILIANS WITH A WEAPON

4.1.28.B.B

Members will fill out a Response to Resistance Form and the Electronic Use of Force/Restraint Evaluation Form whenever the following situations occur:

1. Displaying a police weapon as a means to gain compliance. This would include aerosol weapon, baton, Taser, handgun, shotgun, or rifle. Each member who engages in the activity will fill out the form;
2. Discharging a police weapon to accomplish a police objective. This would include using an aerosol weapon on an individual, striking a person with a baton, tasing a suspect, or shooting a duty handgun, shotgun, or rifle. Each member who engages in the activity will fill out the form;
3. A member uses physical force. Each member who engages in the activity will fill out the form;

Source: Wichita Police Department Use of Force Policy, Section 4.1.28.B.B

USEOFFORCEPROJECT.ORG

15 of the 91 police departments reviewed require officers to report all uses of force including threatening another civilian with a firearm.

“30 OF THE 91 POLICE DEPARTMENTS REVIEWED REQUIRE OFFICERS TO INTERVENE TO STOP ANOTHER OFFICER FROM USING EXCESSIVE FORCE.”

* Freedom of Information Act requests were sent to the police departments of America's 100 largest cities (as per US Census population data) requesting all current policies regarding police use of force. Of these, we obtained 94 cities' use of force policies. Birmingham, Chesapeake, Hialeah, Jersey City, Long Beach, and Memphis police departments refused to send their use of force policies as of July 15, 2016. Colorado Springs, El Paso and Sacramento police departments sent heavily redacted policies which were excluded from the analysis.

ANALYSIS

We compared police department use of force policies with police killings data for 91 of the 100 largest police departments to see if there was a relationship between the two. We found that police departments with **policies that place clear restrictions** on when and how officers use of force had **significantly fewer police killings** than those that did not have these restrictions in place. Specifically, there was a **significant and influential relationship** between the **number of restrictive use of force policies** that police departments implemented and the number of people these departments killed. This relationship exists even after taking into account the number of arrests these departments made, reported assaults on officers, the size of the police force, and the income, inequality, and racial demographics of the population.

[\(Read the Full Study\)](#)

“POLICE DEPARTMENTS WITH *POLICIES THAT PLACE CLEAR RESTRICTIONS* ON WHEN AND HOW OFFICERS USE OF FORCE HAD *SIGNIFICANTLY FEWER POLICE KILLINGS* THAN THOSE THAT DID NOT HAVE THESE LIMITS IN PLACE.”

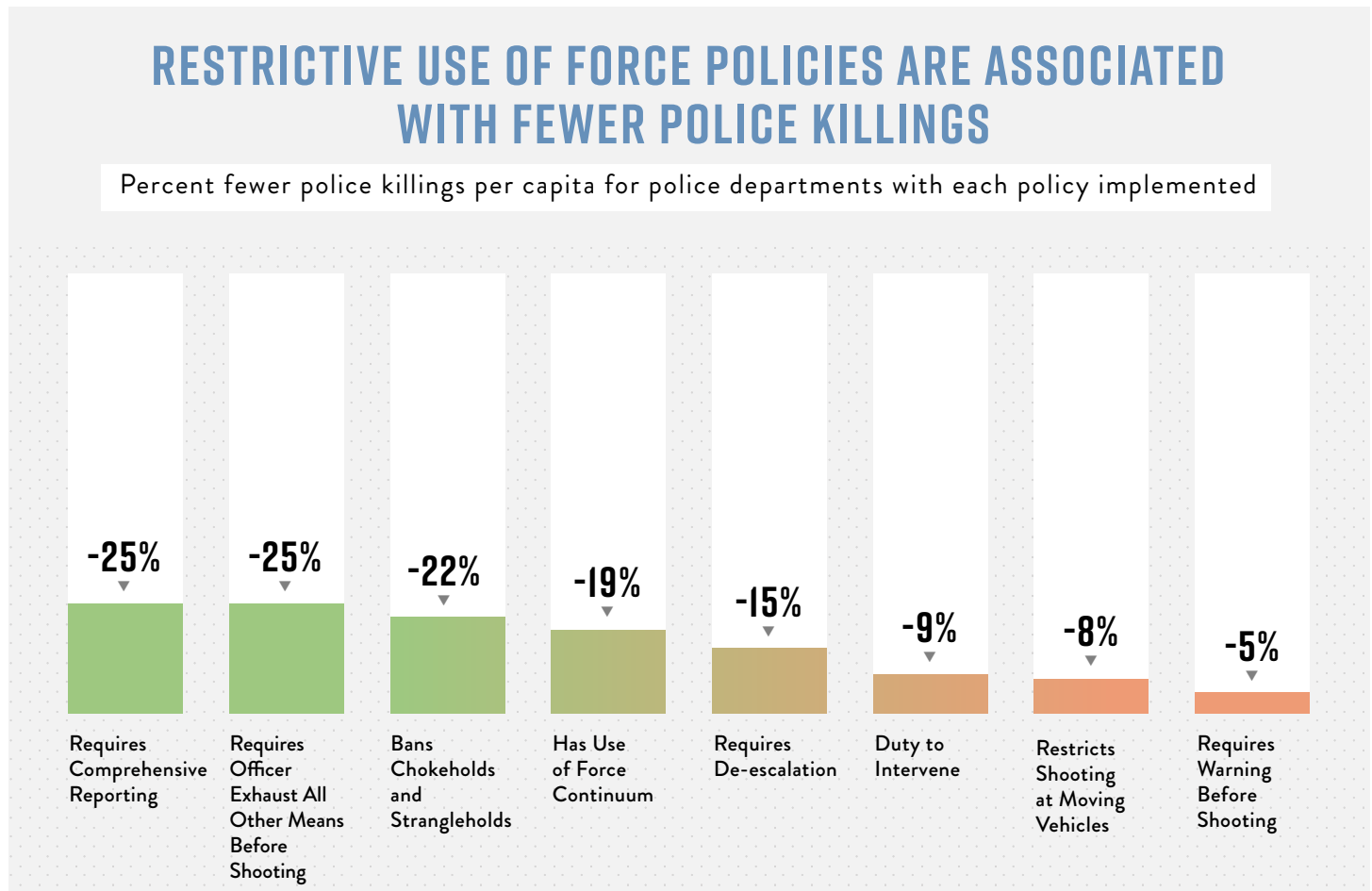
APPROACH

We used police killings data from The Guardian’s [The Counted database](#), from January 1, 2015 - July 15, 2016, to evaluate potential explanations for why some police departments kill at higher rates than others. Specifically, we used a negative binomial regression model to test the extent to which the number of killings by America’s largest city police departments were related to the number of restrictive use of force policies implemented by these departments as well as other factors including the size of the police force, reported assaults on officers, number of arrests made by the department, percent minority residents, median income, and level of income inequality of the jurisdiction. See the full study for more details regarding the data used in this analysis.

FINDINGS

For each of the 8 policies examined, police departments that had implemented the policy were less likely to kill people than police departments that *had not*. The lowest rates of police killings were associated with police departments that implemented **four or more** of these policies. See figure 2.

Figure 2.



“FOR EACH OF THE 8 POLICIES EXAMINED, POLICE DEPARTMENTS THAT *HAD IMPLEMENTED* THE POLICY WERE LESS LIKELY TO KILL PEOPLE THAN POLICE DEPARTMENTS THAT *HAD NOT*.”

Our analysis finds that **each additional use of force policy was associated with a 15% reduction in killings** for the average police department. Since the average police department had already implemented three of these policies, implementing all eight use of force restrictions would be associated with a **54% reduction in killings** for the average police department. Even after taking into account the number of arrests made, assaults on officers, and community demographics, police departments with all eight of these use of force policies implemented would kill **72% fewer people** than departments that have none of these policies in place. See figure 3.

These results indicate that while the chances of killing a civilian increases the more arrests a police department makes, that likelihood is shaped by the department's policies governing how and when police can use force during those encounters. This suggests that advocacy efforts pushing police department to adopt more restrictive use of force policies - and the accountability structures to enforce them - can produce dramatic reductions in the number of people killed by police. Among the measures identified, policies requiring comprehensive use of force reporting, banning chokeholds and strangleholds, and requiring officers to exhaust all other means before using deadly force produced the largest effects. And while this analysis was limited to examining rates of deadly force, these policies may also be associated with reductions in other forms of police violence as well.

Figure 3.

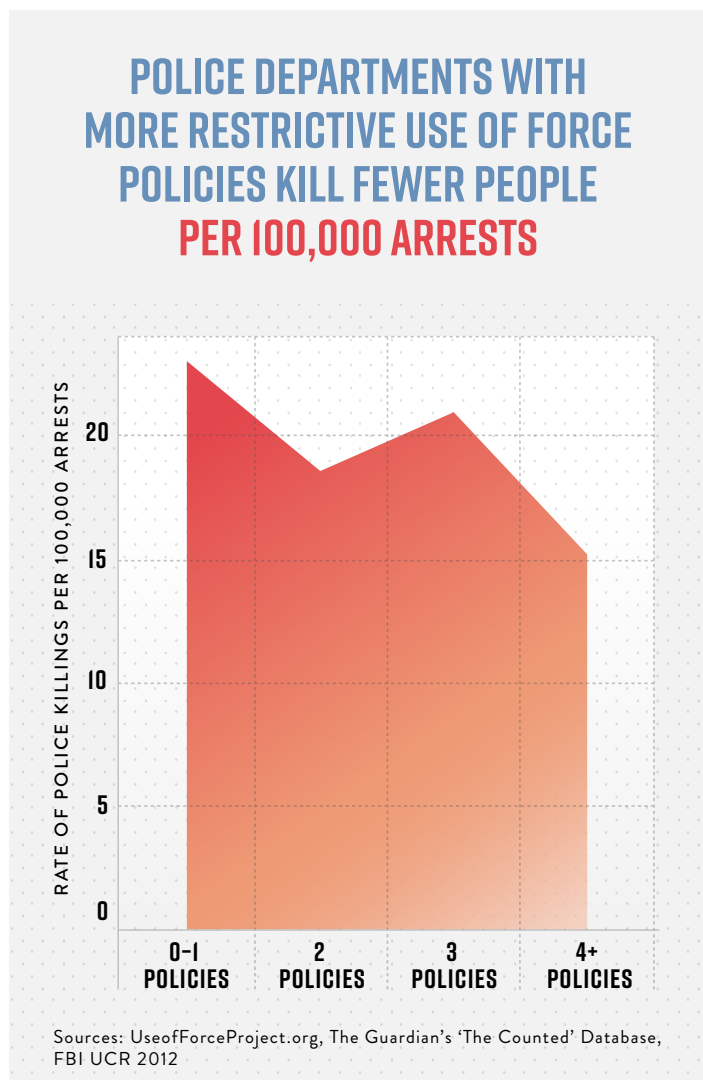
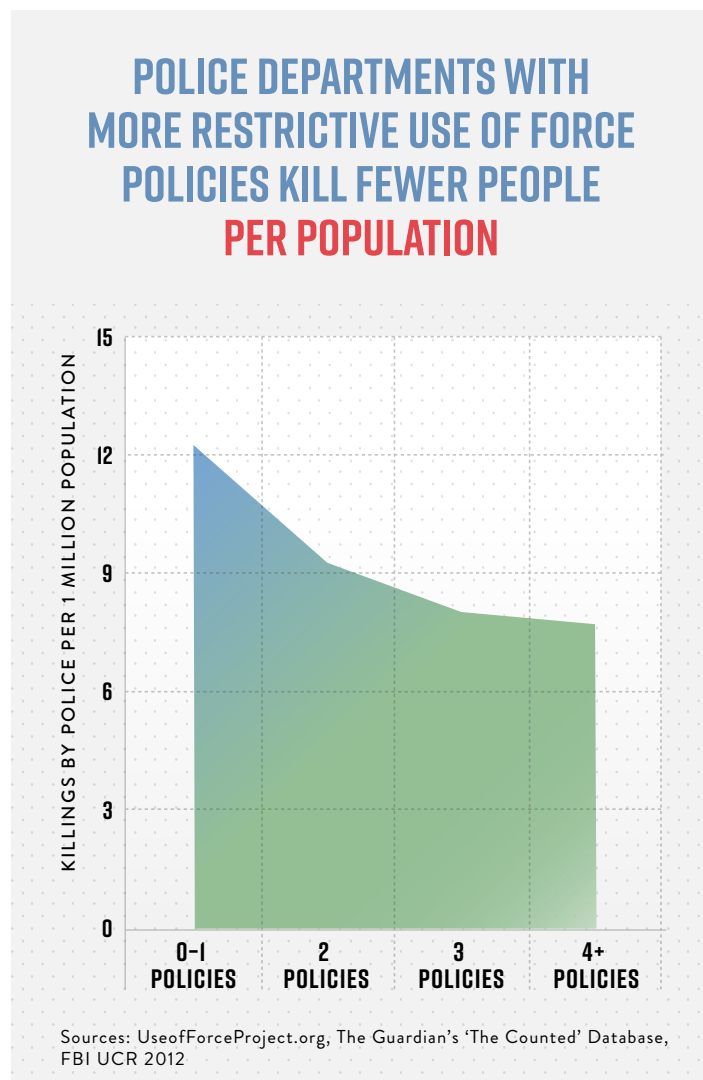


Figure 4.



Despite their potential impact, only about one third of America's largest city police departments have adopted four or more of these use of force policies and none of these departments have adopted all eight. This suggests a large proportion of police killings could be prevented through common sense policy changes that have yet to be adopted by the nation's foremost police and city leaders.

Some police organizations have opposed these restrictions claiming they “endanger officers” (See [here](#), [here](#), and [here](#)). We find that these assumptions are not supported by the data. **Officers in police departments with more restrictive policies in place are actually less likely to be killed in the line of duty, less likely to be assaulted, and have similar likelihood of sustaining an injury during an assault.** See figures 5 and 6. In short, a commitment to protect and preserve life necessitates the immediate adoption of more restrictive policies governing when and how officers use force in our communities. While these policies alone will not end all violence at the hands of police, the evidence indicates that they can make meaningful progress towards achieving this goal.

“A COMMITMENT TO PROTECT AND PRESERVE LIFE NECESSITATES THE IMMEDIATE ADOPTION OF MORE RESTRICTIVE POLICIES GOVERNING WHEN AND HOW OFFICERS USE FORCE.”

Figure 5.

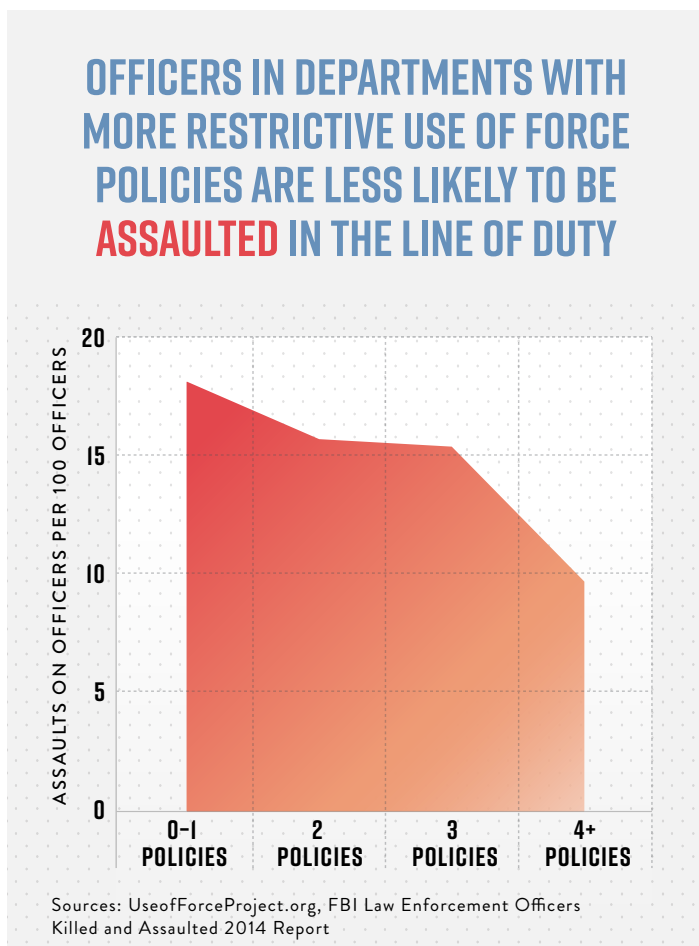


Figure 6.

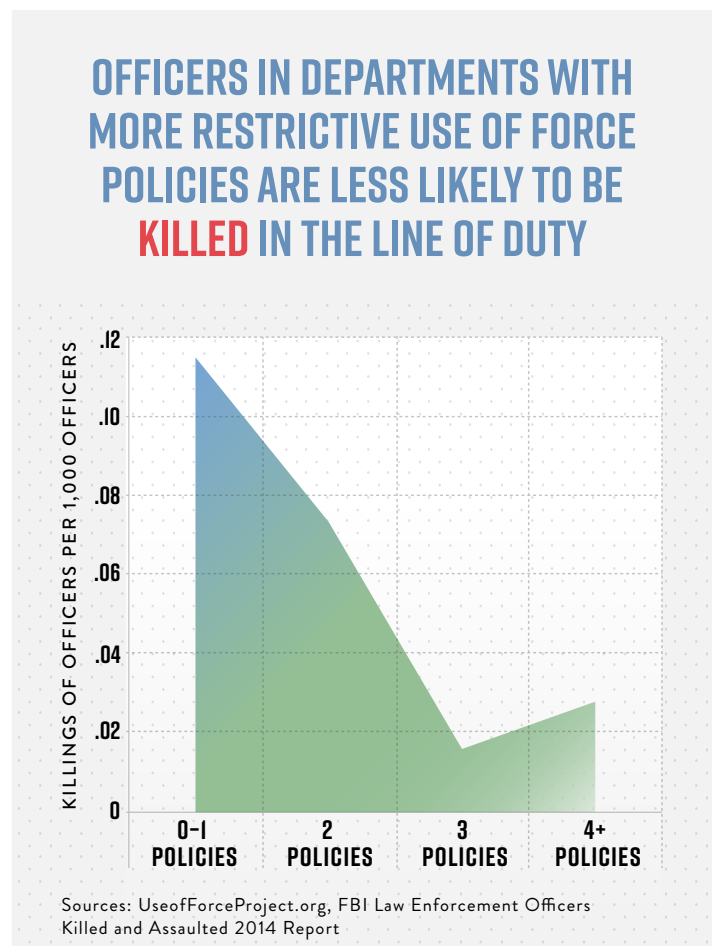


Figure 7.

● Yes ● No

Use of Force Policy	Requires De-escalation	Has Use of Force Continuum	Bans Chokeholds and Strangleholds	Requires Warning Before Shooting	Restricts Shooting at Moving Vehicles	Requires Exhaust All Other Means Before Shooting	Duty to Intervene	Requires Comprehensive Reporting
Albuquerque	Yes	Yes	No	Yes	Yes	No	Yes	No
Anaheim	No	Yes	No	Yes	No	No	Yes	No
Anchorage	Yes	Yes	No	No	Yes	No	No	No
Arlington	Yes	Yes	No	No	Yes	Yes	No	Yes
Atlanta	No	Yes	Yes	No	No	No	No	No
Aurora	No	Yes	No	No	Yes	No	Yes	No
Austin	No	Yes	No	Yes	No	No	Yes	No
Bakersfield	No	No	No	Yes	No	No	No	No
Baltimore	Yes	Yes	No	Yes	No	Yes	Yes	Yes
Baton Rouge	No	Yes	No	No	No	Yes	No	No
Boston	No	Yes	Yes	No	Yes	Yes	No	No
Buffalo	No	Yes	No	No	Yes	Yes	No	No
Chandler	Yes	Yes	No	Yes	No	No	No	No
Charlotte	No	Yes	No	Yes	No	No	No	No
Chicago	Yes	Yes	No	No	Yes	No	No	No
Chula Vista	No	No	No	Yes	No	No	Yes	No
Cincinnati	Yes	Yes	No	Yes	Yes	Yes	No	No
Cleveland	Yes	Yes	Yes	No	Yes	No	Yes	No
Columbus	No	Yes	Yes	Yes	No	No	No	No
Corpus Christi	Yes	No	Yes	Yes	No	Yes	Yes	No
Dallas	Yes	Yes	No	No	No	Yes	No	No
Denver	Yes	Yes	No	Yes	No	Yes	No	No
Detroit	No	Yes	Yes	Yes	No	Yes	No	No
Durham	Yes	Yes	No	No	No	No	No	No
Fort Wayne	No	Yes	No	Yes	Yes	No	No	No
Fort Worth	No	Yes	Yes	No	No	No	No	No
Fremont	No	No	No	Yes	No	No	Yes	No
Fresno	No	No	No	Yes	No	No	No	No
Garland	No	No	No	Yes	No	No	No	No
Glendale	No	Yes	No	No	No	Yes	No	No
Greensboro	Yes	No	No	No	No	No	No	No
Henderson	Yes	Yes	No	No	No	Yes	Yes	No
Honolulu	Yes	Yes	No	Yes	No	No	No	No
Houston	No	Yes	No	No	No	No	No	No
Indianapolis	No	No	No	Yes	No	No	No	No
Irvine	No	Yes	No	Yes	No	No	Yes	No
Irving	No	No	No	No	No	No	No	No
Jacksonville	No	Yes	Yes	Yes	No	No	No	No
Kansas City, MO	No	No	No	No	No	No	No	No

● Yes ● No

Use of Force Policy	Requires De-escalation	Has Use of Force Continuum	Bans Chokeholds and Strangleholds	Requires Warning Before Shooting	Restricts Shooting at Moving Vehicles	Requires Exhaust All Other Means Before Shooting	Duty to Intervene	Requires Comprehensive Reporting
Laredo	No	Yes	No	Yes	No	Yes	No	No
Las Vegas	Yes	Yes	No	Yes	No	No	Yes	No
Lexington	No	Yes	No	No	No	Yes	No	Yes
Lincoln	Yes	Yes	No	Yes	No	Yes	No	No
Los Angeles	No	Yes	Yes	No	No	No	Yes	No
Louisville	Yes	Yes	No	Yes	Yes	Yes	No	No
Lubbock	No	Yes	No	No	No	Yes	No	No
Madison	No	Yes	Yes	Yes	No	Yes	No	No
Mesa	No	Yes	No	Yes	No	No	No	No
Miami	No	Yes	Yes	Yes	Yes	Yes	Yes	No
Milwaukee	No	Yes	No	Yes	No	No	Yes	No
Minneapolis	Yes	Yes	No	Yes	No	No	Yes	No
Nashville	No	Yes	No	Yes	No	Yes	No	No
New Orleans	Yes	Yes	Yes	No	Yes	No	Yes	Yes
New York	Yes	Yes	No	No	Yes	No	Yes	No
Newark	No	Yes	No	Yes	No	Yes	Yes	No
Norfolk	Yes	Yes	No	No	No	No	No	No
North Las Vegas	No	No	No	No	No	Yes	No	No
Oakland	Yes	Yes	No	No	No	Yes	Yes	Yes
Oklahoma City	No	Yes	No	Yes	No	No	No	No
Omaha	No	Yes	No	Yes	No	No	No	No
Orlando	No	Yes	No	No	No	No	Yes	No
Philadelphia	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
Phoenix	No	Yes	No	Yes	No	No	Yes	No
Pittsburgh	Yes	Yes	No	No	No	No	No	No
Plano	No	Yes	Yes	Yes	No	Yes	No	Yes
Portland	No	Yes	No	Yes	No	No	No	Yes
Raleigh	No	Yes	No	Yes	No	Yes	Yes	Yes
Reno	No	No	No	No	No	No	No	No
Riverside	Yes	Yes	No	Yes	No	No	No	No
Rochester	No	Yes	No	No	No	No	No	No
San Antonio	Yes	Yes	No	No	No	No	Yes	No
San Bernardino	Yes	Yes	No	Yes	No	No	Yes	No
San Diego	No	Yes	No	Yes	No	No	No	No
San Francisco	Yes	Yes	No	Yes	No	No	No	Yes
San Jose	No	Yes	Yes	No	No	No	No	No
Santa Ana	No	Yes	No	Yes	No	No	No	No
Scottsdale	No	Yes	No	Yes	No	No	No	No
Seattle	Yes	Yes	Yes	Yes	No	No	Yes	Yes
Spokane	No	Yes	No	Yes	No	No	Yes	No

● Yes ● No

Use of Force Policy	Requires De-Escalation	Has Use of Force Continuum	Bans Chokeholds and Strangleholds	Requires Warning Before Shooting	Restricts Shooting at Moving Vehicles	Requires Exhaust All Other Means Before Shooting	Duty to Intervene	Requires Comprehensive Reporting
St. Louis	No	Yes	No	Yes	Yes	Yes	No	No
St. Paul	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
St. Petersburg	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Stockton	No	No	No	No	No	No	No	No
Tampa	No	Yes	No	No	No	No	No	No
Toledo	No	Yes	No	Yes	No	No	No	No
Tucson	No	Yes	No	No	Yes	Yes	No	No
Tulsa	No	Yes	Yes	Yes	No	No	No	No
Virginia Beach	No	No	Yes	Yes	No	No	Yes	Yes
Washington DC	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
Wichita	No	Yes	No	Yes	No	No	No	Yes
Winston-Salem	Yes	Yes	No	Yes	No	No	No	Yes

Highlighted cities have updated their policies in 2016.

*Birmingham, Chesapeake, Hialeah, Jersey City, Long Beach, and Memphis police departments refused to send their use of force policies by July 15, 2016. Colorado Springs, El Paso and Sacramento police departments sent heavily redacted policies which were excluded from the analysis.