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Law Enforcement: Deadly Force Policy and Community-Oriented Policing Programs

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ABSTRACT

This is a capstone research project used to gain knowledge on the California Highway Patrol's use of deadly force policy as well as how community-oriented policing programs work to lower the crime rate so an officer doesn't resort to using deadly force. The research asked three questions: 1) What is the policy or policies in California that deem an officer's use of deadly force as justifiable or not justifiable? 2) How do these policies affect how officers perform on the job? 3) Are there any programs within the Salinas Police Department that work within the community to help reduce the crime rates? I use American sociologist Herbert George Blumer's theory of symbolic interactionism to analyze an officer's implementation of deadly force, and to explain agency program's interactions with community members. The findings for my research are based on a review of relevant literature, interviews I conducted with representatives of the CHP and the Salinas Police Department, and personal observations in the course of a service learning project with the Salinas Police Department. In my analysis, I compare the responses of the CHP officers in relation to one another, and I analyze the response of the SPD Sergeant.

INTRODUCTION

I have chosen to focus on a research topic that deals with the law enforcement field because I have always dreamed of pursuing a career in the law enforcement industry. It wasn't until recently that I decided that I want to become a California Highway Patrolman. I specifically chose officers' use of deadly force as my research topic because having been born and raised in Salinas, California the topic of the use of deadly force hit home for me. My whole life, I have constantly viewed headlines on the local news of officer-involved shootings and possible gang affiliated shootings. I have always heard of Salinas as having a negative stereotype of being

violent and dangerous. Although deadly force has been used in Salinas, I do not associate negative connotations to the city that I grew up in.

The topic for my capstone project is officers' use of deadly force and community-based policing programs. As a sociologist, I bring a sociological perspective to officers' use of deadly force and community-based policing programs. I have three main questions that I focus on in my research. The first two questions pertain to the California Highway Patrol (CHP) use of deadly force policy. The first question asks, what is the policy or policies in California that deem an officer's use of deadly force as justifiable or not justifiable? The second question asks how the policy(s) for an officer's use of deadly force affects conduct on the job. By asking this question, I will find out how the policy(s) that have been set in place may affect the way that law enforcement officers conduct themselves while on the job. The third question deals with the Salinas Police Department and community-oriented policing programs. The third question asks if there are any programs within the Salinas Police Department that work within the community to help reduce the crime rates so that an officer may not have to resort to using deadly force. I focus specifically on the local Monterey County California Highway Patrol (CHP) policy(s) and the Salinas Police Department's community-oriented policing programs. It does not seem that most citizens are aware that the CHP use of deadly force policy is a statewide policy that applies to all CHP divisions within California. Moreover, local police such as the Salinas Police have their own policies, different than those of the CHP. Through my research, I hope that others gain insight into the guidelines for why the final decision has been made to make the use of deadly force justifiable or not justifiable as well as learn about community-oriented policing programs.

Unfortunately, Salinas is not the only place that experiences deadly force. Across the country there has been a lot of media coverage around the topic these past few years. Media

being displayed on this matter leaves the impression that law enforcement is bad and this gives all of law enforcement a bad name. Through my research, I uncovered why certain questionable actions by law enforcement officers has been deemed as either justified or not justified.

Furthermore, I researched how this affects the morale of the officers. In order to incorporate the Salinas Police Department, I researched their community-oriented policing programs that aim to reduce the crime rate. It is important to uncover these aspects for not only my own knowledge, but to inform the public of necessary information on law enforcement.

THEORY

Herbert George Blumer was an American sociologist who coined the term symbolic interactionism. Symbolic interactionism allows an individual to interpret the actions of someone or something and derive meaning through interaction. For example, Snow's article titled "Extending and Broadening Blumer's Conceptualization of Symbolic Interactionism" states,

"When confronted with the challenge of articulating the core premises of symbolic interactionism, scholars generally refer, almost in the fashion of liturgical recitation, to Herbert Blumer's conceptual distillation of the perspective into three core principles: (1) that people act toward things, including each other, on the basis of the meanings they have for them; (2) that these meanings are derived through social interaction with others; and (3) that these meanings are managed and transformed through an interpretive process that people use to make sense of and handle the objects that constitute their social worlds (Blumer 1969:2)" (Snow 367).

I chose symbolic interactionism as my theory because it can be applied to the field of law enforcement. It can be used to help explain how an interaction between a law enforcement officer and a civilian can quickly escalate to the point of the officer needing to use force. Fortunately, the interaction of officers speaking to civilians in the community through community-oriented programs may also be explained through symbolic interactionism as a form of crime reduction so an officer may never have to use force.

When it comes to the actual implementation of deadly force, the theory of symbolic interactionism helps to explain how an incident can escalate to an officer using deadly force. Through symbolic interactionism, an officer interprets the actions of the suspect and acts accordingly. An instance may occur where an officer is faced with an irate suspect who reveals a firearm and intends to use it against the officer. When faced with a deadly situation, the officer interprets the actions of the suspect by responding with the use of deadly force by firing their own firearm at the suspect. If the situation calls for the implementation of deadly force, the officer utilizes the power they possess through deadly force in order to protect the safety of themselves and the community.

In order to avoid having serious confrontations with suspects, some law enforcement agencies create programs that work with the community in hopes of reducing the crime rate. By creating programs that work with the community, some law enforcement agencies-- such as the Salinas Police Department-- interact with the civilians of the community so it never escalates to the point of an officer using deadly force on one of the civilians. Symbolic interactionism helps to explain how the efforts of a law enforcement agency to create interaction with civilians in the community can lead to a lower crime rate. Through symbolic interactionism, civilians of the community notice the officers going out into the community to create positive interactions with the community. Through the civilians' eyes, this shows that the officers are interested in helping and lending a hand to the community in order to make it better. With greater communication between the officers and the civilians, there comes a greater relationship between the two. As a result, civilians are more likely to stay out of trouble or report a possible crime before it begins so the situation never escalates to something deadly.

METHODOLOGY

My methodology involves a review of the literature I researched, interviews with selected law enforcement officers, and personal observation through service learning.

In order to collect information on the CHP use of deadly force policy and community-oriented policing programs I conducted interviews. In order to define what an interview is Rowley (2012), author of “Conducting research interviews” states, “By interviews, we mean face-to-face verbal exchanges in which one person, the interviewer, attempts to acquire information from and gain an understanding of another person, the interviewee” (Rowley 260). An interview is a great main method to utilize. The article “Interviewing: Philip Bernard Introduces Three Articles on One of the Most Crucial Aspects of Data Gathering: Interviewing” introduces Philip Bernard’s feelings towards interviews. The article states, “Interviews are probably the most frequently used means of gathering data in qualitative studies” (Bernard 4). Rowley identifies several important characteristics to an interview. “Interviews are generally used in conducting qualitative research, in which the researcher is interested in collecting ‘facts’, or gaining insights into or understanding of opinions, attitudes, experiences, processes, behaviours, or predictions” (Rowley 261).

The specific form of a qualitative interview that I conducted was a semi-structured interview. Myers and Newman write that “unstructured or semi-structured interview. In an unstructured or semi-structured interview there is an incomplete script. The researcher may have prepared some questions beforehand, but there is a need for improvisation” (Myers, Newman 4). I used a semi-structured interview because I only had one opportunity to conduct the interviews. “Semi-structured interviewing, according to Bernard (1988), is best used when you won't get more than one chance to interview someone and when you will be sending several interviewers out into the field to collect data” (Cohen, Crabtree 1). Most researchers prefer to conduct a semi-

structured interview. Why is this? Cohen and Crabtree explain why researchers like to conduct interviews in their article “Qualitative research guidelines project” by proclaiming, “Many researchers like to use semi-structured interviews because questions can be prepared ahead of time. This allows the interviewer to be prepared and appear competent during the interview” (Cohen, Crabtree 2).

I utilized a semi-structured interview by conducting an interview with Monterey County CHP Captain Perlstein and Officer Loza. I used my cell phone to record and later transcribe the interviews that were conducted. I conducted an interview with CHP Captain Perlstein in his office at the Monterey County CHP office in Salinas, CA. Captain Perlstein is a 48-year-old white male who has been with the CHP for 26 years. The interview with Officer Loza was conducted in a slightly noisy open cubicle in the Monterey County CHP office in Salinas, California. Officer Loza is a 35-year-old Hispanic male who has been with the CHP for 6 years and 3 months. Through the interviews conducted with the CHP Captain and Officer, I gained information on the use of deadly force policy. Several questions were asked specifically for the CHP Captain and specifically for the CHP Officer. Moreover, several questions were asked for both the Captain and the Officer in order to compare and analyze their responses to one another.

A semi-structured interview was also conducted with Salinas Police Department Sergeant Johnson where I gained knowledge about community-oriented policing programs. The interview was conducted in an interrogation room at the Salinas Police Department. Sergeant Johnson is in charge of the Community Service Unit at the Salinas Police Department. My access to an interview with Sergeant Johnson was made possible due to my service learning project as a Community Academy member with the Salinas Police Department.

Questions were also asked to gain demographic information of the officers. Information such as their name, age, gender, race, how long they have been with law enforcement, and what their rank is. While conducting the interviews I used a voice recording application on my cell phone. Once all interviews were completed, I replayed the recordings and transcribed the interviews.

LITERATURE REVIEW

Scholarly articles that have been published on the subject of an officer's use of deadly force have a wide range of topics. The articles I have researched so far provide information on race being a factor towards an officer's use of deadly force, a drastic political response to deadly force, the different types of force used, officer's suspicion prior to the shooting, and the officer's perception during the implementation of deadly force.

My research has shown me that there has been interesting information on race being a factor towards an officer's use of deadly force displayed all throughout the media. Such media coverage covered the case of Cleveland native Tamir Rice. According to Downie's article (2015) Tamir Rice was a 12-year-old African American boy who was holding a fake gun. Cleveland Officer Loehmann was said to have supposedly warned Rice to drop his weapon before Officer Loehmann began to open fire. However, it was later found that Officer Loehmann opened fire on Rice seconds after arriving on scene in his squad car. McElvain and Kposowa's article (2008) brings light upon which type of officer is more likely to use deadly force. McElvain and Kposowa found that black officers are more likely to use their firearm against a citizen. The authors of this study argue that black officers off-duty are more likely to use deadly force because they personally reside in dangerous areas. Through symbolic interactionism, depending on how the officer evaluates and interprets the situation, they will either remain calm through

their efforts to take control of the situation or they will take drastic measures by implementing deadly force. Through the Tamir Rice case, the officer located Rice with the fake gun, assessed what was occurring and did not hesitate to take immediate action.

As a political response to deadly force, some individuals would take a more drastic approach in comparison to others. Belur's article (2009) gives the opinions of others—the media and politicians—in regards to deadly force. Belur focuses on the country of India and how the public views the use of deadly force. Surprisingly, he finds that politicians are in support of officers using deadly force, especially against gangs. They view it as a way to control the crime committed by gangs.

There are different types of force an officer may use out of their arsenal based on the type of situation they are placed in. Terrill, Paoline & Ingram (2011) talk about law enforcement officers and which policies work better to determine which different types of use of force may be used. The policies help an officer to determine whether they should use less force or a higher amount of force. Across the country a mail survey was sent to a random sample of police agencies in regards to gathering information on the different policies pertaining to the use of force. The end result shows there are various forms of force used by law enforcement officers that relate to the amount of resistance the suspect uses. White (2006) examines the three types of law enforcement shootings. This article brings attention to surprising information such as the distance between an officer and the suspect. For example, “Interestingly, officers who are physically struggling with suspects—and are, by definition, very close to the suspect—often shoot and miss the target” (White 22). When an officer is up close and personal with a suspect, it is easier to assume that the officer will be able to accurately target the suspect. Such is not the case.

Scholarly journal articles were found that talk about an officer's suspicion to stop a suspect prior to a shooting. Alpert, Macdonald, and Dunham's article (2005) talks about the different causal variables as to why an officer would stop a suspect. Race is one of the major variables as to why an officer chooses to stop and speak with the citizen. Another causal is related to the way the citizen speaks to the officer. If the citizen speaks and displays certain negative behaviors to the officer, then the officer is more likely to stop the citizen. A law enforcement officer also gains reasonable suspicion to stop a citizen based on the articles of clothing the citizen is wearing. Certain clothing items that a person wears makes that person seem suspect in the eyes of a law enforcement officer. Nguyen (2015) states, "The hoodie as a sign and a screen then conditions an expectation (criminality) and from this a feeling (fear) and then a force (preemption)" (Nguyen 804). An officer may view the black hoodie as hiding the face of the suspect.

The last articles I located deal with an officer's perception during the implementation of deadly force. During the implementation of deadly force an officer's perception can be distorted. Moreover, a law enforcement officer may perceive firing their weapon in their own personal way. Artwohl (2002) brings light to the different types of perceptions officers experience during the course of a shooting. Artwohl studies the life experiences of officers who have self-reported their shooting experience. Alpert, Smith, Fridell, Kaminski, MacDonald & Kubu (2009) mention when physical force is used to gain control over a suspect, there is an increase in the probability that an injury will occur to both the officer and the suspect. They further their study by mentioning which gender is most likely to obtain injuries after being involved in an altercation with an officer. However, during the altercation, an officer may also be injured. Waegel's article (1984) provides different scenarios on deadly force. Stress is placed on using deadly force only

in instances where it is necessary. McElvain (2008) analyzes information on Riverside County and their officer involved shootings. Riverside's statistics on officer involved shootings by year shows a consistent low number of shootings. Alpert, Rivera, and Lott (2012) describes when it is best for an officer to recollect their actions during the shooting. One of the goals is to retain as much information as possible on the incident. I will return to talking about officer's perceptions during the use of deadly force in my findings.

FINDINGS AND ANALYSES

After I conducted an initial review on relevant literature related to my topic, I located articles on the implementation of deadly force that pertain to the officer's perception during the act. Some of the articles found include how an officer perceives time during the shooting, who is more likely to receive injuries, what instances lead to deadly force, and how well the officer remembers the incident after it occurs.

For instance, Artwohl (2002) argues that there is no one common perception for how all law enforcement officers perceive their shooting. Officers who have self-reported the incident mention how they felt when firing their weapon. One of the types of distorted perceptions mentioned in the article deals with time. During the shooting, one officer may perceive the shooting as occurring in slow motion, whereas another officer may view the experience as sped up. Alpert, Smith, Fridell, Kaminski, MacDonald & Kubu (2009) note that when physical force is used to gain control over a suspect, there is an increase in the probability that an injury will occur to both the officer and the suspect. A male suspect is more likely to receive injuries than a female suspect. Moreover, depending on what type of lethal weapon is used, either the officer or the suspect has a higher chance of being injured. When an officer does decide to use their weapon, it is only fired when it is absolutely necessary. Waegel's article (1984) allows you to

read about instances that lead to deadly force. One instance is when an officer is being threatened with a firearm. When an officer has a firearm drawn against them, it is seen as a life threatening situation. The officer is then able to respond with the use of deadly force; however, only if it is seen as absolutely necessary. Some counties in California have a low rate of deadly force.

McElvain (2008) releases research information on officer involved shootings that was collected on the Riverside County Sheriff's Department. When examining the Riverside County Sheriff Department's rate of police shootings there are interesting trends. "In fact, the rate of shootings and officers involved based on population reached a remarkable low in 1997 and maintained a similar constant low until 2004" (McElvain 143). Officers accurately reporting their incident involving the officer's use of deadly force is crucial. Alpert, Rivera, and Lott (2012) write about an officer's memory after a shooting. Describing the shooting immediately after it occurs is better for an officer compared to describing it a few months after it occurred. The more information an officer is able to supply in his or her report on exactly what happened will help the officer's case towards justifying their actions. Details of a shooting are more vivid immediately after the shooting.

Interviews were conducted with several law enforcement officers to gain information on the CHP use of deadly force policy and the Salinas Police Department's community-oriented policing programs.

The first interview that was conducted was with CHP Officer Loza to gain information on the CHP use of deadly force policy. The interview with Officer Loza was conducted in a slightly noisy open cubicle office where we were interrupted once. The first question asked: "What is the policy or policies that have been put in place in California that deems an officer's use of deadly force as justifiable or not justifiable?" During any given day, a law enforcement officer can be

placed in a situation that requires them to use a form of force that is necessary to subdue a suspect. The “use of force” (UOF) is a term used by law enforcement to describe a technique that allows an officer to force the compliance of a suspect. For example, Adepipe (2012) states, “UOF is defined globally as the authority given to law enforcement officers to settle or prevent a conflict with verbal, physical or lethal methods” (Adedipe, Maher, and Strote 99). Law enforcement officers are able to use force in order to ensure safety for the officer, the suspect and the society in general. Out of the three different methods of use of force that an officer may utilize, the lethal method in regards to UOF is the most dangerous.

The lethal method involves an officer’s use of a firearm in order to gain compliance from a suspect, otherwise known as an officer’s use of deadly force. However, an officer cannot simply decide to use deadly force on a suspect if he merely feels like it. Certain factors must be present in order for an officer to determine that the use of deadly force is necessary. Moreover, when a law enforcement officer does decide to use deadly force, there are policies containing criteria that allow for there to be justification on the officer’s use of deadly force. The information for the policy is located in the CHP manual. There is no exact amount of force that should be used in a given situation because every situation is different from one another. However, officers are expected to follow policy guidelines and make impartial decisions. “So, some of the reasons why we can use, some of the reasons why we do use force though are to defend ourselves, to defend others, effect an arrest or detention, prevent an escape or overcome resistance” (O. Loza, personal communication, March 14, 2016).

The second question states, “When the policy of most cities in CA is public for police departments, what is the justification as to why the CHP policy on the use of deadly force is confidential?” As of lately, the use of deadly force is something constantly broadcasted in the

media, especially pertaining to Monterey County and the surrounding areas. Although the use of deadly force is shown across all forms of media, some parts of the policy is kept confidential. A certain instance in which the CHP deadly force policy could be made viewable to the public is through a prior case study that has questioned an officer's implementation of deadly force. This is what happened in 1994 in Redding, California. The State Personnel Board (1994) reviewed the case of a CHP State Traffic Officer who questionably discharged their firearm. Written in the Highway Patrol Manual, section 70.6, chapter 5, paragraph 3, the CHP Shooting Policy in 1994 says an officer may discharge their firearm against an automobile or human being only when they have the legal authority to do so. A section of the policy allows an officer to discharge their firearm to protect themselves and/or another person in self-defense for protection from serious injury. The Department of California Highway Patrol (2012) lays out information on the current use of deadly force policy in Highway Patrol Manual 70.6, Officer Safety Manual: Chapter 1, Use of Force. There are three points made in the policy. The first point gives clear and concise information for an officer to follow. "Law enforcement officers are authorized to use deadly force to: (1) Defend themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury" (Department of California Highway Patrol 1-4). The deadly force policy itself is not confidential; however, there are CHP policies that are confidential in order to protect officers. "We don't want people-- let's say people, suspects, criminals-- knowing our tactics" (O. Loza, personal communication, March 14, 2016).

I was able to conduct the interview with Captain Perlstein in his office. The first question asked states, "What is your role as the Captain and supervisor in enforcing or implementing this policy? How does this affect your job?" The job is exactly that, proper implementation of the policy. The Captain needs to make sure the policy is being followed through proper training of

the officers. This is done through scenarios gone over daily during briefing called SROVT (Solid Realistic Ongoing Verifiable Training) as well as training done once or twice a quarter to ensure officers have proper knowledge. The second question asks, “When someone under your command has used deadly force, what is your responsibility as Commander that you must take into consideration?” There are several steps taken in this type of a situation. The first is to ensure the safety of the public. The next concern is the mental and physical well-being of the officer. Next, the investigation begins with the help of the Critical Incident Investigation Team (CIIT). One of the final responsibilities before collecting the firearm as evidence is to protect the rights of the officer so they are not unlawfully questioned. “They are protected by what is called the Peace Officer's Bill of Rights which is government code 3300-3313” (W. Perlstein, personal communication, March 14, 2016). This keeps the media and/or other agencies from excessively questioning the officer and getting the officer to say more information than is necessary.

Questions were asked of both Officer Loza and Captain Perlstein in order to compare their answers to one another. The first question for both officers asks, “How does the policy(s) for an officer’s use of deadly force affect conduct on the job?” Before an officer utilizes deadly force, the officer must evaluate the situation at hand. Binder and Scharf’s article (1980) discusses the thought process of an officer before deadly force is implemented, and whether using deadly force is the best possible solution. For example, the officer who is likely to use deadly force is the one who is being radioed to the scene by another officer and has time to weigh their options. When officers do use force, it doesn’t occur quite that often. The article “Excessive or reasonable force by police? Research on law enforcement and racial conflict” presents the statistics available on the amount of force used on suspects by stating, “The Justice Department releases statistics on this and related issues, although these datasets are only periodically updated: It

found that in 2008, among people who had contact with police, ‘an estimated 1.4% had force used or threatened against them during their most recent contact, which was not statistically different from the percentages in 2002 (1.5%) and 2005 (1.6%)’” (3). Both officers had different responses. Officer Loza mentioned how while an officer may feel they are conducting themselves properly on the job, others may not feel the same way because they are being taken to court due to people questioning the officer’s actions. Some civilians may feel as if they did nothing to provoke an aggressive response from the officer. However, utilizing the theory of symbolic interactionism, an officer responds to the actions of the civilian based on the meaning of the action through their social encounter and responds how the officer best sees fit. Therefore, if a civilian makes a motion towards the officer that appears to put the well-being of the officer in danger, the officer will assess the situation and use a form of force that is best fit accordingly. Captain Perlstein commented on how it is always in the back of an officer’s mind on a daily basis during each individual stop. Every stop is different, but with every stop there is the thought of the possibility of having to use deadly force.

The second question asks: “Is there more retraining now that there is national attention on the issue? Is the policy now being reinforced?” Although questionable use of force by officers has been portrayed throughout all forms of media, in previous but recent years statistics show the use of force has not risen. A majority of officers from some of the largest law enforcement agencies will never use their issued firearm. Punch (2011) revealed that a large majority of officers from Great Britain, as well as the majority of officers from the New York Police Department will never discharge their firearm in their entire career. The New York Police Department is the largest law enforcement agency in the United States. Both officers agreed there is no retraining due to the national issue. Officer Loza noted that the CHP is always finding

ways to improve the department. Captain Perlstein stated that the policy is a major part of the job and he doesn't see any major changes occurring any time soon.

The last interview I conducted was with Sergeant Johnson of the Salinas Police department to gain information on community-oriented policing programs within the Salinas Police Department. The interview was conducted in an interrogation room at the Salinas Police Department with Sergeant Johnson, a 48-year-old white male who has been with the police department for over 21 years. The first question asked says, "Are there any programs within the Salinas Police Department that work within the community to help reduce the crime rates?" In recent years the Salinas Police Department has lost many officers due to retirements and officers leaving for other agencies without many officers coming in. As a result, a majority of the units have been eliminated in order to be able to staff patrol. Moreover, while most units were eliminated, most community-oriented programs were eliminated as well due to officers being unable to work the programs. One great program still running is CASP, also known as Community Alliance for Safety and Peace. CASP is stationed in the Hebbbron Heights Community Center on the east side of Salinas. CASP runs an intervention type program. "And they do that by going literally house to house to house to house and they meet each family, and they go what are your problems (Johnson, February 23, 2016)?" They work with the families to absolve the issues the family is facing. Some of the problems include the officers reaching out to the children of the family and connecting with them before they get into leading a life of crime. Another program is the Community Academy that runs a classroom setting in the Salinas Police Department for any citizen who wants to learn more about the police department. Another question I asked Sergeant Johnson stated, "Which program has best helped to reduce the crime

rate?” With a quick and straight to the point response he informed me that CASP is the best community-oriented policing program when it comes to reducing the crime rate.

For my service learning, I was a member of the Community Academy at the Salinas Police Department. Through my service learning experience, I was able to learn how community-oriented policing programs can reduce the chance that a crime will occur. Through what I have learned in my service learning experience, community-oriented policing programs really do make a difference towards reducing the chances of officers using deadly force. An officer's presence and interaction with the community shows they want to help the community become safer. When the citizens of the community recognize this they feel more comfortable with either reporting crimes to officers or reporting information that a crime will occur soon. As a result, there is a far less likely chance that it will get to the point where an officer is more likely to have to use deadly force towards a suspect.

CONCLUSION

Deadly force is what keeps law enforcement agencies across the world under a microscope. Interestingly, even with the constant news coverage of officers using deadly force, my research shows that most officers from the largest law enforcement agencies will never fire their firearm in their career. Moreover, for the California Highway Patrol, the Highway Patrol Manual provides the officer with the guidelines they are to follow for using deadly force. Even with all the scrutiny officers are facing from deadly force, the CHP deadly force policy is not a policy that is being constantly revised. The last revision was four years ago in 2012. The current policy allows for an officer to protect themselves and/or another person from death and serious bodily injury. This is a policy that CHP Captain Perlstein does not feel will be revised any time in the near future.

With a constant need for a greater relationship between officers and the community, community-oriented policing programs have been seen as a great method for reducing instances of deadly force. The CASP program is seen as an amazing program that helps better the lives of the citizens of Salinas. Although there are other community-oriented policing programs in Salinas, CASP is seen as one of the most effective programs at helping citizens have a better relationship with their local police department. A greater relationship of the entire city of Salinas with the police department could lead to a major decrease in the use of deadly force. I have only scratched the surface towards learning about different methods that may be utilized to decrease deadly force. I encourage others to continue to further research on this area of focus in law enforcement.

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APPENDIX

This Appendix contains the responses by the different law enforcement officers to the interview questions.

Questions specifically for CHP Officer:

1. What is the policy or policies that have been put in place in California that deems an officer's use of deadly force as justifiable or not justifiable?

"There are lots of things that cover it, but our main one is our use of force policy which is our Highway Patrol Manual. So, there is no specific or exact amount of reasonable force to be applied in any situation because every situation's different. Each officer is expected to use the guidelines which is our policy to make such decisions in a professional, impartial, and reasonable manner based on the facts and circumstances perceived by the officer at the time because every situation is going to be different. So it's a lot more of the officer of using sound professional judgement. So, some of the reasons why we can use, some of the reasons why we do use force though are to defend ourselves, to defend others, effect an arrest or detention, prevent an escape or overcome resistance."

2. When the policy of most cities in CA is public for police departments, what is the justification as to why the CHP policy on the use of deadly force is confidential?

"I actually Google searched to see if I could find it online and it in one place online. It was hard to find. I tried searching it other ways and I couldn't find it so it is very hard to find. But one of the reasons why we make a lot of our manuals confidential, so we do have some open for the public and even the confidential ones we will redact some of the stuff, and it's mainly for officer safety. We don't want people-- let's say people, suspects, criminals-- knowing our tactics."

Questions specifically for CHP Captain:

1. What is your role as the Captain and supervisor in enforcing or implementing this policy? How does this affect your job?

"My job as the Commander is that. It's the implementation of policy. The first step of implementing policy is making sure our folks understand it. We do training. We have training days. Usually one or two every quarter. The Sergeants brief the officers every day. We do training every single day during every briefing. There is a scenario that is presented to the officers. The Sergeant reads it. It is called SROVT (Solid Realistic Ongoing Verifiable Training). The Sergeants read it and discuss it with the officers. So, the first objective is to make sure our officer understand policy and know how to implement it. Then, when an incident occurs, they take actions."

2. When someone under your command has used deadly force, what is your responsibility as Commander that you must take into consideration?

"This happens. We've had officers use deadly force here and the last one was an officer involved shooting. Our first thought is public safety once we get to the scene of a deadly force incident. We want to make sure that the scene is stabilized and that there is no more threat to the public or to our folks. Once the threat is not there anymore, then my next concern is the well-being of the

officer. So, I want to make sure that the officer is physically ok and mentally ok. And then, I have sort of two roles. One is to investigate the incident. That involves, it can involve many things depending on what we are talking about. But if there is deadly force used we have a team that responds called Critical Incident Investigation Team (CIIT). They respond to the scene and they'll take over the investigation. So I have that part, but then I have a part to protect the officer and the officer's rights because the officer has rights in law. They are protected by what is called the Peace Officer's Bill of Rights which is government code 3300-3313. It's very easy in high stress situations for supervisors and allied agencies to inadvertently violate the rights of an officer. We have specific procedures that we go through. For example, if it's the use of a firearm, we have to confiscate the firearm. But we do it in a way that doesn't leave the officer standing there without a weapon. The City of Salinas has responsibility for the criminal investigation. But, there is also a deadly force component. So the District Attorney has investigative responsibility and we will ultimately allow the District Attorney to dictate the criminal investigation. So we do an internal investigation on every deadly force incident and it ends up being binders of information. All the evidence, all the documents, everything. All the interviews, all the witnesses. Everything is compiled immediately following the incident. And those binders are kept and used for civil litigation. So there is another component that we are responsible to make sure is implemented properly.

Questions for both the Captain and Officer:

1. How does the policy(s) for an officer's use of deadly force affect conduct on the job?

Officer: "Right now a lot of officers have been going to court. Like recently in Monterey. In the Portola Plaza one of the officers shot the guy that was waving around the gun later found out it was a plastic gun. But it took a year for him to get adjudicated. So finally for him to find out that they are not going to press charges against him. So it does affect an officer knowing that even though you are doing your job, somebody else may see it as you not doing your job and you could be facing prison time. So, it does affect us in that aspect."

Captain: "Fortunately most officers will go through their career without ever having to use deadly force. But, it's always on their mind and it is and was for me. Even to this day on those rare occasions where I will make a traffic stop or something. Your first thought is safety, and it has to be. Every car that you walk up on. So you have to be there in the moment. The deadly force policy is so ingrained, it's so sort of in there in the back of your mind that you know what your options are. And if it ever comes to that point, you immediately use the options that are available to you to protect yourself, to protect the public. I think it's there, it's under your mind, but for the most part it's in the back of the mind. You approach things with safety and it just change very much how you interact people."

2. Is there more retraining now that there is national attention on the issue? Is the policy now being reinforced?

Officer: "So, you are right, we are under a microscope right now. Everything we do is being looked at. But we are constantly looking for ways to improve our department and our relationship with the community. So that has always been an ongoing thing for us."

Captain: "It's not because it is such a core foundation of how we do things. So our use of force is not. The policy has not changed and I don't anticipate change in that policy. But, you can't let, you can't just sit back and go, Wow, there is a lot of stuff going on in the country right now. But we've been pretty good so far so we are just going to relax and not pay attention to the dynamics in the United States."

Questions for SPD Sergeant include:

1. Are there any programs within the Salinas Police Department that work within the community to help reduce the crime rates?

“As the department lost all of its specialized units, a lot of the programs went away. because the units that were carrying them out are now on patrol. But we do have other things that we do. Like for example, there is this unit called CASP, and that stands for Community Alliance for Safety and Peace. There is a community center on the East Side of Salinas called Hebbbron Heights. Well, what they do is, they go out about 15 or 20 blocks in each direction. That’s our 10 beat. If you ever become a Salinas Police Officer you’ll know the 10 beat. That’s the 10 beat. Well we assign two police officers there full time. And that, it’s sort of like a 10 block area. That 10 block area, that’s where they work. And from that community center, they do outreach to the community in that area. And they do that by going literally house to house to house to house and they meet each family, and they go what are your problems? When everything was eliminated and collapsed, those CASP guys got yanked and put back on patrol. But, they are still working one day or two days a week with that. The Community Academy is the big current program that is still in effect. The Community Academy is a way for the Salinas Police Department to conduct community outreach. That is the whole purpose of this. It’s community outreach for basically anyone who lives, works, volunteers, or goes to school within the city limits of Salinas and they want to know more about their police department. And the people that attend this will hear from a variety of, umm, speakers such as our detectives, and all of the different detectives we have like fraud and homicide (major crimes). They will hear from our K-9 Unit. See our K-9 Unit demonstration. Our SWAT Team, our Crime Scene Investigation Team, our Field Training Officers. You learn how it takes to get hired as a police officer. How things work here in the department.”

2. Which program has best helped to reduce the crime rate?

“CASP.”

5 SERVICE LEARNING QUESTIONS

1. Does your research respond to community-identified needs?

My research does respond to community-identified needs. There is a current gap and lack of trust on the part of civilians in their relationship with law enforcement. Most people are unaware of the policies officers follow that guide them towards making the crucial split second decisions. Moreover, most residents of Salinas do not know about the community-oriented policing programs the Salinas Police Department is running in order to have a relationship with the community. My research works to show the reader the guidelines officers follow in order to make their critical decisions as well as how officers are looking to strengthen their relationship with the community.

2. How does your social and behavioral science research serve the community?

My research serves the community by showing that law enforcement officers are taking accountability for their actions as well as considering what they are getting themselves into before any action occurs. It also brings light to the fact that officers are working hard to establish and maintain a relationship with the members of the community. Moreover, my research looks into the fact that there are some, but not all law enforcement officers who discriminate against and target minority races.

3. What does your research teach you about “service” (issues of justice, diversity, compassion and social responsibility)?

My research has taught me that “service” does not always work out in the way that you hoped it would. Although officers work hard to protect the community and try to build a long standing relationship with it, there will often be kinks in the road. My research goes to show that even through the tough times, law enforcement officers are constantly concerned with the safety of the community as well as strengthening their relationship with the community.

4. How does your research increase community capacity?

The research that I have conducted through my capstone will increase community capacity by helping members of the community restore their faith and trust back into the arms of law enforcement. Many citizens associate a negative stigma to the majority of law enforcement officers due to the questionable uses of deadly force. My research shows that not all officers use the power they possess in a negative manner and that officers are working to have a healthy relationship with the community, therefore restoring citizens’ faith in law enforcement.

5. How do you use the knowledge of social science theory and methods to conduct an inquiry on the historical context and causes of the SL issue that you selected?

In order to use my knowledge of social science theory and methods to conduct an inquiry on the historical context and causes of the SL issue that I selected I conducted semi-structured interviews with several law enforcement officers. I asked them questions pertaining to my topic that I used in my Capstone as well as asking them questions about my Capstone that I did not include but asked for my own personal knowledge. Every question that I asked the law enforcement officers was meant to help myself as well as the reader(s) of this Capstone to gain more knowledge about the interactions between law enforcement and the community.