Insights on American law enforcement

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I very much appreciate the opportunity to share some valuable data and cogent insights into the current national discussion concerning American law enforcement.

1. Only 1.5% of encounters with the police will involve the threat or use of force (e.g. almost always less than lethal force). 98.5% of the time they do not. This has not increased in recent years. Use of force by the police is a relatively rare event (Bureau of Justice Statistics, 2015).

2. When it occurs, it is the suspect who sets the level of force. When a suspect resists a lawful order, police officers must respond with a commensurate and standardized level of force strictly governed by training, policy, supervision, and the law. At all times, the suspect by his or her attitude and actions is in complete control of how much if any force will be applied. It is tragic when a suspect is injured or dies while resisting officers. When you assure the officer that you are not a threat to your safety, his or her safety, and the safety of others through your immediate, visible, and sustained compliance, you almost completely eliminate any possibility of ever being injured during an encounter with the police.

3. Use of deadly force is an especially rare event in American policing - even when it is legally justified. Of the 3,277 deadly weapon assaults on police officers each year where lethal force would be legally justifiable, only 429 deaths occur annually - in other words, almost 90% of the time that a deadly weapon is used on a police officer, the police officer does not end up killing the suspect (Johnson, 2015). This indicates a remarkable degree of restraint regularly exercised by American law enforcement. Not surprisingly, your odds of losing your life during an encounter with the police are the same odds of being killed by lightning (Johnson, 2015).

4. After a full investigation, 92% of use of force complaints are not upheld as true or valid (Bureau of Justice Statistics, 2006). Officer misconduct concerning the use of force is a relatively rare event.

5. Although black males are sadly and chronically overrepresented in our criminal justice system, 67.8% of those who lost their lives during a deadly force encounter with the police are not black males. 89.6% of the black males who are the victims of homicide in America between 2009-2012 were tragically murdered by black males (Johnson, 2015).

6. Local law enforcement is subject to multiple layers and tools of effective oversight: professional standards investigations initiated by any citizen complaint, several levels of agency supervision, citizen review boards, state and national accreditation bodies, civil litigation, prosecutorial reviews and criminal investigations, reviews of use of force or a police involved shooting by state and federal law enforcement agencies, media scrutiny, reviews by local and state elected officials, and investigations by the USDOJ Office of Civil Rights. As is true of any profession, there will be individuals who engage in misconduct and officers who are found to have abused their authority in violation of the law or policy and they will be held accountable – this is a consensus opinion within the profession of law enforcement which has often led and initiated the types of changes and reforms which ensures responsibility for those who take unlawful or unjustified actions.

7. Let the process work. Police officer involved shootings appropriately receive a very high level of scrutiny and investigation. A tremendous amount of resources involving federal, state, and local agencies is invested to get these investigations right. Justice is best served when we allow a complete and highly competent investigation to render full factual findings and legal conclusions. Public trust can be wrongfully and badly damaged by immediate media reports involving citizen statements which later prove to false and erroneous. For example, due to the reality that many use of deadly force events occur in socially disorganized neighborhoods,
the eyewitnesses who strongly influence initial media coverage may later be found upon a full investigation to
be less than credible witnesses who gave completely false or inaccurate statements. The legal investigations –
not the news media or social media – must be relied upon by the public to provide complete factual and legal
conclusions – this is how we provide justice in a free society governed by the rule of law.

8. Today’s police officer is a highly trained professional utilizing innovative strategies and the latest technology
to bring crime to its lowest level in several decades. What explains the high degree of professionalism in
American law enforcement? It is training, college education, national and statewide accreditation of local
agencies, four decades of federal grants to thousands of local law enforcement agencies ensuring the diffusion
of best practices across America, the leadership and strong influence of professional organizations such as
IACP, NSA, and PERF in promoting best practices, the widespread use of model policies, supervision, case-
law, professional standards divisions, an emphasis on professional development, the community policing
philosophy, and the extensive use of research to design and select the most effective policing strategies. A
culture of continuous training and ceaseless professional development governs life in this profession. The
reforms which have standardized and professionalized policing in America have almost always been initiated
and led by those within the policing profession.

9. Current law enforcement strategies have produced historic reductions in crime. In Florida, our crime rate is
now the same as it was in 1971 despite our state now having 12 million more residents. In 1990 in New York
City, there were 2,245 homicides. In 2014, there were 328. That’s an 85% reduction. It is a homicide rate not
seen in the city since 1963 – before many of today’s police officers were even born. Think of it this way -
because the 1990 homicide numbers were no longer the norm in 2014, 1,917 New Yorkers were not homicide
victims in 2014 and are alive today. Many of these New Yorkers whose lives were protected are minorities. The
concern is that the present political controversy could cause us to abandon or undercut pro-active policing
approaches which have proven to be very successful.

10. The problem is not the police. The police are responding to the problem. Citywide, a relatively small subset
of repeat offenders produce a majority of the crime. Crime is highly concentrated within what we call socially
disorganized areas of our communities. Social science research has few iron laws in the way that physics does
but one of them is if you have a neighborhood where fatherless households are universal - where every major
institution of positive socialization is failing (e.g. failing or dysfunctional families, schools, neighborhoods, the
absence of influential non-governmental organizations, etc..) and where agents of anti-social behavior are
thriving (e.g. drug dealers, gangs), you will witness an almost endless cycle of boys and young men making bad
choices and ending up in the criminal lifestyle. Until we effectively address these causes of crime, we will not
solve the problem.

I am grateful for the opportunity to share this data and research to hopefully inform the current discussion.

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