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**Reflection Essay: Appropriate Use of Deadly Force**

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### Reflection Essay: Appropriate Use of Deadly Force

In today's society, the subject of police officers' use of deadly force has taken a central stage of many debates. In most cases, many people consider deadly force use superfluous. Nonetheless, there is a good number of aspects worth looking at when considering this subject. For instance, when was this deadly force necessary? When was it required for an officer to inherently resolve to apply it? Are there any implications tied to the fact vindicating the officer's latter resolve? Was the use of this deadly force impacting society in any way? While these are crucial questions worth answering, appropriate use of deadly force is an umbrella term that seems to provide considerable insights on each one of them. Hence, drawing from a perception of a number of articles, this reflective paper aims to discuss the latter theme with respect to assumptions authors made in the chosen articles, the Texas statute and FBI policy about use of deadly force, personal perceptions of when it would be appropriate to use deadly force in the event am a police officer, and the advantages and challenges tied to use of subjective language in statue and policy related to use of deadly force.

#### The Assumptions Made By Authors

The deadly shooting of Stephon Clark and Willie McCoy by law enforcement agency in Sacramento and Vallejo respectively triggered racial bias issues by police. Consequently, the killing of Jamarion Robinson by a heavily armed task force without considering his schizophrenia nor trying to get him to surrender raised the questions whether he was a threat to the officers through an attempt to shoot at them and if his assassination was justified (Weichselbaum, 2019). Accordingly, militarization of police departments in America through migration of military veterans into law enforcement agencies has complicated the relations between police and the communities they are obligated to serve. These three incidents assume

that police use of deadly force essentially boils down to police use of military discipline and skills to the public they should package themselves as guardians. Equally, the authors assume deadly force to entail civilians' fatal encounters by police which resulted in documented cases of police shootings and eventual death of individuals like the case of Jamarion Robinson. Finally, the incidents of Stephon Clark and Willie McCoy draw the assumption that police use of deadly force is centered around ethnic or racial inequalities in which the demoted race is exposed to the risk of being brutally killed by the police (O'flaherty & Sethi, 2019).

While these assumptions from the incidents depicted in the articles seem to hold water, they represent a general view of highly probable forms in which police use of deadly force is expressed. Gunshot injuries by far are the leading cause of death. Nonetheless, the genuine recurrence of law enforcement agency choices to utilize guns as a means of deadly force can best be construed by considering injuries as well as off-target shots as just serendipitous varieties of deadly shootings. All are of a sort. That is, each and every occurrence police pointed a gun to an individual, a deadly force transpired, even if the shot or shots miscued or the target survived.

#### **Texas Statute and FBI Policy about <sup>1</sup>Use of Deadly Force**

A considerable amount of force capable of inflicting physical wounds or even death to another person is what basically underpins deadly force by definition. Depending on circumstances and to a considerable degree the place, the regulations governing the application of deadly force on citizens vary. For instance, the police can utilize deadly force to prevent a person from posing any harm to individuals around them. This approach is justifiable as the force is employed to protect the public from injury. In Texas, the Penal Code 9.51 permits application of deadly force when the private property of individuals is at risk and needs to be protected (statutes.capitol.texas.gov, 1994). In regard to this, police can use deadly force against an

individual who is using a deadly force or if there is fear of deadly force against the officer(s). Additionally, Texas statute on use of police force clearly specifies that the private assets to which police may use deadly force to protect should be moveable as well as tangible.

Correspondingly, the policy governing FBI special agents' use of deadly force states that the agents may employ deadly force just when required. That is when the agent has a sensible conviction that a given subject with a similar force represents an up and coming peril of loss of life or a critical physical wound to someone else or the agent at that point. In the event that attainable, a verbal admonition to submit to agent's authority is offered to precede utilization of deadly force (fbi.gov, n.d.).

Suppose I worked as a police officer, I deem the current policy and statute fail to provide enough flexibility for confrontations. Thus, my personal standard would be more limited than the policy or statute allows. This is because the policy and statute fail to objectively state when it is appropriate for a police officer to use deadly force. However, based on my own judgment I would resolve to employ deadly force as the last option. That is when I am fully convinced that there is a substantial danger of death or bodily harm to those around me or myself. Nonetheless, since this a matter of personal judgment, understanding it is illegal to use force, the instances where I would use it would be judicious. For instance, in case of self-defense. With the latter application, an instance of exception to this law is evident. Even so, as a police officer, I will have to judge every situation through the lens of what a reasonable person would have resolved to do had they been in my shoe at that particular point. Thus, in my quest to serve the community as a police officer, I would only respond with deadly force in circumstances where the assailant uses or tries to use deadly force. For example, in the depicted incident in Atlanta where the aggressor pulled a gun on the police and bolted, at that particular occasion my life or the lives of

my colleagues would have been a threat (Weichselbaum, 2019). Hence, I could have used force to offer necessary protection to all of us.

### **Analysis of Use of Subjective Language in the Statute and Policy**

The statue and policy on <sup>3</sup> police use of force need an objective reasonableness standard. The use of words such as “imminent” or “reasonably necessary” or “believes” is confounding and neglect to give clear direction to the police officers. It thus necessitates the policy to obliterate such terms. Thus, it ought to assert “The use of deadly force is a measure of last resort that is permissible *only when necessary to protect against an imminent threat to life or great bodily injury*. As such, an officer may use deadly force *only when such force is necessary to prevent...*” (statutes.capitol.texas.gov, 1994). However, the use of subjective language in the policy has more challenges than advantages, the language seems sensible to a typical reader but in essence, it fails to acknowledge the fact that things are not always what they seem to be. As a result, this language tends to assume that law enforcement task force will promptly be in possession of all the data important to them to settle on a choice besides having the intellectual ability under pressure to settle on the right choice. While this language recognizes that the officers are required to make choices that are limited to precise definition rather than mechanical application but choices umpired from a viewpoint of a rational individual, the objective sensibleness standard acknowledges this reality to be true but not always right. In this sense, the statute and policy should use language which makes police stringently answerable should they judiciously but incorrectly perceive danger.

Summing, law enforcement in certain places are not generally welcome. A few folks may resist the law, toss good judgment to the breeze and demand having their direction. Just like the depicted incidence in Atlanta where a suspect needed to have his way by pointing a gun to the

officers. This sort of rebellion with total negligence of the law influences the nation as well as the lives of individuals as a whole. In regard to this, it is justifiable to use deadly force, if just to guarantee that the individual holds fast to the rules everyone ought to follow. There is no need to have the law in place if the officers cannot utilize required force to enforce them. Hence, an individual who eagerly challenges the rule that everyone must follow ought to be compelled to hold fast to it regardless of whether it implies savage power.

## References

- fbi.gov. (n.d.). *What is the FBI's policy on the use of deadly force by its special agents?*  
<https://www.fbi.gov/about/faqs/what-is-the-fbis-policy-on-the-use-of-deadly-force-by-its-special-agents>
- O'flaherty, B., & Sethi, R. (2019, May 1). *How Fear Contributes to Cops' Use of Deadly Force*.  
<https://www.themarshallproject.org/2019/05/01/can-understanding-fear-mitigate-police-violence>
- statutes.capitol.texas.gov. (1994, September 1). *GENERAL PRINCIPLES OF CRIMINAL RESPONSIBILITY*. <https://statutes.capitol.texas.gov/SOTWDocs/PE/htm/PE.9.htm>
- Weichselbaum, S. (2019, October 31). *Why Some Police Departments Are Leaving Federal Task Forces*. <https://www.themarshallproject.org/2019/10/31/why-some-police-departments-are-leaving-federal-task-forces>

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