Use of force

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In law enforcement, there have been several instances involving the use of force by police. There exist a different state of mind concerning the use of force, for example, favorable opinions, undesirable objections, and uncertain feelings. For a long time, it remained unclear which law justify the use of force. However, with time different phenomena have regulated and justified the use of force. For example, stress and role stress. Stress is a condition that has adverse consequences over an individual’s well- being (Crank and Caldero 1999). The behavior of individuals under the condition of stress is bad thereby leading to adverse consequences over his or her dealings. Role stress is more specific and originates from a person’s organizational roles. The organizational role which is considered more constrained is the primary cause of role stress. Similarly, many researchers in the field of criminology define militarization of police and community policing as velvet glove which wraps the iron fist (Crank and Caldero 1999).

Velvet glove and Iron fist suggest that crime is not just the result of worst economic policies rather, criminals have individualistic approaches. For example, the cynical values which are not adopted by society, rather they are individual approaches, mainly originating from social relations and ideological narratives. The nature of policing and the use of force by the state can also be best apprehended but analyzing title 42 of section 1983. It is linked with the civil right acts passed in 1871. Previously, this clause was enacted during the origination of the Ku Klux Klan. It was previously designed to combat the post-civil- war racial crimes in Southern states. It is based on the notion that if any person with authority is found or accused of misleading or depriving the immunities to any person will be liable to the deprived party. Being a police officer, it is important to understand section 1983, as it provides the interpretation of certain instances, where unwantedly, a police officer might behave in the manner prohibited under this section.

Some of the following circumstances in which a case might be filed against the police officer include Intentional torts (when an officer deliberately deny rights enshrined over person naturally), negligent torts (when an officer has remained failed to protect the general public from harm) and the use of force. It is the most common lawsuits filed against the police officers. The use of force is when an officer misuses his authority and use force. Such use of force fall under the category of Intentional tort. Intentional torts are tribulations followed by any person against another. The intentional tort is doing or behaving badly to others for some underlying act. For example, causing injuries by a car crash or any such sort of accident. Negligent tort is, however, the failure in exercising appropriate and ethical rules in a specified circumstance. An intentional tort is therefore totally different from negligent tort.

However, there exist circumstances where a police officer can win Title 42, section 1983 case. For example, it is not always that the probable cause of negligent tort fall in the domain of police officers. Any police officer can win the title under qualified immunity, probable cause and under the condition of good faith. The qualified immunity is the loophole in-laws where an officer is performing his or her duties. It is when the law is not clear at all, and the officer must be given immunity. The probable cause, however, is different, it is when a crime is committed. Lastly, good faith is when an officer was unaware that his or her action might have violated the law. Given the details mentioned above, it is, therefore, right to argue that policing involves a robust and watchful attitude by the police officers.

# **References:**

Crank, John, and Michael Caldero. 1999. “The Corruption of Noble Cause: Police And.”