



### **E1 Police Use of Force: Where Is the Line and When Is It Crossed?**

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After attending this presentation, attendees will understand the scope and nature of controversies surrounding the death of subjects involved in police use of force situations and the thought processes used in forming cause and manner of death opinions.

This presentation will impact the forensic community and/or humanity by helping the forensic community to better understand the myriad levels of controversy regarding law enforcement use of force decisions. A logical approach to determining the cause and manner of death opinions will be presented, allowing practitioners to better understand future cases and the necessity of adequate evidence and specimen collection and testing.

Among the most highly emotionally charged situations in forensics arises in excessive use of force cases. The medical examiner sees the final outcome of the scenario, but such events are hardly static events. Law enforcement personnel must make literal life-or-death judgments in the blink of an eye. The sequela can last a lifetime, with the officer labeled a hero protecting the citizens or a rogue preying on the weak under color of law. These cases almost invariably end in the scrutiny of litigation, and all too often in potentially costly civil suits.

Utilizing a panel format, the authors will present a case-study approach on police use of force and death certification. Beginning with the basics of cause and manner of death, the authors will cover the spectrum of "less than lethal force" including electromechanical devices, pepper spray, etc. The classification of unintended deaths caused in whole or in part as homicide is other determinations of manner of death that may cause potential concern. The thought processes and logical paradigm utilized to form cause and manner of death will be discussed. In considering manner of death, the concept of "suicide by police" will be reviewed.

Particularly recently, the use of electric stun devices, has become an integral, but controversial (to some), tool involved in subdual of suspects. There has been discussion among medical professionals on the medical evidence of the role such devices play in deaths associated with police custody. A review of the literature and discussion of pertinent medical issues will be provided.

The police officer's general mind set and duties will be presented by active law enforcement personnel. Special attention will be given to when the decision to use force (and how much to use) is made.

The question of how far is too far and when the civil and criminal legal standards have been breached will be addressed by counsel.

The presentation will culminate in a question and answer discussion with the panel.

### **Police, Force, Death**