

Procurement and Policy

POLICE USE OF EMERGING WEAPONS TECHNOLOGY

Police officers are part of the social landscape of Western democracies. Yet a careful look at the weaponry they wield reveals the complex relationship between a police agency's use-of-force and weapons procurement policies.

This chapter aims to identify the trends that are likely to influence the development and procurement of firearms and less-lethal weapons by Western law enforcement agencies. While a comprehensive review of firearms and less-lethal weapons used by Western police has yet to be undertaken, police experience in France, the United Kingdom, and the United States suggests that countries are facing similar use-of-force challenges, but that their approaches to procurement and doctrine differ.

Among the chapter's conclusions are the following:

- Aside from the use of new materials to reduce weight and facilitate customization, law enforcement firearms have not recently experienced significant technological development.



Wearing crowd-control gear, police hold shotguns during a demonstration in Oakland, California, after Johannes Mehserle was found guilty of involuntary manslaughter in the shooting death of Oscar Grant, July 2010. © Paul Sakuma/AP Photo

- While Western European agencies still predominantly use 9 mm handguns for public order policing, US law enforcement agencies are procuring larger-calibre handguns and semi-automatic rifles to counter armed criminal violence.
- The latest generation of 'less-lethal' weapons allows police officers to engage targets that are farther away and provides them with more flexibility in the use of force across the spectrum from non-lethal to lethal.
- In its effort to adapt police practice and doctrine to new firearms and less-lethal weaponry, the US law enforcement community draws its primary inspiration from the military.
- Use-of-force policies have not kept up with the procurement of some weapons technology by police organizations. In terms of doctrine, practice, and equipment requirements, this discrepancy is accentuated by the absence of consensus among countries and law enforcement agencies.

The chapter highlights the heterogeneity of law enforcement arrangements and needs. Rather than being a fixed, uniform concept among police organizations, 'use-of-force continuum' models now serve primarily as training tools. Designed to represent proportionate responses to specific threats, the notion of a force continuum is only seen as a guide to decision-making in the field. It does not account for the complexity of circumstances faced by individual officers. Nor does it imply that there should be a weapon capable of covering the whole range of options. There is little agreement on what constitutes the class of weapons variously called 'non-lethal', 'less-than-lethal', or 'less-lethal'. This chapter uses the term 'less-lethal' to reflect the fact that lack of training for or improper use of such weapons can inflict serious or lethal injury to the target.

From a procurement point of view, police organizations are a very difficult market to target because their requirements and doctrine are extremely diverse. Police authorities rarely agree on common weapon requirements, which may explain why some small arms manufacturers mainly focus on military procurement.

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The chapter identifies recent developments and procurement trends in law enforcement firearms and less-lethal weapons. It presents weapons in a 'lethal' vs. 'less-lethal' dichotomy to highlight the disparity in models procured by Western police units as well as the difficulty of covering both weapons categories in a single, coherent doctrine. In general, the procurement of new police weaponry reflects military trends and precepts. Observing military small arms development is the most reliable way to predict what police officers will be issued in the near future. Conversely, the only area to benefit from direct police input is the development of firearm safety features, which has yet to attract significant research funds and continued manufacturer interest. Since firearms have not undergone any evolution significant enough to modify the police approach to the use of force, all hopes have turned to less-lethal weapons to provide force-option flexibility in the field. Less-lethal weapons have not replaced firearms but have been added to the police officer's tools for intermediate coercive means.

The recent generation of less-lethal weapons does not *replace* lethal weapons but is deployed *in addition* to them.

Whereas first-generation less-lethal weapons originally permitted only close engagements, new technology increasingly allows officers to target discriminately from a distance. Moreover, the private sector appears intent on progressively marketing fully scalable, lethal-to-non-lethal weapons. To date, for lack of a truly 'rheostatic' option, manufacturers are addressing the demand for technology by combining less-lethal systems with firearms.

The chapter's final section highlights a number of issues concerning the matching of police policies and procedures and emerging weapons technology. Decentralized, market-driven procurement of some intermediate weapons technology can prove detrimental to the development of a coherent use-of-force doctrine and related police training. There is a risk, as in the United States, that new technology—and associated marketing efforts—influence police procurement and use-of-force doctrine, not the other way around. Police forces may be acquiring new products that are not suited to their structure, doctrine, or environment. This trend is not as present in Western Europe, where more centralized police structures have helped strengthen and harmonize use-of-force policies.

Nevertheless, it remains to be seen whether marketing campaigns and peer pressure will prompt European law enforcement agencies to adopt procurement patterns similar to those in the United States. The chapter emphasizes the importance of accountability and independent civilian oversight to ensure that standard operating procedures and tactical rules of engagement take precedence over the procurement of hardware. ■